



May 5, 2020 \* RECORD OF PROCEEDINGS

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**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/us02web.zoom.us/j/862543836633?>

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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  
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 5-5-2020

## Minutes

### A. Regular meeting on April 21, 2020.

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

### B. Special Meeting on April 28, 2020

Motion made by Alderman Adams, seconded by Alderman Rahn to approve the minutes of the special meeting on April 28, 2020. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

## Mayor's Report

### a. Approve the appointment of Jill Pigg to the Board of Adjustment.

Mayor Myers stated Jill would be filling in Mike's position. Motion made by Alderman Johnson, seconded by Alderman Nemeth to approve the appointment of Jill Pigg to Board of Adjustment. A voice vote was taken with an affirmative result.

## New Bills

Alderman Adams stated the Mayor would now need to call for a sponsor of any New Bills. Alderman Adams stated he would sponsor Bill No. 5006. Alderman Nemeth stated he would sponsor Bill No. 5007.

Bill No. 5006 An Ordinance revising the Policies and Procurement and Approval of purchases by the City of Pacific. (1<sup>st</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5006 by title only for the first reading.

Bill No. 5007 An Ordinance amending the Fiscal Year 2019-2020 Budget and Wage and Salary Schedule for appointed officials and employees of the City of Pacific. (1<sup>st</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5007 by title only for the first reading.

## Consideration of Bills Previously Introduced

### New Business

**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.**

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-25 by title only. Mayor Myers asked for any discussion. Alderman Nemeth stated at the Park Board meeting they discussed this, and their recommendation was waiting a few more weeks to decide. He did not believe the pool should be open. There is a lot of talk about COVID and the threat increasing. This is concerning to him, and he felt we should cancel the 2020 season. Alderman Adams and Alderman Stotler agreed. Alderman Adams

stated he thought instead of canceling the pool season, we should postpone it at this point. Looking at this on a weekly basis, stay tuned into our State and Local Region for guidance. Administrator Roth stated the Resolution reads “postpone until further action of the Board”. He did speak to Midwest Pool and they were moving forward. If we postpone it there will be some delay from deciding to open the pool and it’s opening. Mayor Myers stated he knew Manchester and Ellisville were closing their pools. Sullivan was going to discuss it this evening. There was further discussion regarding the swim team. Alderman Johnson stated she agreed with Alderman Nemeth. Administrator Roth stated if we do not open, we will owe Midwest some money because we are terminating the contract. Alderman Nemeth stated even though he thought the pool should be closed, he agreed the upgrades needed to be completed and thought we should continue with the \$ 7,000 that is needed for this. **Motion made by Alderman Gass, seconded by Alderman Nemeth to move forward with the upgrades needed for the pool in the amount of \$ 7,000. A voice vote was taken with an affirmative result.**

**Car Show & Rodeo** – Alderman Adams thought we needed to talk about these two events. He could see the rodeo probably working, but not sure how the Car Show will work. He wants to support this and thinks the City should help support both these events. Mayor Myers stated the Partnership has not decided about the Car Show yet. Alderman Adams stated he hoped people considered everyone’s rights to stay healthy and how it was affecting other people. He thought the Car Show could probably be pulled off. Chief Mansell asked if there was any liability if the City has an event. Attorney Jones stated it was hard to say, but the City has Sovereign Immunity. Mayor Myers stated May 14<sup>th</sup> is the next Partnership Meeting by Zoom. He will try to attend. Alderman Adams stated any event that is using public property, equipment, or manpower, he thought we would have reason to ask how they planned on being compliant with social distancing. Alderman Adams stated he thought with or without the Car Show he thought the fireworks should be done. He also felt like we would be able to move forward with the Rodeo. He wanted the City to do whatever we needed to do to help with this and if this meant using more streets for the Car Show, then we allow it, or purchasing more bleachers for the Rodeo so people can spread out then we do it.

### City Administrator Report

#### a. CID Plans

E. Osage CID - Administrator Roth stated at the Special Meeting the Board asked for this to be an agenda item for discussion. The E. Osage CID has \$ 436,701 as of March 31<sup>st</sup>. 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 fees. The City has made repeated efforts to contact E. Osage CID property owners regarding dissolution and to date have received 25 of the 105 parcels in the district.

