



February 1, 2022 * 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 Acting President of the Board Adams. The meeting was held at City Hall. The Public was able to attend in person and was streamed live on the City of Pacific U-Tube channel

A roll call was taken with the following results:

Present at Roll Call:

Alderman Adams
Alderman Rahn by Zoom
Alderman Frick
Alderman Eversmeyer
Alderman Nemeth
Alderman Stotler

Also present:

Administrator Roth
Attorney Carl Lumley
Chief Melies
Collector Kelley
Community Development Director Myers
Public Works Commissioner Brueggemann
City Clerk Barfield

Acting President of the Board Adams stated Alderman Rahn was attending by Zoom this evening.

Pledge of Allegiance

The Pledge of Allegiance was given.

Prayer

Timothy Reeves, Ministerial Alliance offered prayer this evening.

Approve Agenda

Board of Aldermen 2-1-2022

Motion made by Alderman Nemeth, seconded by Alderman Frick to approve the agenda. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

Minutes

A. Regular meeting on January 18, 2022

Motion made by Alderman Nemeth, seconded by Alderman Eversmeyer to approve the minutes of the regular meeting on January 18, 2022. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

Public Participation

Acting President of the Board Adams stated there were two speaker cards this evening. Speakers are given five minutes.

James Cleeve, 1926 Hwy N, Pacific, MO stated he looked though the packet and saw there was a Traffic Study for Old Gray Summit Road & Lamar Parkway. He suggested the traffic at Lamar and Osage also be studied. Acting President of the Board Adams agreed and asked Chief Melies to look at that. Mr. Cleeve stated he wanted to clear the record, he meant no disrespect at the last meeting with his comments. Specifically, to Mr. Frick's comments, he was not intending to be disrespectful and he appreciated his service. He is curious how they determine in general how people are in favor of things. He asked if surveys are sent out. Acting President of the Board Adams stated in his 40 years of experience being in the sector he doesn't recollect a survey being sent out. He relies on the contacts he makes around town. He remembers when the town was only 1500 people and we just talked to one another. He doesn't believe we have moved away from that. He continued that maybe we should think about a survey when it comes to some things, like the pool, or Red Cedar. That could be the start of a good practice.

Rebecca Toney, 947 Silver Lake View Dr, Pacific, MO stated she is not against the Brush Creek Development, but she is against the rezoning. We have one exchange to I-44 and people have two options through town; Hwy F or Old Gray Summit Road. There is a pattern of congestion. She asked that going forward they take this into consideration, and do traffic studies for all roads. She continued that since the City is not following the zoning code, does she have to follow the traffic laws? This area of Ward 3 is a walking area for many people, because there is no park in our ward. It is your job to protect our community and she believes they have failed. Developers are out for profit. In civil engineering there needs to be more knowledge and education.

New Bills

Acting President of the Board Adams stated that Alderman Nemeth will sponsor Bill No. 5130.

Bill No. 5130 An Ordinance establishing the position of Director of Tourism and providing for the qualifications and duties thereof. (1st reading) Sponsor: Nemeth

Motion made by Alderman Nemeth, seconded by Alderman Stotler for the first reading of Bill No. 5130. A voice vote was taken with an affirmative result. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5130 for the first reading. Administrator Roth stated Red Cedar is moving forward and we will need someone to run the center. This draft was presented to the Meramec Valley Historical Society, the Tourism Commission and the Administration Committee, and they all approved. Approving this Bill will codify it in the code. His hope is to begin posting this, possibly before the second reading. Alderman Eversmeyer asked if this person would be in charge of the Rodeo and Fireworks display? Administrator Roth stated they will have a lot on their plate, yes eventually they will have a role in it. Alderman Frick asked how it would be possible to look for measurable effectiveness. Alderman Nemeth stated he thought the most important thing to happen immediately is them to get a handle on Red Cedar. This needs to be priority. Acting President of the Board Adams stated with no further comments it will be scheduled for the second reading at the next meeting.

