

JUNE 18, 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 Rahn
 Alderman Gass
 Alderman Johnson

A quorum was present.
Absent: Alderman Stotler

Also present: Administrator Roth
 Attorney Jones
 Assistant Chief Locke
 Public Works Commissioner Brueggemann
 Deputy City Clerk Hayden

Pledge of Allegiance

The Pledge of Allegiance was done.

Approve Agenda

Administrator Roth asked to add an item to the agenda for special event permit for car show. Alderman Johnson asked that the fireworks display be included for a permit. Attorney Jones stated it was listed on the car show event. Motion made by Alderman Adams, seconded by Alderman Nemeth to approve the agenda. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Prayer

Pastor David Lange offered prayer this evening and apologized for the last meeting. There was an emergency and they did not make it.

Approval of Minutes

A. Regular meeting on June 4, 2019

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve the minutes of the regular meeting on June 4, 2019. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

B. Executive meeting on June 4, 2019

Motion made by Alderman Adams, seconded by Alderman Rahn to approve the minutes of the executive meeting on June 4, 2019. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Public Hearing

A. A Public Hearing to hear comments on the City of Pacific FY 2019-20 Budget

Mayor Myers read the Public Hearing announcement in the record. He opened the Public Hearing for comments. There were no public comments. The Public Hearing was closed.

Public Participation

Mayor Myers stated he had no speaker cards.

Mayors Report

St. Louis Blues – Congratulations for winning the Stanley Cup.

Brownie Troop – approached him regarding projects. We talked about picking up trash or the planting bed outside of City Hall. They picked the planting project and we provide the plants and the mulch, and they do all the work. Rick with Rock Solid is working with them. It's \$ 127.00 for the plants and mulch. On June 26, 2019 they are going to do this.

Mo Main Street – The conference is in St. Louis on July 24th – 26th. A representative from the Partnership, the Chamber and the City will be there.

New Bills

There are no new bills.

Consideration of Bills Previously Introduced

Bill No. 4053 An Ordinance Approving and Adopting a Budget of anticipated cash revenue and cash disbursements for the Operating and Capital Funds of the City of Pacific, Franklin and St. Louis Counties, Missouri, for the Fiscal year commencing July 1, 2019 and ending June 30, 2020, providing for expenditures in accordance with said Budget and making appropriations thereof. (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4053 by title only for the second reading.

Board of Aldermen 6-18-19

Alderman Adams thanked City Administrator Roth and City Clerk Barfield on the excellent job on the budget. Motion made by Alderman Adams, seconded by Alderman Nemeth to approve the second reading of Bill No 4053. A roll call vote was taken with the following results. Ayes: Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Gass, Alderman Johnson. Nays: None. Whereupon, Bill No. 4053 becomes Ord. 3138.

Bill No. 4054 An Ordinance establishing the Fiscal year 2019-2020 Wage and Salary Schedule for appointed officials and employees of the City of Pacific. (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4054 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve Bill No. 4054. A roll call vote was taken with the following results: Ayes: Alderman Adams, Alderman Rahn, Alderman Gass, Alderman Johnson, Alderman Nemeth. Nays: Whereupon, Mayor Myers declared Bill No. 4054 passed and became Ordinance No. 3139.**

Bill No. 4055 An Ordinance amending certain sections of Article XI of Chapter 500 pertaining to abatement of dangerous buildings. (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4055 by title only. Mayor Myers asked for any discussion. Alderman Adams asked why the change. Attorney Jones stated there were a couple of changes in state statute regarding the fines. This also changed the administrative procedures, currently an elected official is the hearing officer. In most cities it is the City Administrator. Alderman Adams asked why other communities use the Administrator. Attorney Jones thought it was politics and using a staff position instead of an elected official. Attorney Jones stated no matter who the hearing officer is a person that is aggrieved can always appeal to the circuit court.

Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Bill No 4055. A roll call vote was taken with the following results: Ayes: Alderman Rahn, Alderman Gass, Alderman Johnson, Alderman Adams, Alderman Nemeth. Nays: Whereupon, Bill No. 4055 passed and became Ordinance No. 3140.

Bill No. 4056 An Ordinance establishing new Stop Signs at W. St. Louis St. and N. Second Street. (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4056 by title only. Mayor Myers asked for any discussion. Alderman Adams asked on the status of the traffic study. Administrator Roth stated Chief has been out sick. Assistant Chief Locke stated the traffic study is not complete to his knowledge. Alderman Adams asked that they not limit their study just to a stop sign.

