

OCTOBER 15, 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
Alderman Stotler

A quorum was present.

Also present:

Administrator Roth
Attorney Jones
Assistant Chief Locke
Public Works Commissioner Brueggemann
City Clerk Barfield

Pledge of Allegiance

The Pledge of Allegiance was done.

Prayer

Pastor Lange offered prayer this evening.

Approve Agenda

Mayor Myers asked they consider amending the agenda to include Pay Application 2 for Candlewick in the amount of \$ 69,747. Motion made by Alderman Nemeth, seconded by Alderman Gass to approve the amending the agenda. A voice vote was taken with an affirmative result.

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

Minutes

A. Regular meeting on October 1, 2019

Mayor Myers asked for an amendment to the minutes at the top of page 8. In the discussion for the sign he asked that "sign approved by the Board of Aldermen" be added, because it was said. Motion made by Alderman Adams, seconded by Alderman Stotler to approve the amendment to the minutes. A voice vote was taken with an affirmative result.

Motion made by Alderman Rahn, seconded by Alderman Adams to approve the amended minutes of the regular meeting on October 1, 2019. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

B. Executive session minutes on October 1, 2019

Motion made by Alderman Rahn, seconded by Alderman Adams to approve the minutes of executive session on October 1, 2019. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Public Hearing

a. A Public Hearing to discuss the City's submission of an application for the fiscal Year 2019 Community Development Block Grant Disaster Recovery (CDBG-DR) program. This is proposing to use CDBG-DR funds to do a voluntary buyout of approximately 27 residential structures including acquisition and demolition.

Mayor Myers opened and read the Public Hearing into the record. He asked if anyone wanted to speak to this. Collector Kelley asked if there was a list of properties. Administrator Roth stated this is for an application for matching funds for 27 properties in the program, and there is a list. All the FEMA rules will have to be followed. Mayor Myers asked for any more comments. There being no further comments the Public Hearing was closed.

Mayor's Report

a. Appoint Brian Steele to the Park Board Committee, term to expire May 2020.

Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve the appointment of Brian Steele to the Park Board Committee, term to expire May 2020. A voice vote was taken with an affirmative result. Mayor Myers presented his oath of office.

d. Appointment of Nick Chlebowski to the Planning & Zoning Commission, term to expire May 2022.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve the appointment of Nick Chlebowski to the Planning & Zoning Commission, term to expire May 2022. A voice vote was taken with an affirmative result. Mayor Myers presented his oath of office.

Mayor Myers stated Trudy Nickelson and Dave Roemer were not present this evening.

c. Approve appointment of Trudy Nickelson to the Tourism Commission, term tot expires Nov 2023.

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Motion made by Alderman Adams, seconded by Alderman Johnson to approve the appointment of Trudy Nickelson to the Tourism Commission, term to expire Nov 2023. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

b. Approve appointment of Dave Roemer to the Tourism Commission, term to expire Nov 2023.

Motion made by Alderman Gass, seconded by Alderman Nemeth to approve the appointment of Dave Roemer to the Tourism Commission, term to expire Nov 2023. A voice vote was taken with an affirmative result.

e. Beautification Committee – Yard of the Month for residential: 302 S. Columbus. For commercial: Eclectic Trading, 520 W. Osage

Mayor Myers stated neither one of these are present this evening. He will present to them with the Beautification Committee.

f. Rodeo Expenses

Mayor Myers stated he has rodeo numbers, borrowing any other incidental charges. The contract for the rodeo was paid through Tourism Funds in the amount of \$ 17,600, the Partnership contract was \$ 2,500, expenses to the Missourian were \$ 1,500, and other expenses were \$ 9,788. Total expenses were \$ 13,788 meaning the total raised is \$ 22,312. He continued that Tim Krause & Isiah Garners prepare the soil at the rodeo grounds. At the MRCA Final Rodeo the contestants review all the rodeos for the year and voted Pacific for the “2019 Rodeo of the Year Most Improved Grounds”. Mayor Myers thanked Kim and Collector Kelley, the Partnership, Brian Straatmann, Public Works and the Police Department. He continued that everyone works hard, and it makes it another successful year. In November he planned on having a meeting to discuss the good and bad and how to move forward for next year. Mayor Myers stated the \$ 22,312 would be set aside for the rodeo, as discussed at the last meeting.

