

July 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. The meeting was held via Zoom Teleconferencing: The Public was able to view at <https://us02web.zoom.us/j/82021256544> and was on Facebook live at <https://www.facebook.com/cityofpacificmunicipalgovernment>.

Mayor Myers stated the meeting is by Zoom this evening because of the increase of COVID-19 cases in the region, and the sound quality at the last meeting was not good.

A roll call was taken with the following results:

Present at Roll Call:

Alderman Nemeth
Alderman Adams
Alderman Rahn
Alderman Frick
Alderman Johnson
Alderman Stotler

A quorum was present and seen and heard through zoom.

Also present:

Administrator Roth
Attorney Jones
Captain Locke
PW Commissioner Brueggemann
Director Kopp
Collector Kelley
City Clerk Barfield

Pledge of Allegiance

The Pledge of Allegiance is given.

Prayer

Mayor Myers offered prayer this evening.

Approve Agenda

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Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve the agenda. A voice vote was taken with an affirmative result.

Minutes

A. Regular meeting on July 7, 2020.

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

B. Executive session meeting on July 7, 2020.

Motion made by Alderman Johnson, seconded by Alderman Nemeth to approve the minutes of the executive session held on July 7, 2020. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Public Participation

Mayor Myers stated anyone that wanted to participate can e-mail Steve Roth at sroth@pacificmissouri.com or contact any of the aldermen prior to the meeting. He asked City Clerk Barfield if anyone had contacted her prior to the meeting. City Clerk Barfield stated no one had. He also asked Administrator Roth, and no one has contact him.

Mayor's Report

a. Proclamation for former Alderman Mike Pigg

Mayor Myers stated he has a special guest, Jill Pigg in his office this evening. He stated he was Jill's next-door neighbor growing up and has known Mike since he started dating Jill in 1989. He read a Proclamation into the record honoring Mike and all his work for the City and the community. State Representative Dottie Bailey also had a Proclamation from the State that she presented Jill with.

b. Bill to Amend City Marshal qualifications (discussion only)

Mayor Myers stated this was only for discussion this evening. Section A was reviewed. Section B was out of the State Statute 79.055 and Section C was a list of additional conditions from other cities that was included. Attorney Jones stated he reviewed the current code verses from the State and put this together. Alderman Nemeth asked for discussion on why they become a City employee. Attorney Jones stated the employee part is out of the State Statute and provides that they are an employee until training is completed, once completed, they become an elected position. In a Fourth-Class city, it allows for someone to run who don't have the training yet, we can't require them to have the necessary training prior to it. Section 590.040 is POST Certification Chapter and oversees the training requirements. That section allows for a minimum number of hours, not less than 470 and no higher than 600. The Missouri State Highway Patrol Officers are required to have 1,000 hours, which is an exception to the rule. Captain Locke stated the average person goes to the Academy for a year, normally that is 120-hour class then POST. Officers must have 750 hours which is the minimum for a Class A License which is required for St. Louis County streets, which we have. Attorney Jones stated the draft ordinance in front of them mirrors the State Statute, except for Section C, which is additional requirements the City can choose from. He could not find anything that prohibits the City for having additional requirements. Alderman Adams

asked if the Board could decide that the Chief must meet the qualifications before taking office, could they? Attorney Jones stated he was unable to find anything prohibiting the City from doing that. Alderman Adams asked if the Board would require all the training before taking office, then Section B could be eliminated. Attorney Jones stated the section would have to be consistent. If they already hold a POST, then it is not consistent with State Law. Mayor Myers thought we should slow down and discuss these items from the beginning. Mayor Myers stated he asked Attorney Jones to show us examples of what other Fourth-Class cities have for an elected chief's position. They had no other conversation.

Item A – The draft bill shows the age of 21 years old. Motion made by Alderman Adams, seconded by Alderman Stotler to change this age to 25 years old. A voice vote was taken with an affirmative result. Mayor Myers declared the motion carried.

Attorney Jones stated the cities current ordinance has the residency requirement. He could not find many cities that have elected marshals with a residency requirement to compare this to. The State Statute does not have this residency requirement.