Consideration of Bills Previously Introduced

Bill No. 5128 An Ordinance providing for the Approval of a Final Plat and Performance Surety for Manors at Brush Creek Subdivision. (2nd reading) (Sponsor: Nemeth)

Motion made by Alderman Frick, seconded by Alderman Nemeth to read Bill No. 5128. A voice vote was taken with an affirmative result. Acting President of the Board Adams asked for discussion or amendments. He asked the Board to consider his next comments a recommendation. He drove around town and found several examples that have worked. There are stop signs at Congress and Old Gray Summit Road, then a left turn lane was installed. It's not perfect, but it does work within reason. At Osage and Hardee's that turn lane was an afterthought, but it works. At Old Gray Summit and Congress all of that was vacant land that was developed. That turn lane was good planning. At Old Gray Summit and Lamar, we should not wait to consider a left turn lane on Old Gray Summit Road. It might work. There may be enough room for a right onto Lamar Parkway, and should we consider this now. He proposes we study this. He does not want to take any property from our existing neighbors, but approach McBride. He thought it would be worth looking into and we should ask. He does not have all the details, but thought we could explore it. The concept is to keep traffic flowing. He would also like to ask one more favor. Alderman Nemeth stated he didn't disagree but didn't know if doing this now was the best time. He was willing to go back and discuss it, but don't want to hold up the project. Acting President of the Board Adams stated he is not good at a lot of things, but he is good at negotiating. You can't negotiate if only one side is holding the cards, if we are going to talk, we need to hold our card. This is just business, and he was not going to surrender good business. Lawyers can probably get it done quicker, and we have one of the best in our region. Tonight, he is just asking for this to be tabled and give Administration the authority to approach them to see if they are cooperative. **Motion made by Alderman Adams to table the Bill and authorize administration, city attorney, and engineer to look at property for a turn lane.** If it is not feasible, then at least they looked. Alderman Eversmeyer stated the motion was not appropriate at this time, because the Bill had not been read. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5128 by title only for the second reading. **Motion made by Alderman Adam to table the Bill and authorize administration, city attorney, an engineer to look at property for a turn lane.** Alderman Frick stated he has been in business for 46 years and a deal is a deal. I might come back afterwards, but not as a power play. A deal is a deal. If we do this, we send a message to other builders and he don't believe we are acting in good faith. There are ramifications for this. He would like to pass the Bill tonight, and then go back and negotiate from a business standpoint. Alderman Adams stated he called them friends; this is not a power play. He is just asking to table it. He

does not want to use this as leverage, but does think it is fair. Alderman Frick stated approving it tonight is the right way, and then we can still talk to them. Alderman Adams thought that was why we would get the attorneys to do it, and instruct them to do it fairly and expedite this, this allows the attorneys to get the language correct. Alderman Stotler agreed with Alderman Frick. Going through this the comments he heard were more about safety. A turn lane would be nice, but changing it now, he has an issue with. He agreed with Alderman Nemeth, he did not want to hold this up. Alderman Adams stated he was just asking for 2 weeks. Chris, Elite Development thanked the Board for having them. He stated we are at the finish line, and a lot of things hinge on this tonight. He is not opposed to looking at this, but don't know if 2 weeks would even be enough, but if something is decided the Plat can always be amended. Tonight, he is asking for approval. Alderman Frick stated we agreed to this and trust we can try to negotiate. The money has already been spent; he believes there are ramifications if we go back now. They are the biggest developer in the State of Missouri and have a lot on their plate. Developers, talk and a deal is a deal he agrees we should move forward. Alderman Nemeth agreed we should do what we promised and approve it tonight. We can continue our relationship with them. Acting President of the Board Adams stated it feels like we have a census of the Board. **The motion dies.**

Motion made by Alderman Frick, seconded by Alderman Nemeth to approve Bill No. 5128. A roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Eversmeyer, Alderman Stotler. Nays: none. Whereupon, Acting President of the Board Adams declared Bill No. 5128 becomes Ordinance No. 3311.

Motion made by Alderman Adams, seconded by Alderman Frick to authorize the City Administrator, City Attorney and City Engineer to approach McBride about an easement at Lamar and Old Gray Summit for a turn lane off of Old Gray Summit. A voice vote was taken with an affirmative result.

