

March 16, 2021 \* RECORD OF PROCEEDINGS

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**CITY OF PACIFIC  
REGULAR MEETING OF THE BOARD OF ALDERMEN  
300 HOVEN  
PACIFIC, MISSOURI 63069**

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**T**he 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/85653475854> and was on Facebook live at <https://www.facebook.com/cityofpacificmunicipalgovernment>.

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  
Collector Kelley  
Major Lock  
PW Commissioner Brueggemann  
Director Kopp  
City Clerk Barfield

**Pledge of Allegiance**

The Pledge of Allegiance was given.

**Prayer**

Board of Aldermen 3-16-2021

Pastor Sitton was present this evening to offer prayer. Prayer was given.

### Approve Agenda

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

### Minutes

#### A. Regular meeting on March 2, 2021.

Motion made by Alderman Frick, seconded by Alderman Johnson to approve the minutes of the regular meeting on March 2, 2021. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

### Public Hearing

None

### Public Participation

Administrator Roth stated no one has contacted him to speak. There were 5 attendees this evening. He asked them to use the raise hand option on the zoom feature if they wanted to speak. No one raised their hand. City Clerk Barfield stated no one contacted her.

### Mayor's Report

Mayor Myers stated he recently shared the State of the City Address with the Chamber members. He is working on getting this into an electronic format and then he would send it out and also include it on social media.

#### a. Return to in-person meetings, City Hall

Mayor Myers stated the Board of Aldermen set a rule to return to in person meetings for mid-April with social distancing restraints. Discussion followed. **Motion made by Alderman Adams, seconded by Alderman Nemeth that effective the first Board of Aldermen meeting in April (6<sup>th</sup>) all meetings go back to in person, and zoom is no longer conducted, with the restraints matching those that we did at the beginning of the pandemic. Mayor Myers stated that would be social distancing at the dais and mask wearing. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.** Administrator Roth stated he covered some of this in his Board report. Staff has been wearing masks since Franklin County mandated it in November. At this time, he would like to recommend that Masks are

required of City employees when meeting with the general public, when attending meetings, and in all other instances when 6-foot distancing cannot be maintained. Masks would not be required within City offices when 6-foot distancing is practical. Alderman Adams stated he agreed with that as long as each person is allowed to manage their own office. If asked to wear a mask it should be honored. Discussion followed regarding vaccinations. Alderman Frick stated it was very important we continued to keep employees safe. Administrator Roth stated if we are working within 6' of each other workers needed to wear masks. We have had several recent cases in the Police Department. **Motion made by Alderman Adams, seconded by Alderman Nemeth to accept the recommendation from Administrator Roth of Masks are required of City employees when meeting with the general public, when attending meetings, and in all other instances when 6-foot distancing cannot be maintained. Masks would not be required within City offices when 6-foot distancing is practical. Alderman Adams stated he agreed with that as long as each person is allowed to manage their own office. If asked to wear a mask it should be honored. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Mayor Myers stated they are still working on new signage for COVID-19.

### New Bills

Alderman Rahn stated he would sponsor Bill No. 5070.

Alderman Stotler stated he would sponsor Bill No. 5071.

Alderman Frick stated he would sponsor Bill No. 5072.

- a. Bill No. 5070 An Ordinance approving a Zoning Change (Map Amendment) from M-1 Light Industrial to M-2 Heavy Industrial for an approximate 2.19-acre tract of land located at the rear of property at 18663 US Highway 66. (1<sup>st</sup> reading) Sponsor: Rahn.

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5070 by title only for the first reading.

- b. Bill No. 5071 An Ordinance allowing certain projections into the required rear yard setbacks. (1<sup>st</sup> reading) Sponsor: Stotler

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5071 by title only for the first reading.

- c. Bill No. 5072 An Ordinance providing for the approval of a Final Plat for Mackie Subdivision Plat 5, Pacific Partners 1340 LLC. (1<sup>st</sup> reading) Sponsor: Frick

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5072 by title only for the first

reading. Alderman Rahn stated the 3<sup>rd</sup> line in the ordinance was incorrect regarding the vote. Attorney Jones stated the line should read “the vote was 5-3 in approval”. He continued the motion tonight should be to Amend the bill to read 5-3, which was seconded by Alderman Rahn. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

### Consideration of Bills Previously Introduced

Bill No. 5069 An Ordinance amending the Fiscal Year 2020-2021 Budget and Wage and Salary Schedule for appointed officials and employees of the City of Pacific. (2<sup>nd</sup> reading)  
Sponsor: Adams

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5069 by title only for the second reading.