Viaduct CID – was terminated. As of March 31<sup>st</sup> the balance is \$ 259,868. The draft budget includes \$115,000 for Viaduct St. sidewalk project and \$ 4,000 for engineering. The design engineering is complete. We are awaiting MoDot approval before seeking bids.

W. Osage CID – Administrator Roth stated the account has \$ 604,182 as of March 31<sup>st</sup>. A portion of this (approximately \$ 21K according to the Department of Revenue) is due to B & H Market for reimbursement. The draft budget includes \$ 50K for “projects” (i.e. 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.

There was discussion among the Board about using some CID money for the Water line project in E.

Osage CID. Chief Mansell still believes something is needed at the school, alerting drivers this is a school zone. Administrator Roth stated he still needs to include \$ 30K for street light maintenance out of the E. Osage CID. Mayor Myers stated Jensen's Point is drawn into the CID Map. He hopes to use some of the CID funds for camera's up here. Public Works Commissioner Brueggemann stated the Water Line Project is \$ 360,000. Alderman Gass thought that project should be paid from Water and the CID, not just the Water fund. Alderman Adams stated he would like to hear from the Aldermen in that Ward. Alderman Rahn agreed that using CID funds towards the cost of the water line made sense, Alderman Gass agreed. Alderman Adams suggested since Aldermen in that Ward agree some of the funds should come from the CID Board, that Administration should go back to the CID Board for approval and then bring it back to the Board of Aldermen. **Motion made by Alderman Adams, seconded by Alderman Nemeth for Administration to recommend to the CID Board that part of this project be funded with CID Funds and bring it back to the Aldermen. A voice vote was taken with an affirmative result.**

Alderman Gass asked about the status of the roadway from B & H to Lamar. Mayor Myers stated he was waiting on a letter from Mr. Bosse for the easement. Mayor Myers stated the CID Board has also discussed a light at Hoven Drive. The CID Board has approved the road project out of B & H. Alderman Adams suggested this project be done in the next 12 months. Alderman Adams asked how we could speed this project up. Administrator Roth stated we have to request a contract, and there have been delays. He will follow up on this. Alderman Gass suggested we change engineers if needed.

Alderman Gass asked if some money could be used out of (W) Osage CID for paving of Lamar Parkway. **Motion made by Alderman Gass, seconded by Alderman Adams for Administration to go to the CID Boards and ask for funds for asphaltting. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.** Alderman Adams asked if the motion could be amended to include the unfinished sidewalk. Mayor Myers stated we were already working on that. Mayor Myers reminded the Board that as staff works towards dissolving the CID'S the money is going to dry up.

b. Jensen Point Park video cameras project

Mayor Myers shared a presentation of where the cameras would be located at Jensen's Point. There is a parking lot camera, a 2<sup>nd</sup> level camera mounted on a flagpole, and a camera at the gazebo that the dispatchers can control. He suggested a bronze plaque under the flagpole recognizing Wayne Winchester, because Mr. Winchester is contributing \$ 4,000 to the project. The criteria of the cameras were reviewed, they can zoom and have night vision. Dispatch can control the zoom and speak to the people in the gazebo. The total cost is \$ 13,450 minus the \$ 4,000 donation leaves a balance of \$ 9,450. Mayor Myers suggested this be included in the CID Budget. Alderman Adams agreed that it should be done right the first time, and recommend we service the area with electric. **Motion made by Alderman Adams, seconded by Alderman Nemeth for staff to take this to the CID Board with the plan for lights and cameras and any other equipment needed and take it to the Park Board. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

c. Gilmore Bell Services Proposal

Administrator Roth stated he received an updated Proposal from Gilmore Bell. This is for disclosure compliance services with the City and the current agreement expired December 31, 2019. The fee for this is \$ 1,500 per year for a five-year contract term. **Motion made by Alderman Gass, seconded by Alderman Nemeth to approve the Proposal with Gilmore Bell. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