Bill No. 5129 An Ordinance authorizing the City to accept a Warranty Deed for Public Right-of-Way and Temporary Construction Easement Deeds for the Route 66 Market Place Road Commercial Entrance Project. (2nd reading) Sponsor: Rahn

Motion made by Alderman Stotler, seconded by Alderman Nemeth to read Bill No. 5129. A voice vote was taken with an affirmative result. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5129 by title only for the second reading. **Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve. A roll call vote was taken with the following results: Ayes: Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth. Nays: none. Whereupon, Acting President of the Board Adams declared Bill No. 5129 becomes Ordinance No. 3312.**

Unfinished Business

New Business

Resolution No. 2022-09 A Resolution to accept a Development Agreement with Elite Brush Creek Development LLC Pertaining to road widening improvements at Lamar Parkway and Old Gray Summit Road.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-09 by title only into the record. Acting President of the Board Adams asked for any discussion. Administrator Roth stated

this requires a condition of widening Lamar. The copy in the packet had not been through their legal, so there are minor changes with the City Attorney approving. Attorney Lumley reviewed the changes.

Motion made by Alderman Eversmeyer, seconded by Alderman Stotler to approve the amendments. A voice vote was taken with an affirmative result. A voice vote was taken to approve Amended Resolution No. 2022-09. Acting President of the Board Adams declared the motion carried.

Resolution No. 2022-10 A Resolution to authorize an Application for funding through the Federal Surface Transportation Block Grant Program (STP) administered by the East-West Gateway Council of Governments for 4th Street Improvement Project.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-10 by title only into the record. Acting President of the Board Adams asked for any discussion. There being no discussion, he asked for an all-in favor to approve. **A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.**

Resolution No. 2022-11 A Resolution to authorize the Transfer of Funds from the City's Prop P Law Enforcement Sales Tax Fund to the General Fund in order to pay certain law enforcement compensation costs.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-11 by title only into the record. Acting President of the Board Adams asked for any discussion. Administrator Roth stated the budget includes a monthly transfer. This transfer is in addition to that transfer. The Board approved salary increases with the new budget and this will cover those. The same thing was done last year. There being no further discussion, he asked for an all-in favor to approve. **A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.**

Resolution No. 2022-12 A Resolution authorizing and directing the Mayor to execute an agreement with George L. Crawford & Associates, dba, CBB, for professional services relating to Traffic Engineering Studies of the West Osage Street-Hoven-Country Club Estates Intersection in the City of Pacific.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-12 by title only into the record. Acting President of the Board Adams asked for any discussion. Alderman Eversmeyer thought we should wait on this study. Building the street may relieve some of the stress on Osage. Administrator Roth stated he spoke with the consultant and she raised some points. The distance to Lamar doesn't comply with MoDOT standards. The expense is \$ 5,600 but understand this would be a fact-finding stage. Alderman Nemeth agreed with Alderman Eversmeyer. **Motion made by Alderman Eversmeyer, seconded by Alderman Nemeth to remove it from the agenda. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.**

Resolution No. 2022-13 A Resolution authorizing and directing the Mayor to execute a Professional Services Agreement relating to Engineering Design and Construction Inspection of the City's Preventive Pavement Maintenance Program (PPMP) 2022.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-13 by title only into the record. Acting President of the Board Adams asked for any discussion. There being no further discussion, he asked for an all-in favor to approve. A voice vote was taken with an affirmative result,

and Acting President of the Board Adams declared the motion carried.

Mayor's Report

Budget – Acting President of the Board Adams stated Administration is working on the budget. If there are any projects in your ward you would like to discuss please let them know.

a. Emergency Management Coordinator – Acting President of the Board Adams stated at the next meeting he will be bringing a candidate forward with an amendment to the salary ordinance. This position has been vacant, but we are doing this different this time. This position will be more professional. In the past we have done a good job, but there were not enough hours to contribute to this because there were other responsibilities. This time, emergency management will be the responsibility. He wants this candidate to talk to Bob Masson, who created the manual with all the contacts, the last two Chief's and Diane Becker, who did this in the past and did a good job.