Alderman Frick and Alderman Stotler thought it was a good idea to have a broad range. Alderman Johnson felt like the community would be more comfortable with someone from Pacific.

Training requirements – Alderman Adams did not think the candidate should be allowed to run or file for office unless they meet the requirements. Motion made by Alderman Adams, seconded by Alderman Frick that no candidate can run or file unless they meet these requirements. City Clerk Barfield asked Attorney Jones how this would work, currently the clerk's responsibility is a "ministerial duty" and the candidate signs stating they proclaim they have met all the qualifications. The Clerk's office does not verify residency, training, etc. If the candidate does not turn in the paperwork, she wanted it to be clear to the Board this does not give that office the right to remove them from the ballot. Attorney Jones agreed, and thought staff needed to discuss this more and bring them back an Amended Bill. Alderman Adams agreed and understood. He also suggested allowing the Attorney to investigate this more and getting the recommendation of the Attorney if the proof of training should be 30 days after being elected or after filing. It was asked what the minimum requirement is for certification of a Chief in a Fourth-Class City. Attorney Jones stated for Marshall is it 120 hours, and 470 is the POST Requirement. **Motion made by Alderman Rahn, seconded by Alderman Nemeth to take the 120 hours of instruction out.** Board members also agreed the "6 months" should be removed. **Motion made by Alderman Nemeth, seconded by Alderman Adams to strike the entire section B. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

To conclude: Strike Item 1 in paragraph A, strike Item 2 in paragraph A, age to be 25 Item 3 (compare with St. Clair and Eureka) Alderman Adams stated he asked for this at the last meeting but did not get it in his packet. Attorney Jones stated he would locate St. Clair and Eureka's legislation and Union's. There was further discussion regarding # 5, # 6 and how they would prove this? Alderman Nemeth stated that was the same as Items 8,9, and 10. Alderman Adams stated they would have to prove that to the voters. Motion made by Alderman Adams, to strike # 5, 8, 9 and 10. Alderman Nemeth suggested we wait to see what the other cities legislation looks like. Alderman Adams withdrew his motion. Board members agreed the Draft Bill would be on the next agenda for discussion only.

c. Appoint Alderman Nemeth to the Cemetery Committee

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

New Bills

Alderman Rahn stated he would sponsor Bill No. 5023-5028

Alderman Nemeth stated he would sponsor the Bill regarding the Chief's position when it was ready.

Bill No. 5023 An Ordinance authorizing acceptance of the Conveyance and Transfer of certain real property at 312 E. Orleans (Franklin County Parcel 19-1-12.0-4-004-154.000) in the City in furtherance of the City's Voluntary Flood Buyout Program authorizing the execution and recordation of certain documents in connection therewith; and authorizing further action in furtherance thereof. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5023 by title only for the first reading.

Bill No. 5024 An Ordinance authorizing acceptance of the Conveyance and Transfer of Certain Real Property at 114 E. Congress Street (Franklin County Parcel ID 19-1-12.0-4-003-205.000) to the City in furtherance of the City's Voluntary Flood Buyout Program; authorizing the execution and recordation of certain documents in connection therewith; and authorizing further action in furtherance thereof. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5024 by title only for the first reading.

Bill No. 5025 An Ordinance authorizing acceptance of the Conveyance and Transfer of Certain Real Property at 804 S. First Street (Franklin County Parcel ID 19-6-13.0-0-099-000.000) in the City in furtherance of the City's Voluntary Flood Buyout Program; authorizing the execution and recordation of certain documents in connection therewith; and authorizing further action in furtherance thereof. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5025 by title only for the first reading.

Bill No. 5026 An Ordinance authorizing acceptance of the Conveyance and Transfer of Certain Real Property at 220 E. Central Street (Franklin County Parcel ID 19-1-12.0-4-004-132.000) to the City in furtherance of the City's Voluntary Flood Buyout Program; authorizing the execution and recordation of certain documents in connection therewith; and authorizing further action in furtherance thereof. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5026 by title only for the first reading.

