

APRIL 2, 2019 \* 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.

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  
Collector Kelley  
Public Works Commissioner Brueggemann  
Chief Mansell  
City Clerk Barfield

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was done.

**APPROVE AGENDA**

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

**PRAYER**

Pastor Harold Harrison stated we are a blessed nation. The Prayer Breakfast this year is at the Senior Center and everyone is invited. This is on Thursday, May 2, 2019 as it is the National Day of Prayer. Prayer was offered.

Chief Mansell stated the Ministerial Alliance is going to have a Sunrise Service on Easter Sunday. They are meeting at the pavilion at the park at 6:30 a.m. He would like to ask the Board to waive any fees as

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they help the Police Department out all the time. Motion made by Alderman Adams, seconded by Alderman Nemeth to waive the fees for the use of the pavilion for the Ministerial Alliance. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Amend the agenda – Alderman Johnson stated she would like to amend the agenda and add a \$ 20.00 bill for the St. Patrick’s Day Parade. Motion made by Alderman Johnson, seconded by Alderman Gass to amend the agenda and add the additional bill. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

### APPROVAL OF MINUTES

#### A. Regular meeting on March 19, 2019

Motion made by Alderman Gass, seconded by Alderman Rahn to approve the minutes of the regular meeting on March 19, 2019. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

### MAYOR’S REPORT

Mayor Myers stated he knew everyone was excited to hear the results of the election. The items on the ballot are very important for the life of our town.

- a. Appoint Ann Trent to the Tourism Commission term expires November 2021.

Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Ann Trent to the Tourism Commission. A voice vote was taken with an affirmative result.

- b. Appoint Jennifer Blakely to the Tourism Commission term expires November 2021.

Alderman Adams asked if the questions were resolved. Mayor Myers stated they were. Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Ann Trent to the Tourism Commission. A voice vote was taken with an affirmative result.

Mayor Myers thanked both of them for their willingness to serve. Mayor Myers presented their Oath of Office.

### New Bills

**Bill No. 4039 An Ordinance authorizing acceptance of the Conveyance and Transfer of certain real property at 402 S. Second Street 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. (1<sup>st</sup> reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 4039 by title only for the first reading. Alderman Adams stated he has an association with the owner of this property and will be excusing himself from voting on this Bill.

**Bill No. 4040 An Ordinance reaffirming, and prioritizing uses of the Red Cedar Inn. (1<sup>st</sup> reading)**

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4040 by title only for the first reading.

**Bill No. 4041 An Ordinance authorizing a Conditional Use Permit for property located at 125 N. First Street, Franklin County Parcel ID # 19-1-12.0-4-003-013.000. (1<sup>st</sup> reading)**

As posted pursuant to the ordinance, Mayor Myers read Bill No. 4041 by title only for the first reading.

**Consideration of Bills Previously Introduced**

**Bill No. 4035 An Ordinance providing for a Boundary Adjustment between the cities of Eureka, and Pacific, relating to certain property located at 18699 U.S. Highway 66 (St. Louis County Locater Number 30X430018). (2<sup>nd</sup> reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 4035 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Gass, seconded by Alderman Adams to approve Bill No. 4035. 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. 4035 passed and became Ordinance No. 3120.**

**Bill No. 4036 An Ordinance providing for a Boundary Adjustment between the cities of Eureka and Pacific, relating to certain property located at 18637 U.S. Highway 66 (St. Louis County Locater Number 30X420026). (2<sup>nd</sup> reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 4036 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Bill No. 4036. 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 Bill No. 4036 passed and became Ordinance No. 3121.**

**Bill No. 4037 An Ordinance establishing new Stop Signs and a new No Left Turn Sign. (2<sup>nd</sup> reading)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 4037 by title only. Mayor Myers asked for any discussion. Alderman Gass stated he understands the Collector has spoken with the Lumber Company and they are against this and feel it will hinder their business. Chief Mansell stated he has had no accidents here and did not think the change was needed. Mayor Myers asked if anyone felt strongly that we do the no left turn sign here. There was no response. Alderman Adams stated if there have not been any incidents here, he did not want to harm Pacific Lumber. Mayor Myers stated he could speak with Pacific Lumber. **Motion made by Alderman Adams, seconded by Alderman Gass to table this. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

**Bill No. 4038 An Ordinance providing for Cemetery fees in the City of Pacific, Missouri. (2<sup>nd</sup> reading)(read for the first reading on 3-19-19 then tabled)**

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 4038 by title only. Mayor Myers asked for any discussion. Alderman Johnson asked Collector Kelley if she was comfortable with this.

Collector Kelley stated she was comfortable with what was already in place. Alderman Nemeth stated that all fees are paid in advance of a burial. Attorney Jones stated that is how it reads now, what was already approved was the "sexton" paying in advance, except when City Hall is closed. Alderman Adams stated he was comfortable with the current bill before us.