Motion made by Alderman Adams, seconded by Alderman Nemeth to table Bill No. 4056. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

NEW BUSINESS

Resolution No. 2019-23 A Resolution authorizing and directing the Mayor to execute a Contract Agreement for Resurfacing of certain streets as identified in the City's Preventive Pavement Maintenance Program.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2019-23 by title only. **Motion**
Board of Aldermen 6-18-19

made by Alderman Nemeth to approve. Alderman Gass asked for discussion. Administrator Roth stated the Board authorized the City to proceed with the bid package resurfacing of Indian Warpath and W. Union and 3 alternates. There were five plan holders, with three bids. The bid tabs are in the packet. The recommendation from Cochran Engineering is the total base bid plus Alternate 1 with Jokerst Paving of \$ 187,075 plus Alternate 1 with a total of \$ 427,321. We budgeted \$ 350,000 for this. We reviewed the financials with the City Clerk and feel like we can make this work. There is a resolution later on the agenda to apply for grant funds through Franklin Co. Transportation Grants. Alderman Gass feels like W. Union is a low traffic street, and would rather shift those funds to Payne St. Dave Christensen, Cochran, stated his recommendation was for the main traffic areas. He is very happy with the bids. The Engineer's estimate was \$ 486,000. Bids are good with good unit pricing. Jokerst is doing Candlewick and they are all behind because of the rain. They are an excellent paving crew. Discussion followed.

Motion was seconded by Alderman Adams with an amendment of conditions in Phase 1 we make the repairs as suggested by Alderman Gass on Payne St. which include the area where the water lays and fill all the cracks. A voice vote was taken with an affirmative result. Alderman Gass would like to add another amendment for E. Union St and add it. Mayor Myers stated E. Union would be considered in Phase 2. Public Works Commissioner Brueggemann stated the new water line needed hooked up first. Alderman Gass suggested bidding out the water line and connections. Alderman Gass withdrew his amendment. **Motion made by Alderman Gass, seconded by Alderman Adams to bid out the water line work and connections. A voice vote was taken with an affirmative result.** Administrator Roth stated on W. Union – the piece that Dan Rahn is working on includes curbing. At this point we are not ready with the curb and guttering. If Jokerst moves quickly it could be done before we are ready, and there could be an asphalt patch there.

Resolution No. 2019-24 A Resolution authorizing a Grant Application for the City of Pacific Preventive Pavement Maintenance Program Phase 1 Improvements, Franklin County Transportation Grant Program.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2019-24 by title only. **Motion made by Alderman Adams, seconded by Alderman Gass to approve Resolution No. 2019-24. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Resolution No. 2019-25 A Resolution authorizing the transfer of funds from the Water & Sewer Fund to the Leasehold Revenue Bond for the Administrative Fees of the Municipal Assistance Bond Series 2012.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2019-25 by title only. **Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Resolution No. 2019-25. A voice vote was taken with an affirmative result, and Mayor Myers 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- These items have been tabled.

CITY ADMINISTRATOR REPORT

a. Water User Charges

Administrator Roth stated he has been working on this as directed in coordination with the budget. He also used CM Archer Group. A proposal was worked up and included in his Board report. The last increase was in 2005. The base rate is \$ 6.57 per month per customer for 0 - 2,000 gallons. The per thousand rates is \$ 2.87. The comparison rate is 5,000 gallons. The water fund has been running in the red for the last two years. He continued that he looked at existing conditions, and compared our rates to other cities. The Missouri Department of Natural Resource also offers guidance. The base charge is very low according to their guidelines. To cover just personnel cost the base charge would be \$ 11.56. MDNR discourages any usage allowance, along with no volume discounts. In Year 1 he used \$ 200,000 as a target figure, but this is just a break-even figure. Revenue can be increased by base charge, volume charge, addressing the usage allowance or through a combination. The preliminary proposal is \$ 7.50 per month for the base charge, and a rate of \$ 2.92 per thousand gallons or fraction thereof, meaning 5,000 gallons would be \$ 22.10. He would recommend annual increases for the next 5 years. In year 5 the cost for 5,000 gallons is \$ 28.25. Administrator Roth suggested a public hearing for the rate change. State Law does not require it for water but does for sewer. Alderman Johnson suggested an Operations Committee meeting.