Bill No. 5027 An Ordinance authorizing acceptance of the Conveyance and Transfer of Certain Real Property at 302 South Elm Street (Franklin County Parcel ID 19-1-12.0-4-004-152.000) to the City in furtherance of the City's Voluntary Flood Buyout Program; authorizing the execution and recordation of certain documents in connection therewith; and authorizing further action in furtherance thereof. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5027 by title only for the first reading.

Bill No. 5028 An Ordinance authorizing acceptance of the Conveyance and Transfer of Certain Real Property at 718 South First Street (Franklin County Parcel ID 19-1-12.0-4-001-302-000) in the City in furtherance of the City's Voluntary Flood Buyout Program; authorizing the execution and recordation

of certain documents in connection therewith; and authorizing further action in furtherance thereof. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5028 by title only for the first reading.

Mayor Myers thanked Administrator Roth for all his work on the buyout program. He understood that it is difficult and time consuming. Administrator Roth stated there are still 25 in the program and there should be two more for the next meeting.

Alderman Adam stated he would sponsor Bill No's 5029-5031

Bill No. 5029 An Ordinance revising the exceptions to excessive growth of weeds and vegetation. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5029 by title only for the first reading.

Bill No. 5030 An Ordinance amending certain section of Article XI of Chapter 500 pertaining to Abatement of Dangerous Buildings (1st reading)

As posted pursuant to the Ordinance, Mayor Myers read Bill No. 5030 by title only for the first reading.

Bill No. 5031 An Ordinance providing for a Fifteen Minute Parking Space at 119 W. Columbus Street (1st reading)

As posted pursuant to the Ordinance, Mayor Myers read Bill No. 5031 by title only for the first reading. Administrator Roth stated Collector Kelley brought to his attention that this should read "N. Columbus St." Attorney Jones stated the Bill would need to be amended. Motion made by Alderman Adams, seconded by Alderman Nemeth to Amend the Bill. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Consideration of Bills Previously Introduced

a. Amended Bill No. 5014 An Ordinance regulating the operation of Utility Vehicles and Golf Carts in the City of Pacific (2nd reading tabled on 6-2-20, amended on 7-7-20 & 7-7-20)

Alderman Nemeth stated he would sponsor this Bill. Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Amended Bill No. 5014. Alderman Johnson asked for discussion. She stated there were no speed limit signs on W. St. Louis St. and Lamar Parkway is 35 mph, but on First St. to Liberty Field there was also no signs. She suggested changing the bill to read "posted speed limit". Mayor Myers stated that was changed, Item B3 reads posted speed limit. Attorney Jones stated on B5 it speaks to golf carts going 35 mph or less, he thought that was what she was referring to. Alderman Johnson agreed that it was. Motion made by Alderman Johnson, seconded by Alderman Nemeth to strike the speed limit of 35 in B5 and add "obey posted speed limit". A voice vote was taken with an affirmative result.

Attorney Jones stated it would need to be read a second time as it was amended.

Alderman Frick asked that B3 & B5 be changed to "minimum required for motor vehicles" for the insurance. Motion made by Alderman Frick, seconded by Alderman Adams to make the above change. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Attorney Jones stated he would send over an Amended Bill tomorrow.

Mayor Myers read Bill Amended Bill No. 5014 for the second reading by title. Motion made by Alderman Nemeth, seconded by Alderman Adams to approve Amended Bill No. 5014. A roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Johnson, Alderman Stotler. Nays: none. Whereupon Mayor Myers declared the motion carried and **Amended Bill No. 5014 becomes Ordinance No. 3198.**

b. Bill No. 5021 An Ordinance removing certain property from the Osage Commercial Improvement District (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5021 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Adams, seconded by Alderman Stotler to approve Bill No. 5021. A roll call vote was taken with the following results: Ayes: Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Johnson, Alderman Stotler, Alderman Nemeth. Nays: none. Whereupon Mayor Myers declared **Bill No. 5021 becomes Ordinance No. 3205.**

C, Bill No. 5022 An Ordinance approving a Zoning Change (Map Amendment) from C-2 Arterial Commercial to M-1 Light Industrial for property known as Lot 1 Eastridge Place, Franklin County Parcel ID 19-2-10.0-0-036-015.000.