Motion made by Alderman Gass, seconded by Alderman Rahn to approve Bill No. 4038. A roll call vote was taken with the following results: Ayes: Alderman Gass, Alderman Johnson, Alderman Stotler, Alderman Nemeth, Alderman Adams, Alderman Rahn. Nays: None. Whereupon, Mayor Myers declared **Bill No. 4038 became Ordinance No. 3123.**

### NEW BUSINESS

#### **Resolution No. 2019-14 A Resolution authorizing the Mayor to execute a Purchase Agreement with Vandevanter Engineering for the provision of certain Wastewater Treatment Facility Replacement Blower Equipment.**

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2019-14 by title only. Alderman Gass asked why they were chosen. Discussion followed. **Motion made by Alderman Gass, seconded by Alderman Adams to have the City Administrator research the other municipalities to see if the blower works for them, if he is satisfied then go ahead with the purchase.** Public Works Commissioner Brueggemann stated the cost is more up front but in the long run we will save money. They have two pages of contacts that he has researched. **A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Public Works Commissioner Brueggemann stated there were warranty options. The 5-year warranty brings the total to \$ 303,000. **Motion made by Alderman Adams, seconded by Alderman Gass to add the 5-year warranty.** 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. (2<sup>nd</sup> reading needed) (10-16-18 sent to Adm. Com. After 1<sup>st</sup> 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. (2<sup>nd</sup> reading needed) (10-16-18 sent to Adm. Com after 1<sup>st</sup> 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. (1<sup>st</sup> 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. (1<sup>st</sup> reading needed) (tabled on 11-6-18)
- These items have been tabled.

### CITY ADMINISTRATOR REPORT

#### A. Red Cedar stakeholder meeting

Administrator Roth stated the contract with Patterhn Ives includes two stakeholder meetings. The stakeholders are the Genealogy and Tourism groups along with the City and this is to review the needs of

the building and the operation and is part of the contract. He has spoken with Mr. Titter to determine his availability, there just needs to be a meeting set. Alderman Nemeth stated he thought at the last meeting the Board requested an amended contract for tonight. Administrator Roth stated it would be amended once the ordinance is approved. Alderman Nemeth asked why there wasn't a first reading for the amended contract on the agenda this evening. Attorney Jones stated this is in Section 2 of the ordinance that was read this evening.

**Motion made by Alderman Adams, seconded by Alderman Gass for the meeting to be scheduled after the passage of the ordinance. At the meeting after the passage then place the meeting to be scheduled on the agenda.**

Alderman Nemeth apologized and stated that he saw it in the Bill now that it was pointed out.

B. RV Wagner

Administrator Roth stated he met with RV Wagner regarding the lagoon repairs. They have done a good job. He gives credit to Public Works Commissioner Brueggemann and Burns McDonald. The repair that they are completing is from the 2015 flood.

C. Candlewick Project

Administrator Roth stated he sent an e-mail out. The Candlewick application was approved. The plan is to open bids by May 1<sup>st</sup> and begin work in June.

**CITY ATTORNEY REPORT**

No Report.

**MISCELLANEOUS**

- a. Approve Special Event Permit, ADAMS Garden brick ceremony events, April 13, 2019, and October 12, 2019; and Christmas event, December 2019.

Motion made by Alderman Adams, seconded by Alderman Johnson to approve the dates for ADAMSS Garden brick ceremony. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- b. Approve Special Event Permit, El Agave Restaurant, Cinco de Mayo Celebration May 3-4, 2019.

Motion made by Alderman Rahn, seconded by Alderman Gass to approve the Special Event Permit, El Agave Restaurant, Cinco de Mayo Celebration May 3-4, 2019. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- c. Approve Change Order 2, RV Wagner, WWTF project.

Motion made by Alderman Gass, seconded by Alderman Rahn to approve Change Order 2, RV Wagner, WWTF project. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- d. Approve invoice from Septic Services, in the amount of \$ 230.00 to be paid from Tourism Funds

for the St. Patrick's Day Parade.

Motion made by Alderman Adams, seconded by Alderman Stotler to approve invoice from Septic Services, in the amount of \$ 230.00 to be paid from Tourism Funds for the St. Patrick's Day Parade. A voice vote was taken with an affirmative result.

- e. Approve invoice from Show Me Trophies & Awards in the amount of \$ 20.00 to be paid from Tourism Funds for the St. Patrick's Day Parade.

Mayor Myers stated this amount has been amended for a total of \$ 81.20. Motion made by Alderman Adams, seconded by Alderman Gass to approve the invoice from Show Me Trophies & Awards in the amount of \$ 81.20. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- f. Approve invoice from Straatmann Printing in the amount of \$ 220.00 to be paid from Tourism Funds for car show flyers.

Motion made by Alderman Gass, seconded by Alderman Rahn to approve the invoice from Straatmann Printing in the amount of \$ 220.00 to be paid from Tourism Funds for car show flyers. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- g. Approve invoice from Just Award Medals in the amount of \$ 312.54 to be paid from Tourism Funds for the 5K.

