



MARCH 5, 2019 * 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 Adams
- Alderman Gass
- Alderman Johnson
- Alderman Stotler

A quorum was present.

Absent: Alderman Rahn. City Clerk Barfield stated he was running late but would be here. Alderman Rahn arrived at 7:04 p.m.

Also present:

- Administrator Roth
- Attorney Jones
- Collector Kelley
- Engineer Rahn
- Public Works Commissioner Brueggemann
- Chief Mansell
- City Clerk Barfield

Mayor Myers stated he was not feeling well and would be leaving after the Mayor's Report. President of the Board, Alderman Adams would be taking over.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was done.

PRAYER

Pastor David Lange stated he is representing the Meramec Valley Christian Church Alliance. He also stated their church, Mission Community, is part of the flood buyout and they are excited.

National Day of Prayer – Pastor Lange asked if the Meramec Valley Christian Church Alliance could use the Board Room on May 2, 2019 from 12:00 p.m. to 1:00 p.m. for the National Day of Prayer. They used the room last year. Motion made by Alderman Gass, seconded by Alderman Adams to approve the use of Board of Aldermen 3-5-19

the room to the Meramec Valley Christian Church Alliance on May 2, 2019. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Alderman Rahn arrived.

APPROVE AGENDA

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

APPROVAL OF MINUTES

A. Regular meeting on February 19, 2019

Motion made by Alderman Gass, seconded by Alderman Johnson to approve the minutes of the regular meeting on February 19, 2019. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

PUBLIC PARTICIPATION

None

MAYOR'S REPORT

City Hall Training- Mayor Myers asked City Clerk Barfield for an update. City Clerk Barfield stated the SGR Training the Board approved was up in January. In those two months there have been seven courses that have been completed or being taken. Those courses included: Extraordinary Customer Service, Integrating your Community, Telephone Skills, Building a Respectful Workplace, Workplace Harassment Prevention, Managing Change, Honing your Emotional Intelligence # 1. This program seems to be working well. Mayor Myers stated that Alderman Gass has also participated and he appreciated that. City Clerk Barfield stated she receives notifications when the classes have been completed from each participant.

Proposition S & Proposition P – Mayor Myers read from a script. It is attached and made a part of the minutes. He stated he has spent time with Alderman Adams and they agreed to meet and discuss until they were both on the same path. He thanked him for all his time. He continued about 6 months ago there was discussion on finding additional revenue sources for our streets and park maintenance. After considerable research he is convinced that the passage of both the ½ cent sales taxes will position us for success to achieve our goals for decades. After many discussions with different individuals and organizations it seems everyone sees that Pacific has many needs. That State Statute allows for the ½ cent transportation tax that would be generated by Prop S to go towards the proper maintenance and future growth of our street system and repair and upgrade storm drains. The Prop P ½ cent sales tax could go towards the establishment of Pacific's first ever Parks & Recreation Program, improve maintenance of existing park space, and flood mitigation and storm water projects. Prop S & Prop P make sense for Pacific. Tonight, he proposes that if the voters will authorize these funds dedicated to the improvement of Pacific's Streets, Parks, and Storm Drains, the City Administrator and I will work continually towards the dissolution of the existing 1 cent sales tax in the CID Districts. Furthermore, the City will hire an independent consulting firm to evaluate the present conditions of our streets, parks and storm drains, involve the public in determining priorities, and develop a comprehensive plan that recommends our best course of action. From there it would go to the Board for approval. He asked for any discussion.

Alderman Johnson stated she agreed all of this was needed. She continued that even though you met with Alderman Adams, the rest of us are also answering questions and should be heard. The seniors are complaining that this is just another tax. She thought we needed a plan from the beginning. Mayor Myers stated that he spoke with each one of the Aldermen before he ever said it to anybody else, and everyone of you were on board. Alderman Adams reminded everyone that he does not look at it as a tax increase, it is a swap. If you purchase in the CID District now, and this passes the use of the money is all that is different. He feels like it is a no tax increase proposition. He continued that in recent weeks, there has been a difference of opinion about the park tax. He hopes the people trust the discussion and the debate that took place and they understand we all have differences of opinion. That is healthy. He hopes they trust and appreciate that we continued to work towards finding common ground. People with a difference of opinion can continue to talk and come out with a good product. We compromised, we are the best of friends and will continue to be. We can still have healthy debates and have a difference of opinion. Chief Mansell asked if employees have the right to openly support something like this. Attorney Jones stated they cannot openly advocate for the proposition while on duty.

Motion made by Alderman Adams, seconded by Alderman Gass to approve on passage of Prop S & Prop P the City hire/employ an engineering firm to design a comprehensive plan to address streets, stormwater and our parks. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried. Mayor Myers continued that the Park Board approved this last night also.