**Motion made by Alderman Adams, seconded by Alderman Frick to approve Bill No. 5069.** Mayor Myers asked for any discussion. 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 Bill No. 5069 becomes Ordinance No. 3253.**

### Unfinished Business

a. Resolution No. 2021-15 A Resolution authorizing and directing the Mayor to execute an Agreement for Professional Services with Midwest Pool Management of America, LTD., for management and operation of the City of Pacific Municipal Pool. (tabled 3-2-21)

Mayor Myers asked for a motion to remove Resolution No. 2021-15 from the table. Motion made by Alderman Adams, seconded by Alderman Rahn to remove it from the table. A voice vote was taken with an affirmative result.

Mayor Myers read Resolution No. 2021-15 into the record. Mayor Myers asked for any discussion. Alderman Adams stated it seems most are agreeable with the resolution. He would request we think about the regulations outside of this resolution. **Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Resolution No. 2021-15. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Alderman Adams asked if we could discuss the additional rules at this time. He suggested the City require the same rules as last season with one change, and that is to allow the attendance go to a maximum of 90. Alderman Nemeth agreed, and also thought we should not limit it to the Meramec Valley School District restriction anymore. There were no other comments. **Motion made by Alderman Adams, seconded by Alderman Nemeth to approve the following restrictions in regards to the pool operation: Same rules as last year with one change, to**

allow the attendance to a maximum of 90 people and not restrict it to Meramec Valley School District students. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

### New Business

- a. Resolution No. 2021-18 A Resolution to accept a Grant Agreement by and between the City of Pacific and The Nature Conservancy, a not-for-profit corporation, pertaining to certain costs of the City of Pacific Voluntary Flood Buyout Program.

Mayor Myers read Resolution No. 2021-18 into the record. **Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve Resolution No. 2021-18. A voice vote was taken with an affirmative result, and Mayor Myers declared the resolution passed.**

**Motion made by Alderman Adams, seconded by Alderman Rahn that these funds be placed in the rain day fund (contingency) and ear marked for flood buyout. A voice vote was taken with an affirmative result.**

- b. Resolution No. 2021-19 A Resolution to authorize the Transfer of Funds from the City's General Fund to the FEMA Flood Buyout Fund to pay certain expenses related to the City of Pacific Voluntary Flood Buyout Program.

Mayor Myers read Resolution No. 2021-19 into the record. Mayor Myers asked for any discussion. **Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve Resolution No. 2021-19. A voice vote was taken with an affirmative result, and Mayor Myers declared the resolution passed.**

- c. Resolution No. 2021-20 A Resolution to authorize the Transfer of Funds from the City's Prop P Law Enforcement Sales Tax Fund to the General Fund in order to pay certain law enforcement compensations costs.

Mayor Myers read Resolution No. 2021-20 into the record. **Motion made by Alderman Stotler, seconded by Alderman Nemeth to approve Resolution No. 2021-20. A voice vote was taken with an affirmative result, and Mayor Myers declared the resolution passed.**

### City Administrator Report

- a. Budget report

Administrator Roth stated the budget looked good. March sales tax was good along with gross receipts. The expenditures were where we expected them to be. The American Rescue Plan has allocated \$ 1.3 million to Pacific. We have received basic guidance on the use of funds but it has not been distributed yet. He understands this will come from the State. There are four

areas it can be used for: aid to help tourism, travel and hospitality, respond to eligible workers performing essential functions, investments to water and sewer and broadband infrastructure. He will wait for more guidance from the State & Treasury Department. These funds have to be spent by the end of 2024. Alderman Nemeth stated parts of Pacific lack the proper internet speed. He suggested we look into supporting projects for broadband. Alderman Stotler and Alderman Frick agreed. Alderman Johnson suggested partnering with the school district to find areas of where it is needed. Alderman Adams asked that when the guidance is distributed each of the Aldermen receive a copy of it. He suggested addressing water and sewer needs in all three wards.