d. Preventive Pavement Maintenance Program

Administrator Roth stated this was on the agenda to discuss further. At this time, he would propose moving forward with a bid package to only overlay two main roads: Payne Street and Lamar Parkway. Dave Christensen, Cochran Engineering is also tuned into the meeting via Zoom and can participate in the discussion. They have discussed chip and seal applications for various streets, but ultimately feel the best approach is to start with the two main arteries first and then work on local streets in another package. Cochran has proposed a contract for design and bidding services for \$ 4,500 and construction inspection for \$ 9,000 for this project. The engineer estimate is \$ 152,000 for Payne and \$ 72,000 for Lamar. A portion of funding for each road could be available through the CID's and we would recommend this. Dave Christensen, Cochran Engineering, stated he looked at the bids from last year. The low bid last year was \$ 9.00 a square yard for chip and seal, which is almost as expensive as a layover. **Motion made by Alderman Gass, seconded by Alderman Adams to mill and layover Payne St. and Congress St., and include approving Cochran's Services for this project. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

e. Wastewater Lift 2 analysis/Brush Creek Sewer District

Administrator Roth stated Jeff Meadows, CM Archer was also on the Zoom meeting. He continued that an e-mail went out today with the report to the Board from Archer-Elgin. The report evaluates the City's Lift Station 2 sewer shed as well as the Brush Creek Sewer District contribution and makes certain recommendations for improvements. This is a highly technical project, which may result in a revised agreement with Brush Creek Sewer District and a finance package to construct the needed improvements. Discussion followed. Engineer Meadows stated there are 3 alternatives:

- # 1 is replace the entire Brush Creek interceptor with a 15-18" diameter pipe with a 24"-27" gravity main. This includes building a new lift station and a new 18" HDPE force main to the wastewater facility. The costs for this is \$ 3.3 million.
- The 2<sup>nd</sup> option is rehabbing the existing interceptor, clean it out and line with clay pipe. Then build a parallel line to lift station 2 of greater capacity and a new lift station with the force main. This cost is \$ 3.6 million.
- The 3<sup>rd</sup> option is to extend the force main to the wastewater treatment facility and take Brush Creek flow out of the system and send it directly to the plant. This is \$ 2.7 million.

Tonight, his recommendation is Option # 1. Administrator Roth agreed stating there is a lot of undeveloped land on Old Gray Summit and we do not have enough to handle those flows, we are at capacity now. He would also request authorization to negotiate a Contract for improvements and bring this back to the Board at a future meeting. Board members discussed the different options.

**Motion made by Alderman Gass, seconded by Alderman Adams for the City Administrator and City Attorney to negotiate with CM Archer and bring back to the Board a contract with Franklin County.**

Administrator Roth stated he needed clarity on the Board's involvement with Brush Creek. He would suggest a committee be formed that he keeps updated on a regular basis. Mayor Myers stated he could make those appointments now. Board members agreed. **Mayor Myers appointed the following to this committee: Administrator Roth, Mayor, Alderman Adams, Alderman Gass (after Ed leaves his seat as Alderman, he would like him to remain on as a citizen) and Public Works Commissioner Brueggemann. Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve the committee to work on the agreement with Brush Creek. A voice vote was taken with an affirmative**

**result.** Alderman Gass asked that Administrator Roth begin looking into financing options also.

f. City Re-opening plans

Administrator Roth stated City Hall opened on Monday. Some are going to continue to work from home when they can, and some employees cannot. Public Works is still working out of Red Cedar. We have had excellent cooperation from the public.

**City Attorney Report**

**Director of Community Development Report**

Director Kopp stated his department has received 17 permit applications and 5 are for new homes. They completed 43 residential inspections and 9 commercial inspections. The Building Inspector has been back and forth working from home and the office and has his personal protective equipment. Code Enforcement Officer Wagner has issued 17 citations and the high grass listing will be e-mailed out soon. Alderman Nemeth asked if the Board needed to continue receiving this e-mail. He did not feel like it was necessary. Board members agreed this was not necessary anymore.