Mayor Myers asked that President of the Board Adams take over the meeting so he could leave.

Mayor Myers left the meeting and President of the Board Adams proceeded with the meeting.

New Bills

Bill No. 4031 An Ordinance amending Section 385.350 of the Code of Ordinances of the City of Pacific to make the failure to wear a seatbelt a primary violation. (1st reading)

As posted pursuant to the ordinance, President of the Board Adams read Bill No. 4031 by title only for the first reading. President of the Board Adams asked for any discussion. Chief Mansell stated the Police Department is behind this. Most deaths are those that do not wear a seatbelt. Alderman Rahn stated the penalty is only \$ 10 and there are no points for this, should we change this. Attorney Jones stated that penalty is state law.

Grant Program – Chief Mansell stated there is a grant available for almost \$ 20,000. This is where officers come in on their day off and get paid thru the grant. They only target traffic violations like these. The officers do not take any other call and it is voluntary. When the grant money is gone then it stops. He asked that the Board sign the paperwork this evening as it was due yesterday.

Bill No. 4032 An Ordinance authorizing a Conditional Use Permit for property located at 2009 W. Osage Street, Franklin County Parcel ID # 19-1-11.0-2-099-14.000, in the City of Pacific. (1st reading)

As posted pursuant to the ordinance, President of the Board Adams read Bill No. 4032 by title only for the first reading. President of the Board Adams asked for any discussion. Alderman Rahn asked if the parking lot was in good enough shape to overlay. Alderman Gass thought it was. Engineer Rahn agreed and stated any spots that need to be repaired will show thru. Alderman Rahn stated this was approved at Planning & Zoning with restrictions. Administrator Roth stated the plan sheet shows overlay with asphalt

and the conditions are in the ordinance.

Bill No. 4033 An Ordinance authorizing a Conditional Use Permit for property located at 302-304 W. Osage Street, Franklin County Parcel ID # 19-1-12.0-1-002-260.000, in the City of Pacific. (1st reading)

As posted pursuant to the ordinance, President of the Board Adams read Bill No. 4033 by title only for the first reading. President of the Board Adams asked for any discussion. Alderman Adams stated he would sponsor this bill.

Bill No. 4034 An Ordinance establishing the position of City Engineer and providing for the qualifications and duties thereof. (1st reading)

As posted pursuant to the ordinance, President of the Board Adams read Bill No. 4034 by title only for the first reading. President of the Board Adams asked for any discussion. Alderman Gass stated he would sponsor the bill.

Consideration of Bills Previously Introduced

Bill No. 4029 An Ordinance regulating the use of cell phones while driving by City employees. (2nd reading)

As posted pursuant to the ordinance, President of the Board Adams read Bill No. 4029 by title only. Alderman Nemeth stated he would sponsor this bill. President of the Board Adams asked for any discussion. Chief Mansell stated he has six vehicles that do not have blue tooth. He was able to get some inexpensive ones hooked up, but he will require better ones at budget time. Public Works Commissioner Brueggemann stated he has eight vehicles that don't have blue tooth. The cost from O'Reillys is \$ 1,200. Alderman Adams suggested adding an amendment to Section 1 reading "cell phones and other devices". There was discussion on if this would be added to the Personnel Manual. Administrator Roth stated his intent is to amend the Manual. Attorney Jones stated that would be a separate motion. Administrator Roth stated once this passes, he would write a memo and advise the employees, there is no grace period it is in effect. Chief Mansell questioned "other devices" and asked if electronic cigarettes could be added. Attorney Jones stated since there is so much discussion about this, he suggested we come back to this. Alderman Johnson thought that the City should have the necessary equipment in the vehicles before this is passed. President of the Board Adams suggested the City Administrator and Attorney get together and this come back at the next meeting. **Attorney Jones stated for the record, this has been read for the second reading, with no motion to approve. This will be amended and will come with a recommendation.**

Motion made by Alderman Nemeth, seconded by Alderman Stotler for Attorney Jones to investigate and amend include a proposed date for the vehicles to be adjusted. A voice vote was taken with an affirmative result, and President of the Board Adams declared the motion carried.

Bill No. 4030 An Ordinance authorizing acceptance of the conveyance and transfer of certain real property at 708 South Third Street to the City in furtherance of the City's Voluntary Flood Buyout Program; and authorizing the execution and recordation of certain documents in connection therewith; and authorizing further action in furtherance thereof. (2nd reading)

As posted pursuant to the ordinance, President of the Board Adams read Bill No. 4030 by title only. President of the Board Adams asked for any discussion. Motion made by Alderman Gass, seconded by

Alderman Rahn to approve Bill No. 4030. 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, President of the Board Adams declared **Bill No. 4030 passed and became Ordinance No. 3115.**

NEW BUSINESS

Resolution No. 2019-09 A Resolution opposing the “Better Together” initiative and its proposed Missouri Constitutional Amendment effectively merging St. Louis City and County; supporting the formation of a Board of Freeholders/Electors as authorized by Article VI; Section 30(a) and 30(b) of the Missouri Constitution; and affirming opposition to efforts to reduce or eliminate Municipal Government and its services provided to its citizens.