Public Participation

Mayor Myers stated he had two requests this evening to move the meeting along because the Cardinals were playing the debate was on.

Herb Coffey, 303 N. First St., Pacific, MO stated he was a resident beekeeper. For the record, he did not support the future project of the mural on the south wall of his property. He looked at the bee ordinance and one of his concerns is the lot size. His lot is 150' x 75' and he is an experienced beekeeper. He has had as many as 4 hives, and this ordinance reads that 3 is the limit for 1 acre. He suggested instead of a colony two brood houses. He also believes people should have to take a course on honeybees. It costs about \$ 1,000 to get started, and selling honey helps us making out cost's back.

Mayor Myers stated the Board follows Roberts Rules of Order. He reminded everyone that after the Public Hearing and Public Comment then it moves to an Aldermen meeting. The public does not participate in that.

New Bills

Consideration of Bills Previously Introduced

Bill No. 4074 An Ordinance amending standards for buildings on major Roadways and Downtown. (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4074 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Bill No. 4074. 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, Mayor Myers declared Bill No. 4074 passed and becomes Ordinance No. 3158.**

Bill No. 4075 An Ordinance regulating Beekeeping in the City of Pacific. (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4075 by title only. Mayor Myers asked for any discussion. Alderman Stotler stated that Mr. Coffey brings up a good point about requiring someone to take a course and the lot size. There was discussion about the definition of a colony, and if a permit would be needed. Mayor Myers stated he has heard that Isabel's School of Beekeeping is recommended. Alderman Adams stated he did not think that irresponsible beekeepers were not that big of a problem and didn't see a reason to require a permit. Alderman Johnson stated that Mr. Coffey participates in a lot of things. None of the residents fit the acre of land requirement. She didn't want to penalize the people that have bees and we haven't had complaints about. She continued that none of our Police Officers carry an eppy pen to administer if needed. The costs for a pen are \$ 300 to \$600 each. That is a concern. Alderman Johnson recommended tabling the ordinance and taking into consideration the lot size, the definition of a colony, and requiring a course for bee keeping. Alderman Adams stated he has not seen a problem to require a permit. Mayor Myers stated that bees that are maintained aren't aggressive. We need a plan to regulate those who don't maintain their hives. Alderman Nemeth stated the Board has had this for 4 weeks, and now these things are coming up. He felt there has been more than enough time to work this out. Alderman Johnson stated the Board has had it for two weeks and at the second reading is the time for discussion. Alderman Adams stated if we make rules then we must enforce them. He did not think an additional burden should be put on bee keeping that is not put on dogs or cats. Alderman Stotler stated there are not a lot of 1 acre lots in the City. Alderman Nemeth thought the 1 acre allowed for a respectful distance from the neighbors. Alderman Adams stated most of the ordinances they looked at allow bee keeping in the agriculture zone. If it didn't require that then it was on 5 acres. We don't want to punish people, but where is the compromise. That is where the 1 acre came from. Mayor Myers stated we never heard a complaint about Mr. Coffey's bees. Alderman Adams stated if we do nothing, he still has to get rid of his bees, because he is not supposed to have them now. This law at least allows for the raising of bees with these restrictions. We have to think about the neighbors and what's fair to the people that live next door. Alderman Adams stated he understood the training and the permit and where it comes from. Alderman Johnson stated on the chicken ordinance they couldn't sell eggs; can they sell honey? Alderman Adams stated this ordinance don't address the sale of honey and we can talk about it later. Alderman Nemeth stated that right now this is not allowed. Alderman Adams stated he didn't agree with downsizing because of the concerns of the people living next door. The permit and training can be amended in the ordinance tonight and can then move forward. **Motion made by Alderman Adams, seconded by Alderman Nemeth to amend the ordinance to require proof of training to receive their permit without any fee. Attorney Jones asked if we were amending**

paragraph F to provide for 2 brood boxes per colony to the definition. Board members agreed.

Attorney Jones read Amended Bill No. 4075 by title only. Motion made by Alderman Nemeth, seconded by Alderman Adams to approve Amended Bill No. 4075. 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, Mayor Myers declared Amended Bill No. 4075 passed and becomes **Ordinance No. 3159**.