Motion made by Alderman Gass, to accept the Administrators recommendation and have the City attorney draw up the ordinance. Alderman Adams seconded the motion with an amendment to have a public hearing. A voice vote was taken with an affirmative result and Mayor Myers declared the motion carried.

b. 222 N. First / 1st and Osage MoDot cost share

Administrator Roth stated he has looked at this house with Dan Rahn, and felt it was feasible to move it. Benton Kelley has also looked at it and has experience with lifting and moving. They both feel it could be moved back on the lot. A budget figure would be \$ 50,000. This would include a new foundation and the house moved onto it. The house does need renovation. Alderman Johnson asked how much repairs would cost. Administrator Roth was unsure, and it would depend what you would be renovating it for. Mayor Myers stated there is no plan in place right now and would like to hear options. Administrator Roth stated the range for demoing the property he would guess to be \$ 20,000 to \$ 30,000. Alderman Adams stated the Train Depot was tore down and was a mistake. There's only so many buildings in Pacific that show our history. That building is one of them, and he feels like there are a lot of things we could use it for and feels its in better shape than Red Cedar. Mayor Myers suggested a Request for Proposals. Alderman Adams stated the community decided the Red Cedar had value and history. The community knows this, and nobody is complaining about it, because they understand the value of it. The point he is making is the people of Pacific are evolving. If we come up with a good project, they will support it. Mayor Myers asked for Request for Proposals for options of the building. We show the building, moving it back with the new lot size and then send out to developers or entrepreneurs and see what they come up with. Alderman Adams suggested working with the architect firm we are already using for Red Cedar. Administrator Roth stated the cost of moving it on the existing lot seems to be in the budget. Board members agreed. Administrator Roth will develop this Request.

c. Conditional Use Permit transfer request, 302-304 W. Osage

The Conditional Use Permit was for Kevin Hueffmeier and is not transferable to any other party unless authorized by the Board. He understands there is no change in the use nothing in the permit would change, the car lot is still the intention. Motion made by Alderman Adams, seconded by Alderman Nemeth to approve the transfer of the Conditional Use Permit from Kevin Hueffmeier to John Murphy.

d. New Hire in Public Works

Administrator Roth stated there is a new hire in Public Works and he started last week.

There is still an opening in the Water and Sewer Department.

PUBLIC WORKS COMMISSIONER REPORT

a. Updates to lead ban ordinance

Public Works Commissioner Brueggemann stated the ordinance needed to be updated. Alderman Gass stated he would sponsor the ordinance and made a motion for the City Attorney to change the ordinance. Motion was seconded by Alderman Adams. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

b. Truck issue, Thornton Road

Administrator Roth stated the idea is to have No "thru" trucks. We have truckers using it to get to Highway 100. Discussion followed. He recommends putting signage up without changing the ordinance and see if it helps. Alderman Adams asked how the prosecutor would interpret that ordinance. Attorney Jones stated if there is no ordinance a ticket cannot be wrote. Alderman Adams did not think the signs should be put up without the ordinance. We have had this problem before. Discussion followed. Mayor Myers stated it seemed clear we were not going to install the signs.

MISCELLANEOUS

a. Approve the list of bills.

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

b. Approve invoice from Curtis, Heinz, Garret & O'Keefe in the amount of \$ 92.00 to be paid from the W. Osage CID.

Motion made by Alderman Gass, seconded by Alderman Nemeth to approve the invoice from Curtis, Heinz, Garret & O'Keefe in the amount of \$ 92.00. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried

c. Approve invoice from BNY Mellon in the amount of \$ 221,793.75 to be paid from the City Hall NID.

Motion made by Alderman Nemeth, seconded by Alderman Adams to approve the invoice from BNY

Mellon in the amount of \$ 221,793.75 to be paid from the City Hall NID. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- d. Approve payment to the Jeremiah Johnson Band under the Partnership expenses to be paid out of Tourism Funds in the amount of \$ 2,400.00.

Motion made by Alderman Gass, seconded by Alderman Adams to approve the payment to the Jeremiah Johnson Band under the Partnership expenses to be paid out of Tourism Funds in the amount of \$ 2,400.00. A voice vote was taken with an affirmative result.

- e. Approve invoice from Traffic Control in the amount of \$ 350.00 for rental of two message boards to be paid from Tourism for advertising for the Partnership.

Motion made by Alderman Gass, seconded by Alderman Rahn to approve the invoice from Traffic Control in the amount of \$ 350.00 for rental of two message boards to be paid from Tourism for advertising for the Partnership. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

REPORTS OF CITY OFFICIALS

Alderman Nemeth – Thanked Administrator Roth for the work on Viaduct Street.