**Public Works Commissioner Report**

Public Works Commissioner Brueggemann thanked the Board for moving ahead with the projects.

**City Attorney Report**

Attorney Jones stated he would work with Administrator Roth on the CM Archer contract and Franklin County. Mayor Myers stated that if Attorney Jones needed to speak to Attorney Dan Vogel, as he is familiar with this, he be allowed to. Board members agreed.

**Miscellaneous**

**Reports of City officials**

Alderman Nemeth – Stated when we passed the COVID-19 regulations was there a time frame listed, he wondered if it was necessary to withdraw the Bill. Mayor Myers stated it expires tomorrow. Alderman Adams thought we needed to maintain regulations and in Section B it addresses food and restaurant. He thought we should consider Section B being parallel with the State Order or eliminate it all together and just be on the same timeline as the governor. Discussion followed. **Motion made by Alderman Adams seconded by Alderman Nemeth to place on the next agenda under emergency legislation to be read twice: Clean up Ordinance No. 3188 Section 1 to match state and county recommendations under Sub paragraph B and Ordinance No. 3182 which gave the Mayor the authority to declare a state of emergency – they would like the date to be extended 60 days from the next meeting. A voice vote was taken with an affirmative result. Mayor Myers declared the motion carried.**

Alderman Adams – Nothing to report

Alderman Rahn – Nothing to report

Alderman Gass – stated there is a crack on the bluff at Osage and suggested someone talk to US Silica and have them look to see if there is any danger. This is right as you look at the cave.

Alderman Johnson – there is a resident off 6<sup>th</sup> St. at # 508 requesting a “no ballpark parking” sign. He says it is on the rest of the street but there is no sign by him.

Fireworks – Alderman Johnson stated last years display was free because they owed us one from the year before. The amount was \$ 12,500. This year she has a contract for \$ 15,000; she is asking the Board if they want to increase it or leave it at the \$ 12,500. She would have to go to Tourism and ask for the additional funds. Alderman Nemeth thought that was especially important this year as people are going to want to get out. Alderman Gass agreed and thought last years was the best so far. Mayor Myers agreed. Alderman Nemeth suggested asking for the additional funds from Tourism. Alderman Adams asked that Fireworks be placed on the next Tourism Agenda.

Alderman Stotler – No Report

Chief Mansell – In reference to the Golf Cart Ordinance, he suggested we have one that covers all bikes, including minibikes, and they are not allowed on the street. Alderman Nemeth thought we should follow the example of Eureka. Board members suggested Chief Mansell and Attorney Jones work together and if need be bring back two ordinances to review. Mayor Myers stated a lot of communities allow ATV Vehicles on the street.

Collector Kelley – No Report

Alderman Rahn – asked if the Board of Aldermen meetings were going to continue in Zoom, because he was concerned that the next Planning & Zoning Meeting was being conducted in person, but Board of Aldermen meetings are not. He was not comfortable resuming in person meetings yet. Administrator Roth stated there is a Public Hearing at Planning & Zoning, and it can also be done in Zoom, he just thought we should be in person for it. Alderman Rahn stated he was trying to stay away from the public. Attorney Jones stated if there is no roll call vote taken, he can vote by phone. Planning & Zoning can be conducted just like Board meetings. Alderman Nemeth suggested Planning & Zoning be done the same way Board of Aldermen is being done. Administrator Roth stated there are some members of Planning & Zoning that are not capable of doing Zoom, so he suggested the meeting be conducted in person and whoever wanted to participate by Zoom could also do that. Board members agreed.

Director Kopp stated regarding Alderman Johnsons request of the no parking sign by the ballpark he was also contacted about this. There is an ordinance that reads specifically the streets for this sign. He thought the ordinance would need to be amended. Mayor Myers stated he will speak with the person who contacted Alderman Johnson. Chief Mansell stated the ordinance covers this address and all he needs is a sign. Administrator Roth stated he would get one put up then.

### 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 9:30 p.m.

ATTEST:

*Kim Barfield*  
City Clerk



*Steve Myers*  
Steve Myers, Mayor