b. Aurora Technologies, waiver request, 18 Industrial Drive

Administrator Roth stated Aurora has requested to the Board for a waivers and exceptions request per Section 410.080 as noted in his Board report. They are planning a building expansion at 18 Industrial Drive. ATI is considering constructing an 16,000-sf manufacturing and warehouse building at this location. This will require utilizing Industrial Drive for brief periods while loading and unloading commercial trucks. This was heard at Planning & Zoning and approved unanimously. They would utilize Industrial Drive for backing purposes only, and would not park on the road during actual loading/unloading. His recommendation was for approval. Jim Menese, Aurora, stated this business is currently 4,000 square feet. The truck traffic is minimal, which will be 1-2 trucks a day. They will pull in front of the building and back into the dock area. There are a few businesses that do this now, and he is asking for the same thing. **Motion made by Alderman Adams, seconded by Alderman Stotler to approve the waiver. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.** Alderman Nemeth and other Board members thanked him for his investment into Pacific.

c. Appraisal work, Denton Road bridge project

Administrator Roth stated Bill Hampton Enterprises is working on the right-of-way acquisition for Denton Road bridge. He is requesting the City engage professional appraisal services necessary to determine the values for the anticipated right-of-way acquisition required for the project. Hottle Valuation Services proposal was attached for three tracts of land for this project, at a total fee of \$ 5,500. This work is required for this project and is subject to the 80 percent reimbursement through the Denton Road Bridge grant. Hottle Valuation Services is MoDot approved. **Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve Hottle Valuation Services for this project in the amount of \$ 5,500. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

d. COVID-19 policy matters

Administrator Roth stated this is a two-part discussion. Sick leave – When this started the Families First Coronavirus Response Act mandated 80 hours of paid sick leave for employees

with certain COVID-19 related conditions. The Act expired December 31, although he did extend the provisions until March 31<sup>st</sup>, based on guidance from various sources. The sick leave expenditures were eligible for reimbursement in the CARES Act. The new American Rescue Plan now appears to have direct aid to cities for COVID-19, he would recommend we extend the paid COVID-19 sick leave benefits through June 30, 2021 or until further action by the Board. Our current policy includes 5 sick days per year. If someone would fall under this category, they would not be required to use their sick days or vacation time. **Motion made by Alderman Nemeth, seconded by Alderman Adams to approve extending the sick leave benefits through June 30, 2021. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Masking-social distancing – Administrator Roth stated this was discussed earlier in the meeting.

e. Brush Creek Sewer District

Administrator Roth stated he sent the Board some information and has posted a “Fact Sheet” on the City’s website. This is to provide facts regarding the recent billing of Brush Creek to their customers. Brush Creek Sewer District imposed a \$ 25.28 charge to their customers, making a statement on their invoices blaming the City for this. Alderman Adams stated to the users of Brush Creek, Franklin County has been subsidizing their bill from the beginning of establishment. Now they aren’t subsidizing as before, any questions need to go to the Franklin County Commissioners. Alderman Johnson asked that this Fact Sheet be e-mailed out. Alderman Adams stated the users of Franklin County have known him for a long time. They can call him anytime for any claims regarding this.

Alderman Adams also stated that in regards to the City receiving the \$ 1.3 million, he recommends the Ward 1 Aldermen look at the Blackburn Reservoir. It is in need of repairs. This is an example of identifying problems in our wards.

**Director of Community Development Report**

Director Kopp stated the Fire Inspection has been done, the fire pump needs repacked and he is obtaining bids for this. There was a water leak in the City Hall men’s room and the leak ran downstairs damaging drywall. He thanked the Board for approving the Community Development Clerk Position. They are reviewing applications currently. Staff has been moving offices and the Utility Billing Clerk is now doing utility billing full time. They are fine tuning the software for the Building Department. The copy room is now also a conference room, which is great for meeting with the contractors.

Red Cedar – the bid sets are due by March 31<sup>st</sup>. He received the construction document estimates and the overall price increased \$ 32,370 if the Board proceeded with everything they discussed. The total base estimate is \$ 1.7 million. There are a lot of factors driving the final number. Alderman Nemeth stated in July or August the Board sent this to the Administration Committee and put them 100% in charge of finishing this project. This is happening with

everyone's help. By the second meeting in May the bids should be back and a contractor selected. He felt like this was an astounding timeline. The citizens had their input during the public forums and we moved forward from that. He hoped by next year this time we had a building. Alderman Stotler agreed and stated this is the first type of project of this caliber that he has worked on. We are staying on track and this is a rewarding experience. Alderman Adams agreed. Alderman Johnson stated it is amazing what has happened since last August until now. This has been in the works for 9 years as the direction of the Board would change. Taking on Jensen's Point with the Red Cedar, and Wintec building shows vision. She is grateful to everyone who participated in this journey to get us to where we are. Mayor Myers stated he visioned this would be one big complex and thanked everyone. Director Kopp stated the next meeting is April 14<sup>th</sup> at 3:00 pm at City Hall.