City Administrator Report

- a. MIRMA Report – Administrator Roth stated we believe we received the best MIRMA Score in at least the last 12 years, which was a 99%. This is a product of all City departments, there are trainings taken regularly and regular meetings. He continued that credit goes to the City Clerk, she manages the program and staff. We only had one sewer backup this year. All of these things decrease the deductible. This is an every day project and top priority. There will be a savings to us.
- b. Purchase order for volleyball area in the amount of \$ 8,137.81 from BSN Sports. Administrator Roth stated this is a recommendation from the Park Board and is budgeted. **Motion made by Alderman Frick, seconded by Alderman Stotler to approve the purchase in the amount of \$ 8,137.81. A voice vote was taken with an affirmative result.**
- c. Skate Park – Administrator Roth stated there is a recommendation from the Park Board to fund the engineering in the amount of \$ 7,500. Discussion followed. **Motion made by Alderman Nemeth, seconded by Alderman Eversmeyer to approve. A voice vote was taken with an affirmative result.** Park Board President Heather Filley stated a group brought this forward and the company has designed several of these. They are recommending this be at an area at Liberty Field.
- d. Recommendation from Chief – Administrator Roth stated there was a few recommendations from Chief included in his report. One is for a promotion and one is a dispatch position. **Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve both. A voice vote was taken with an affirmative result.**

Chief of Police

Chief Melies stated since he took over a “Problem Properties” meeting has been held twice a month. The objective was to address the worse properties and get them in compliance. The program has stabilized and now he is going to expand it and address Insecure Buildings. This is being looked at to make the City safer and the first step is trying to help them come in compliance. He needs help from the

community so if anyone has a complaint, please let him know.

Public Works Commissioner

Commissioner Brueggemann stated his report was sent out. They will be working in 12-hour shift until Friday with the heavy snow in the forecast.

Community Development Director Myers

Director Myers stated he also spoke with the group regarding the Skate Board Park and this has the potential to be a success. They are also trying to raise the funds to help with costs. He will be meeting with them again soon.

City Attorney Report – No report.

City Collector Report – No report.

Operations Committee – Alderman Eversmeyer stated they will be meeting on Friday at 10:00 a.m.

Administration Committee – Alderman Nemeth stated they will be meeting Tuesday at 9:00 a.m.

Miscellaneous

a. Approve Special Events Permit, St. Patrick's Day, Pacific Partnership, Saturday, March 12.

Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve the Special Events Permit for the St. Patrick's Day Parade on March 12, 2022. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

b. Approve invoice from BOK Financial in the amount of \$ 211,129.35 to be paid from Debt Service Fund (former City Hall NID)

Motion made by Alderman Nemeth, seconded by Alderman Eversmeyer to approve invoice from BOK Financial in the amount of \$ 124,271.55 to be paid from the Debt Service Fund. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

c. Approve Change Order # 10 for Red Cedar in the amount of \$ 16,913.23.

Motion made by Alderman Eversmeyer, seconded by Alderman Stotler to approve Change Order # 10 in the amount of \$ 16,913.23. A voice vote was taken with an affirmative result.

d. Approve Change Order 11 for Red Cedar in the amount of \$ 15,316.37.

Motion made by Alderman Stotler, seconded by Alderman Frick to approve Change Order # 11 for Red Cedar in the amount of \$ 15,316.37. A voice vote was taken with an affirmative result.

e. Approve Change Order # 12 for Red Cedar in the amount of a deduct of \$ 1,348.64.

Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve Change Order # 12 for a deduct of \$ 1,348.64. A voice vote was taken with an affirmative result.

Reports of City officials

Alderman Nemeth – No report
 Alderman Adams – No report
 Alderman Rahn – No report
 Alderman Frick – No report
 Alderman Eversmeyer – No report
 Alderman Stotler – No report

Public Participation

Kim Dinovi, 119 N. Columbus, stated she heard there was a complaint about her in regards to the 15-minute parking sign being removed. She had no idea this was going on. It was said that she runs off the customers, and she didn't believe that was true. Her clients all wait in the car and she goes out and gets the animals for grooming. She goes in and out all day long, and she is aware there is a parking problem. She continued that Dawn does a tremendous job. She was told her employees aren't really her employees they are independent contractors and they were also parking in the spot. For a while she closed on Thursdays, because this was Dawn's busiest day, but she can't do that anymore. She doesn't know of a good solution, but the parking is a problem. Alderman Frick and Alderman Rahn both apologized to her as this was in their Ward and they should have contacted her. She continued that she did not mean to be a problem. She also asked if the strips could be repainted. Alderman Frick stated everybody's business is important to them and he apologized again.

Adjournment

There being no further business, motion made by Alderman Frick, seconded by Alderman Nemeth to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 8:34 p.m.

ATTEST:

Kimberly Basfull
 City Clerk



Herbert Adams
 Acting President of the Board
 Herbert C. Adams