As posted pursuant to the ordinance, President of the Board Adams read Resolution No. 2019-09 by title only. Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Resolution No. 2019-09. A voice vote was taken with an affirmative result, and President of the Board Adams declared the motion carried.

Resolution No. 2019-10 A Resolution authorizing and directing the Mayor to execute an agreement with Gullet Contracting LLC for construction of roofing improvements at the City of Pacific Community Park.

As posted pursuant to the ordinance, President of the Board Adams read Resolution No. 2019-10 by title only. President of the Board Adams asked for any discussion. Alderman Gass asked if all this work really needed done. Public Works Commissioner Brueggemann stated there is \$40,000 budgeted for this. They all need done right away, the Rulon and west restroom could wait a little time, but not a lot. If we take those off the bid it comes in at \$ 38,800. If we do them all then we are over budget. Alderman Nemeth stated the Park Board is aware to do them all is over budget, but felt it was a good time. To do them all we are over budget about \$ 19,000. Administrator Roth stated he thought we could find the additional money. Motion made by Alderman Gass, seconded by Alderman Johnson to approve Resolution No. 2019-10 and do all the buildings. A voice vote was taken with an affirmative result, and President of the Board Adams declared the motion carried. Administrator Roth stated the pool house building and pump house must be done by May 3rd, other buildings are by 5/24 and 6/28. Board members agreed.

Alderman Gass stated he thought the pool needed painting also. Public Works Commissioner Brueggemann stated he was asking for that in the next budget.

Resolution No. 2019-11 A Resolution authorizing and directing the Mayor to execute an agreement with Engineering Surveys and Services, Inc relating to Professional Services for the Hogan Subdivision Storm Water Improvements Project.

As posted pursuant to the ordinance, President of the Board Adams read Resolution No. 2019-11 by title only. President of the Board Adams asked for any discussion. Alderman Gass asked where these prices came from. His motion was for design and topo of storm pipe and inlets from St. Louis St. to Phelan and then work on Payne & Union St. He wanted an inlet at each intersection with a storm pipe. Engineer Rahn showed a Power Point of the map and reviewed it. This was broke down into phases. Phase 1 design is \$ 35,000. Surveying is what is driving the costs up. Discussion followed. Engineer Rahn stated Phase 1 consists of storm sewer improvements, including curb & gutter, along a portion of Union St, all of Phelan St. and St. Louis St. from Payne west to the dead end. This will provide a new storm network to provide storm water drainage for the area and alleviate runoff issues along Phelan. A portion of this

work consists of replacing existing storm pipe that is undersized and too shallow. Alderman Gass suggested putting an inlet in on both sides and wait until next year to do the rest. Administrator Roth stated there was \$ 250,000 for the street maintenance budget that the Board put on hold. This could be used for this, just remember that is it for the year. We also have Candlewick and Denton Road Bridge coming up. Alderman Johnson thought all of it needed to be addressed. Alderman Gass suggested the street department install the curb & gutter on Phelan St. This would keep costs down. Alderman Rahn stated he would be abstaining from the vote but agreed this was a good plan. Engineer Rahn stated the engineering for Phase 1 is \$ 35,000. Alderman Nemeth suggested surveying the whole project, then decide if and how we want to break it up, Alderman Stotler agreed. Engineer Rahn stated the City is billed on an hourly basis. Generally, this comes in less than quoted. Alderman Johnson was concerned the project wouldn't be kept moving along. Alderman Adams stated we are asking the voters to trust our intent with the propositions. This is how to show them how serious we are about the infrastructure of our town. We need to step up first.

Motion made by Alderman Gass, seconded by Alderman Johnson to approve Phase 1 engineering with the intent to get plans and bid documents on the storm pipe for St. Louis St. and curb and gutter on Phelan St. Alderman Rahn stated he was abstaining. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried. Abstain: Alderman Rahn.

Resolution No. 2019-12 A Resolution amending the City of Pacific Fiscal Year 2019 Budget to provide for adjustments to certain revenues and expenditures as authorized by the Board of Aldermen.