Alderman Adams – stated he took some phone calls about the dog pound, and he visited the site. He did this a few different times and the issue did not change. It appears on the weekends nobody is washing the pens. He knows a better job can be done. He asked the City Administrator to investigate this. It seems like there is a lack of communication with what is happening over the weekend and over the week, specifically if the animal bites or not. He continued as he rides around town, it appears very little is being done with Code Enforcement. We have always had difficulties in cleaning the town, weeds, trash and derelict cars are everywhere. We must clean the town up to attract the smallest of businesses. I promise every call I get that I will call them back. He knows how the system works, but when he follows up, Code Enforcement was told to do nothing. Mayor Myers stated he did not call me about the dog pound, he does not believe the town looks worse than it ever has. We have had progress, weeds are cut, trailers are being moved. He hasn't given any directives not to follow up with anyone. If an alderman has a problem, please bring it to my attention. We want to fix our problems. We need to have more communication. Alderman Adams stated he is just stating his opinions. His experience has been that he spoke to Code Enforcement, time went by, I followed up and Code Enforcement has told me that he was told to do nothing. That is my experience. He has also been the Mayor and knows the problems. Mayor Myers stated tomorrow he will have Code Enforcement at the staff meeting and let's talk about the problems. Alderman Adams suggested him and Alderman Gass and the Mayor and Administrator and Gary ride around and look at the problems and figure out how to address it, maybe we see things differently. Alderman Adams asked if Administration is getting the court dockets like we are supposed to, and he would like to see a copy of it. Mayor Myers will make that request. Alderman Adams continued he has a complaint on 139 Marcia Lane also.

Alderman Rahn – Questioned what ADB is going to do about the eroding soil. Administrator Roth stated they should put down the seed and straw. They were given occupancy over the winter, and they need to be noticed.

Alderman Gass -- the old house on Highland that burnt. Administrator Roth stated Scott Waggoner is

working on this. He asked what the Board's intent was for this. His preference is the property owner take responsibility, but under the derelict building code the City could notice them and abate them. One way is to notice the property owner and if they don't comply, they go to court and the City does not abate. If we use the building code the City will abate the nuisance and tear down if the property owner refuses. This is a structure that he believes can be repaired. Staff was sitting on the fence as to what the better approach is. The City could incur costs that may not be collected for some time. Alderman Nemeth stated it seems in some cases we never see that money, and the court is the first step. Alderman Adams stated Municipal Court is limited as far as enforcement is concerned. They cannot make the property owner take the building down. If we are trying to accomplish removing the building, he suggested the City do it as quickly as possible. He also thought Code Enforcement needed to visit the business on Rt 66 with the logs at the end of town. He also had a call about the building next to the funeral home. Alderman Adams thought we just needed to get better at governing. Administrator Roth stated there is a need for a comprehensive code enforcement program. We have been very short staffed and are making progress. Alderman Gass stated that is why he suggested classes. Alderman Adams stated the reason he supported him because with him being a police officer, he is already trained in writing tickets and writing reports. He also believes the problems out there are too big for one person. Mayor Myers asked if there was anything wrong with the patrolman also writing for code violations. Alderman Gass suggested the Building Inspector do this also.

Alderman Johnson – Thank you for the lights on Osage now working. She has also received calls on “Bella” and the type of sign. She also received a call about the park across from the old Hogan's Dairy and the bench. She asked if we could adopt the park from the school. Heritage Farms has called her about the grass and City Hall told them they would have to cut it. Mayor Myers stated when we take over the streets, we don't take over the grass. Administrator Roth stated he had Public Works cut the entrance while we figure out whose responsibility it is, Franklin County owns the storm basin. I did not tell anybody that we can't do it. She then asked for a Red Cedar update. Mayor Myers stated he has been given notice. She continued that Mike Gallagher told her that he was granted an extension. Mayor Myers stated the Board of Aldermen did not grant any extension. She also stated she got a call on Marcia Lane. She also ran a half page ad for the fireworks sponsors.

EXECUTIVE SESSION RSMO 610.021(2)

The Board went into Executive Session under RSMO 610.021 (2) for real estate. Mayor Myers read this into the record.

Motion made by Alderman Nemeth, seconded by Alderman Adams 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. Nays: none. Whereupon, Mayor Myers declared the motion carried.

The Board went into executive session at 9:20 p.m.

The Board reconvened at 9:30 p.m. Present at roll call: Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Gass, Alderman Johnson.

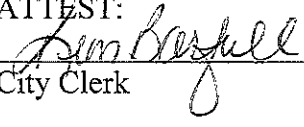
ADJOURNMENT

Motion made by Alderman Nemeth, 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 9:32 p.m.



Steve Myers, Mayor

ATTEST:

City Clerk