NEW BUSINESS

Resolution No. 2019-43 A Resolution authorizing the adoption of a Group Health Insurance Plan to be offered to eligible employees of the City of Pacific and authorizing the execution of documents thereto.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2019-43 by title only. Alderman Gass asked if the City was paying for retirees. Administrator Roth stated yes, we haven't set any rules and they are eligible for the plan. Alderman Johnson asked if that had to be attached to this. Alderman Gass stated he was okay with it if they are paying the premium themselves. Administrator Roth stated he didn't disagree, but again, they are eligible for the plan. Alderman Johnson asked if this agreement was for 3 years. Administrator Roth stated this plan renews annually. To get out of MIRMA we have to give a 6-month notice.

Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Resolution No. 2019-43. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Resolution No. 2019-44 A Resolution authorizing certain insurance plans offered to eligible employees of the City of Pacific and authorizing the execution of documents thereto. (Dental, Life, Vision, STD)

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2019-44 by title only. Motion made by Alderman Adams, seconded by Alderman Rahn to approve Resolution No. 2019-44. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Resolution No. 2019-45 A Resolution of the City of Pacific, Missouri, stating intent to seek funding through the Community Development Block Grant-Disaster Recovery Program and authorizing the Mayor to pursue activities to secure funding.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2019-45 by title only. **Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Resolution No. 2019-45. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Resolution No. 2019-46 A Resolution authorizing the adoption of certain agreements and policies relating to the City of Pacific's application for Community Development Block Grant Program funding through the Missouri Department of Economic Development.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2019-46 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Gass, seconded by Alderman Rahn to**

approve Resolution No. 2019-46. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Resolution No. 2019-47 A Resolution authorizing and directing the Mayor to execute an Agreement with Archtech LLC for certain information technology and managed computer network services for the City of Pacific.

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2019-47 by title only. Mayor Myers asked for any discussion. Alderman Nemeth asked if this is also the fee for software. Administrator Roth stated no not all of it, there are a lot of different situations. Alderman Johnson asked which option we were choosing. Attorney Jones stated this is a 1-year contract that is renewable. Mayor Myers stated Mr. Wilson is in the room with his staff. He stated that Mr. Wilsons integrity and skill set is impeccable. **Motion made by Alderman Gass, seconded by Alderman Stotler to approve Resolution No. 2019-47. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Unfinished Business

- a. 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)

Mayor Myers read Bill No. 4012 for the second reading. **Motion made by Alderman Adams seconded by Alderman Stotler to remove Bill No. 4012 from the table. A voice vote was taken with an affirmative result.**

Mayor Myers asked for any discussion. **Motion made by Alderman Nemeth, seconded by Alderman Adams to approve Bill No. 4012. A roll call vote was taken with the following results: Ayes: Alderman Rahn, Alderman Gass, Alderman Johnson, Alderman Stotler, Alderman Nemeth, Alderman Adams. Nays: None. Whereupon, Mayor Myers declared Bill No. 4012 becomes Ordinance No. 3096.**

- b. 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)

Motion made by Alderman Adams, seconded by Alderman Stotler to remove Bill No. 4013 from the table. Attorney Jones stated this Bill is not in the packet. He suggested adding it to the agenda for the next meeting for the first reading.

Resolution No. 2019-39 A Resolution authorizing the adoption of a Group Health Insurance Plan to be offered to eligible employees of the City of Pacific; and authorizing the execution of documents thereto. (tabled 10-1-19)

Mayor Myers read Resolution No. 2019-39 by title only. Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Resolution No. 2019-39. A voice vote was taken with no response. Nays: A voice vote was taken with a "nay" response. Mayor Myers declared Resolution No. 2019-39 failed.

CITY ADMINISTRATOR REPORT

Hawthorne – Administrator Roth stated they should finish up paving early next week.

CITY ATTORNEY REPORT

Martin Heck Case – Attorney Jones stated the oral argument is scheduled for November 14, 2019 at 9 am in Franklin County Circuit Court in Division 1.