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5022 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Frick, seconded by Alderman Rahn to approve Bill No. 5022. A roll call vote was taken with the following results: Ayes: Alderman Rahn, Alderman Frick, Alderman Johnson, Alderman Stotler, Alderman Nemeth, Alderman Adams. Nays: none. Whereupon Mayor Myers declared **Bill No. 5022 becomes Ordinance No. 3206.**

New Business

a. **Resolution No. 2020-36 A Resolution authorizing the Transfer of Funds from the Water & Sewer Fund to the Leasehold Revenue Bond for the Interest payment of the Municipal Assistance Bond Series 2012.**

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-36 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

b. **Resolution No. 2020-37 A Resolution taking Notice of and Reaffirming the Provision of Ordinance No. 1866 entitled “An Ordinance of the City of Pacific, Missouri to establish a Procedure to disclose potential Conflicts of Interest and Substantial interest for certain officials”.**

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-73 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

c. **Resolution No. 2020-38 A Resolution to authorize a Transfer of Funds from the City’s Capital**

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Improvements Sales Tax Fund, Wastewater Fund and East Osage Community Improvement District Fund to pay expenses related to certain capital improvements projects in the City of Pacific.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-38 by title only. Administrator Roth stated this was a budgeted item. **Motion made by Alderman Stotler, seconded by Alderman Rahn to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

City Administrator Report

a. Budget report

Administrator Roth stated the assessed valuations from Franklin County came in and they are up 2.3%. Real Estate is flat, which we expected as this is not a reassessment year. St. Louis County showed a small increase, but personal property went down. The tax levy hearing will be scheduled in August. The impact of COVID is starting to hit us a bit. Looking at the gross receipts, they are down 4.5% for the calendar year. The amplifier in the Board Room went bad and costs \$ 3,000 to replace. There are no particular budget concerns, but he did not feel we were not in a position to do anything new with the budget. He stated the MIRMA Health meeting is tomorrow, and is stable with no big increase. Our plan renews January 1st, so at this point is still too early to say. He planned to bring a recommendation to the Board in August for bulky trash. This is about a \$ 12,000 expense.

Flood properties -- as we move forward with these, we will need cash flow. He felt it was best to borrow from Contingency Fund as we wait for reimbursements, as this is 100% funded. He is still working with the CDBG part of it. The 2015 flood money was received this week, this was generally for the Wastewater Treatment Facility in the amount of \$ 147,000. This closes out the 2015 flood.

b. Surplus vehicles and equipment auction results

City Clerk Barfield and Public Works Commissioner Brueggemann have been selling the vehicles and equipment that was on the list. There was a good return in whole of about \$ 15,685. They will be bringing authorization to sell another police car, a dump truck, and utility bed soon. This will be brought to them by Resolution. Anybody can bid on these items at govdeals.com, notices were also posted on Facebook and in the Missourian.

c. Mirma Conference

Administrator Roth stated he would be attending the Mirma Conference Wednesday and Thursday and be back in the office Friday afternoon.

Board members brought up Board of Aldermen meetings and committee meetings. Motion made by Alderman Nemeth, seconded by Alderman Frick to continue all City meetings by board or committee by Zoom until further notice. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Mayor Myers stated all employees will wear a mask if they are dealing with the public one on one. Administrator Roth stated staff is trying to get everything digitalized. This is a process and takes time. The water and sewer bills went out by e-mail if the customer requested it this month. We are continuing to work on this also. Alderman Frick stated he looked to sign up for this on the website and could not

find it. Staff will work on putting this option on the website also.

Director of Community Development Report

Director Kopp stated the new software that is budgeted for would also allow for his department to be more digital, including remote accessibility. They received 22 permit applications, completed 29 inspections, 9 plan reviews and issued 20 citations, of which only 9 were for grass.

At the last meeting he reported a nuisance property was removed without a permit. He met with the owner and this is being resolved.