Code Enforcement – is currently working on derelict vehicles. There have been 10 nuisances wrote up and they are preparing for grass season. They are working on establishing a day time housing court one day a month. Officer Watson and staff would be available to provide additional information during the day. The Judge was in favor of this, and they are currently scheduled to meet with the Prosecutor about this.

Signs for property – currently the City uses a big metal sign to post the properties under the Code, then tapes them on. This does not weather well. Other cities have more of a simple sign that is not site specific. He showed an example from Ellisville. Attorney Jones stated an ordinance would be required if the Board changed this along with a public hearing. Alderman Nemeth stated he thought the more professional the better. Alderman Johnson wanted to make sure there was transparency. Mayor Myers stated on the sign we could include the website link and phone number. Director Kopp stated the pricing is \$ 50 per sign and they are reusable. Director Kopp stated the information on the sign would be different, they would have to call the phone number on the sign to see the details for that site. Alderman Nemeth stated this would train people to go to the website for information. Director Kopp stated this change would also need to go through Planning & Zoning first.

Accessory Building Change – Director Kopp stated Attorney Jones did draft a Bill for this. The Developer provides a bond to the City to hold for two years. Attorney Jones stated this was page 44 of the packet. Administrator Roth stated he would like Board approval to proceed. This is part of the Land Subdivision Ordinance and a public hearing is needed before Planning & Zoning first. The intent of the agenda item was for approval. **Motion made by Alderman Nemeth, seconded by Alderman Stotler to move forward. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

### Public Works Commissioner Report

Commissioner Brueggemann stated his report was sent out. In regards to the Water Reservoir it has been out of service since 2012, and was built in 1953. It has met the life expectancy. He didn't feel like they were hurting on water storage, but it would be good to have this replaced. Alderman Frick suggested obtaining bids for this and the Public Works Commissioner prioritizing the needs of the water and sewer department for the next meeting. Administrator Roth stated there have been water studies in the past. Since 2016 most of the focus has been



on the sewer department. The WWTF is 100% back in service now. With the new money coming in this is a great time to look at water needs. Alderman Johnson asked that he also create a curb and gutter list. The curb is breaking at the Masonic Lodge, on Columbus Street, and on Third St. between Union and St. Louis St. Alderman Frick added N. Olive St. also.

### City Attorney Report

No report.

### Major Locke

a. Mobile Ticketing - Major Locke stated this is required by the State and is a large project. This requires laptops in the cars with ticket printing machines. There was information in the packet regarding this. He asked if there were any questions. He felt like all the bids were well priced. The total cost would be \$ 45,384.62 from the Police Department budget. **Motion made by Alderman Adams, seconded by Alderman Nemeth to approve the expense for Mobile Ticketing. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

b. Parking Issue at Straatman Printing

Major Locke stated he received a request from Straatman Printing for one parking space of 15 minutes on Orleans Street for loading and unloading. He sat down there and did observe this problem and did see the need. His recommendation was to approve one parking spot on Orleans Street for 15 minutes. **Motion made by Alderman Adams, seconded by Alderman Johnson to approve. A voice vote was taken with an affirmative result.** Administrator Roth stated this would require an Ordinance for the next meeting.

### Miscellaneous

a. Approve the list of bills.

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

b. Approve Pay App # 1, Premier Demolition Flood Buyout demos.

Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve Pay App # 1. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

### Reports of City officials

Mayor Myers reminded the Board to check their mailboxes at City Hall.

Alderman Nemeth – No report.

Alderman Adams – No report.

Alderman Rahn – No report.

Alderman Frick – No report.


Alderman Johnson – No report.

Alderman Stotler – No report.

Collector Kelley – Stated she would have the delinquency report as required by State Statute for the next meeting.

**Adjournment**

There being no further business, motion by Alderman Frick, seconded by Alderman Nemeth to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 8:46 p.m.

  
Steve Myers, Mayor

ATTEST:  
  
City Clerk