As posted pursuant to the ordinance, Acting President of the Board Adams read Resolution No. 2019-12 by title only. Acting President of the Board Adams asked for any discussion. Motion made by Alderman Gass, seconded by Alderman Rahn to approve Resolution No. 2019-12. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

Unfinished Business

- a. Bill No. 4011 An Ordinance amending the Planned Unit District Regulations of the City of Pacific, Missouri. (2nd reading needed) (10-16-18 sent to Adm. Com. After 1st reading, tabled at 11-6-18)
- b. Bill No. 4012 An Ordinance amending the zoning regulations with regard to amendments in the City of Pacific, Missouri. (2nd reading needed) (10-16-18 sent to Adm. Com after 1st reading, tabled 11-6-18)
- c. Bill No. 4013 An Ordinance amending the Subdivision Regulations with regard to amendments in the City of Pacific, Missouri. (1st reading needed) (10-16-18 sent to Adm. Com., tabled at 11-6-18)
- d. Bill No. 4016 An Ordinance amending the Land Use Article of the Code of Ordinances of the City of Pacific and providing for site plan review procedure. (1st reading needed) (tabled on 11-6-18)

These items have been tabled.

PUBLIC WORKS COMMISSIONER REPORT

Stop Signs - Pubic Works Commissioner Brueggemann stated he thought stop signs were needed for the following locations: On Husky Way at the approach to Industrial Drive, On Pacific Estates Dr. at the

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approach of Thornton St., on Heritage Farms Drive at the approach of Hwy N.

He also suggested a "no left turn" on the west bound lane of Pacific St. at the approach of S. Fourth St.

Alderman Johnson stated she would sponsor this ordinance.

Alderman Johnson asked if there was anything, we could do about Sanker St. Discussion followed. Attorney Jones stated if this is on private property there is nothing we can do.

Motion made by Alderman Nemeth, seconded by Alderman Stotler for Attorney Jones to draft a bill for the proposed stop signs. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

ADMINISTRATOR REPORT

- a. Accept bid, Professional Asbestos Identification services/Flood buyout project

Administrator Roth stated this is a required component of the flood buyout program. Each structure to be demolished is inspected for asbestos, and the results of that inspection are included in the specification for the demo contract. The deadline for proposals was today. He received one proposal from SCI Engineering and the costs is \$ 600 for single family, \$ 1,300 for one apartment building and \$ 800 for the church. This is within his authority but he would request a motion to accept the proposal. Discussion followed.

Motion made by Alderman Gass, seconded by Alderman Nemeth to accept the bid from SCI Engineering. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

CITY ATTORNEY REPORT

Boundary Adjustment with Eureka - Attorney Jones stated we did a boundary adjustment with the City of Eureka to acquire the NB West parcel. St. Louis County said that parcel number was not contiguous to the City's eastern board. They have learned the Department of Corrections parcel that is between the jail and NB West parcel was annexed by the City of Eureka. Now we need to do a boundary adjustment for that property between them, then do one for NB West. He continued due to the nature of the ordinances, he would ask the Board to consider reading both of these two times at the next meeting. Board members agreed.

MISCELLANEOUS

- a. Approve petty cash

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

- b. Approve Mayor training, Economic Development

Motion made by Alderman Gass, seconded by Alderman Johnson to approve the the Mayors training, Economic Development. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried

EXECUTIVE SESSION RSMO 610.021(2)(3)

Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor.

Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed

Acting President of the Board Adams asked that we skip # 19 for now and go into executive session under RSMO 610.021(2) Real Estate.

Attorney Jones read this into the record. Motion made by Alderman Stotler, seconded by Alderman Nemeth to go into executive session. 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, Acting President of the Board Adams declared the motion carried.

The Board went into executive session at 8:19 p.m.

The Board reconvened at 8:30 p.m.

REPORTS OF CITY OFFICIALS

Alderman Nemeth – No report.

Alderman Adams – No report.

Alderman Rahn – No report.

Alderman Gass – No report.

Alderman Johnson – stated the Historical and Genealogy Committee are meeting on March 21, 2019 at the Senior Center at 6:30 p.m.

Alderman Stotler – No report.

Chief Mansell – stated Officer Carroll has resigned, so we have an opening.

Tornado Warning – Chief Mansell stated today was the State wide test for the tornado warnings, and they were not notified. Franklin County usually notifies them, and they failed. They were notified by SEMA, so he will be in touch with them to get notified thru them.

Chief Mansell stated Detective Myers is going to Indiana to be trained on the Cellebrite system, this is where we can download cell phones and see what is on them.

St. Patrick's Day Parade – Alderman Johnson stated the parade is before the next meeting. She has flyers on it this evening and it will be in the paper.

ADJOURNMENT

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

The meeting adjourned at 8:35 p.m.


Steve Myers, Mayor

ATTEST:

City Clerk