The large vacant lot on Osage Street has been cut. They cut it for hay 3 or 4 times a year.

City Hall ceiling has been worked on. There has been a repeated leak and the access hole was not sized correctly. They are working on improving the access. The water damaged drywall was removed. It makes sense to install a drop ceiling in this section. He is seeking bids for work by a contractor to fix this. The origin of the water sources is a rooftop unit that was cracked, and the drain pan was causing the intermittent leak. Mayor Myers stated he recommended a 1" reveal for the raised effect. This will look good when it is done.

Public Works Commissioner Report

Public Works Commissioner Brueggemann stated Lisa Lane is completed. A new ordinance is needed for a new stop sign at Lisa Lane and Indian Warpath and a speed limit sign. Alderman Adams asked for a recommendation on the speed limit from Captain Locke. Captain Locke stated he would suggest 15 mph. Motion made by Alderman Adams, seconded by Alderman Nemeth to sponsor a 15-mph speed limit. Discussion followed. **Alderman Adams withdrew his motion and amended it to 25 mph speed limit on Lisa Lane, seconded by Alderman Nemeth. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Alderman Johnson state a speed limit sign also needs posted on Union Street near the Senior Center. **Motion made by Alderman Johnson, seconded by Alderman Adams to install speed limit signs on Union Street. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

There was further discussion regarding the speed limit on St. Louis St. Alderman Adams suggested Director Kopp and Captain Locke look into the speed limit on St. Louis Street and bring back a recommendation to the Board of Aldermen.

City Attorney Report

No report

Police Department

Captain Locke stated they are trying to catch up on training and they just completed their firearms training.

Miscellaneous

a. Approve Osage Street Water Main Replacement Pay App 1 in the amount of \$ 214,133.40.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve Pay App # 1 for Osage Street Water Main in the amount of \$ 214,133.40. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

b. Approve Lisa Lane Pay Application # 4 in the amount of \$ 31,413.37.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve Pay Application # 4 in the amount of \$ 31,413.37. A voice vote was taken with an affirmative result.

c. Approve Lisa Lane Pay Application # 5 in the amount of \$ 13,439.49.

Motion made b Alderman Frick, seconded by Alderman Nemeth to approve payment Pay Application # 5 in the amount of \$ 13,439.49. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

d. Approve the list of bills.

Motion made by Alderman Adams, seconded by Alderman Johnson to approve the list of bills. A voice vote was taken with an affirmative result.

Reports of City officials

Alderman Nemeth – No report

Alderman Adams – Stated he stills needs to meet with Captain Locke regarding SOP and policy. He would be calling him to schedule this. Alderman Nemeth stated he would also like to be included with this meeting. He continued he would also like to speak to the Code Enforcement Officer regarding derelict properties in his ward. Alderman Rahn stated he would like to be included in that meeting.

Alderman Rahn – stated he thought it was nice what the City did for Alderman Pigg. He also had a question for Director Kopp. There was a house on Columbus that is doing building and asked if they are required to post permits in the windows. Director Kopp stated they are required to, but this has not been enforced. He would look into this further. Also, there is no Planning & Zoning next week, and The Landing Hub is in full swing.

Alderman Frick – No report.

Alderman Johnson – asked if the Meramec Valley Genealogical and Museum Society could meet at the Senior Center if they cannot get zoom working. Mayor Myers stated the Board just voted for all committees to meet by zoom if they needed help to contact City staff.

Alderman Stotler – No report.

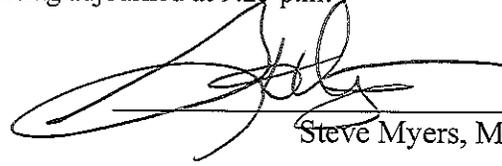
Collector Kelley – No report.

Adjournment

There being no further business, motion by Alderman Nemeth, seconded by Alderman Adams to adjourn.

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A voice vote was taken with an affirmative result. The meeting adjourned at 9:25 p.m.


Steve Myers, Mayor

ATTEST:

City Clerk