MISCELLANEOUS

A. Approve Special Event Permit for a Holiday Walk on November 16, 2019 beginning at Liberty Field.

Alderman Johnson stated this should be treated like a parade and those cannot cross the tracks anymore. In the past it was all held at Liberty Field. If Chief Mansell was here, she does not think he would approve. Mayor Myers asked if Alderman Johnson would contact her and explain this to her. Alderman Johnson stated she would. Motion made by Alderman Nemeth, seconded by Alderman Adams to approve the Special Event Permit for a Holiday Walk on November 16, 2019. A voice vote was taken with an affirmative result.

B. Approve the list of bills.

Motion made by Alderman Nemeth, second by Alderman Rahn to approve the list of bills. A voice vote was taken with an affirmative result.

C. Approve use of the Council Room on Friday, February 21, 2020 for the Pacific Estates Condo Association meeting at 7 p.m.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve the use of the Council Room on Friday, February 21, 2020 for the Pacific Estates Condo Association meeting at 7 p.m. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

REPORTS OF CITY OFFICIALS

Alderman Nemeth- stated that he understands the City of Eureka has started a project clear out the creeks/culverts and getting rid of overgrowth, with the intent of water mitigation. He asked that Administrator Roth reach out to Eureka for more information. He thought this would have the potential to reduce flooding.

Alderman Adams – reminded everyone the Missouri Municipal League Dinner is tomorrow in Union at 6 p.m.

Alderman Rahn – Nothing to report

Alderman Gass – Nothing to report

Alderman Johnson – Nothing to report

Alderman Stotler – hoped everyone would be careful as we have 2 Board members in devices, one in a Board of Aldermen 10-15-19

slings and one on crutches.

Captain Locke – stated if there are any residents that have concerns about something, they can contact him.

EXECUTIVE SESSION RSMO 610.021 (3)

Mayor Myers stated Executive Session is on the Agenda for Personnel.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to go into Executive Session under Personnel. A roll call vote was taken with the following results: Ayes: Alderman Rahn, Alderman Gass, Alderman Johnson, Alderman Stotler, Alderman Nemeth, Alderman Adams. Nays: None.

The Board went into executive session at 8:14 p.m.

The Board reconvened at 8:30 p.m.

Acting President of the Board Adams called the meeting back to order.

A roll call vote was taken with the following results: Alderman Adams, Alderman Rahn, Alderman Gass, Alderman Johnson, Alderman Stotler, Attorney Jones, Administrator Roth, City Clerk Barfield. Absent: Mayor Myers. Mayor Myers took a place in the audience.

Acting President of the Board Myers stated there is a vacancy, as the City no longer has a City Engineer.

He asked the Board to consider a new position with a new title and responsibilities. He asked the Board to consider calling this position Director of Community Development. If they agree he can instruct the City Attorney to create an ordinance to establish this. This would be a 4-year appointment by the Mayor and approved by the Board. This position would be no different than the City Attorney or Administrator and this term would have a contract similar to those. The contract would need to be negotiated. He suggested two Board members volunteer to work with Attorney Jones on the ordinance and negotiating a contract, with a job description as well. Motion made by Alderman Nemeth, seconded by Alderman Stotler to establish this position with job description and a contract. A voice vote was taken with an affirmative result and Acting President of the Board Adams declared the motion carried.

Motion made by Alderman Nemeth, seconded by Alderman Stotler to instruct the City Attorney to develop an ordinance and contract for this position. A voice vote was taken with an affirmative result.

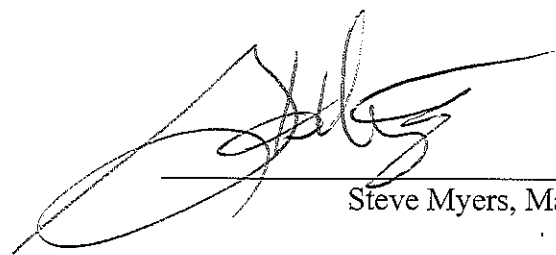
Acting President of the Board Adams asked for two Board volunteers to work on this. Alderman Nemeth and Alderman Johnson volunteered to work with the City Attorney on this. A voice vote was taken with an affirmative result.

Acting President of the Board Adams asked that this be completed and ready for the next Board meeting. Attorney Jones stated he would try.


ADJOURNMENT

Motion made by Alderman Nemeth, seconded by Alderman Stotler 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