Motion made by Alderman Johnson, seconded by Alderman Nemeth to approve the invoice from Just Award Medals in the amount of \$ 312.54 to be paid from Tourism Funds for the 5K. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- h. Approve Land & Lot Delinquent List and the Personal Delinquent List as per Statute 94.320.

Alderman Gass asked if there was any other way to collect as some of these are old. Collector Kelley stated Alderman Gass was speaking to something else. This is the delinquent tax list she is required to give to the Board every year. Motion made by Alderman Adams, seconded by Alderman Gass to approve the Land & Lot Delinquent List and the Personal Delinquent List as per Statute 94.320. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

### **REPORTS OF CITY OFFICIALS**

Alderman Nemeth – stated he saw a lot of people at the polls today and that was good.

Alderman Adams – No report.

Alderman Rahn – stated Planning & Zoning passed the legislation from Little Ireland unanimously.

Alderman Johnson – stated she would like to see a second reading for Little Ireland this evening. It appears she has everything she needs and recommended them for approval. Mayor Myers stated there was a stern precedence set recently. Alderman Johnson stated the difference was that she was asking for the second reading this evening. Mayor Myers stated his whole intent is to be business friendly, but the bar was set. He believes it is his choice if he wants something placed on the agenda for a second reading, all in the spirit of being friendly, but that was how it was handed to him. Alderman Adams stated his

position has not changed, and we cannot pick and choose unless it is an emergency.

Alderman Gass – asked for an update on the water line under I-44. Administrator Roth stated he received an update from Engineer Rahn today. The layout is near completion and we are close to going out to bid.

Alderman Gass asked for an update on Hogan Subdivision. Administrator Roth stated the surveyor is supposed to be in town this week.

Alderman Johnson – stated the difference in her asking for a second reading on Little Ireland and the Gullet property was some of the residents wouldn't have known about the changes to the Gullet property. This has been out to all her neighbors, but she understood.

Alderman Johnson continued that she heard complaints today about the postage marking on the newsletter as they came from Eureka, MO. Mayor Myers stated that is who Straatmann's does business with, that is why they are postmarked Eureka, MO. It costs him less to use them. The City made every effort to keep the print of the newsletters local even though he was not the lowest.

Alderman Johnson asked for an update on feral cats and wild animals with the Code Enforcement Officer. Administrator Roth stated in his research the Code Enforcement Officer is not certified and we do not pick up those animals. Alderman Johnson stated the Department of Conservation has six locations that animals can be taken to. Alderman Johnson asked if we can provide traps and allow the Code Enforcement Officer to trap the feral cats and release them to one of their locations. Administrator Roth stated the information he provided was from the Department of Conservation. They are not recommending moving the animals but euthanizing them. Administrator Roth stated he is not aware of any certification program for the wild animals or feral cats. Department of Conservation advises against relocating the wild life. Mayor Myers stated he would try to get a representative from the Conservation Department to meet with our Code Enforcement Officer.

Pauline Masson (audience) stated she also contacted them, and she was told the Conservation Department will loan traps out with a deposit. She spoke with Ben Pursley who is the agent for Franklin County.

Chief Mansell – congratulated everyone who was re-elected. He also ran for Meramec Ambulance Board and was elected. He continued he was not on the ballot because if nobody in the District runs against you then you do not have to be on the ballot.

Chief Mansell – stated there has been an increase in shop lifting. He has spoken with Attorney Jones and it is not against the law to post pictures of the habitual shop lifters, we just cannot release the names. You may start seeing more pictures being posted around town. They are also opening sub stations. This allows the business to put a sticker in the window that says they are a substation. Then the officers can set up inside and do some paperwork, all of this is in hopes to combat some of this.

Collector Kelley – stated she understands the new ordinance was just passed regarding the cemetery. She stated, “are you saying this grave can be opened prior to it being paid for?”. Attorney Jones stated the ordinance reads it will be paid for in advance unless City Hall is closed.

Collector Kelley stated the new list was submitted. This is a breakdown of things not collectable thru her office. Mayor Myers requested that he be able to meet with Collector Kelley and administration and come back to the Board with a recommendation. Board members agreed.

Alderman Gass – asked for the status of the burnt house on Highland St. Administrator Roth will look

into this. Alderman Gass asked if the Code Enforcement Officer could obtain training for property maintenance and derelict building, along with code enforcement. Administrator Roth will look into the cost. **Motion made by Alderman Adams, seconded by Alderman Gass for the Code Enforcement Officer to obtain training in animal control and code enforcement. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

There was further discussion about a vehicle for the Code Enforcement Officer and the Building Department. Mayor Myers stated he was driving an old police car. Administrator Roth stated in terms of the budget we are recommending this and recognize the need. Chief Mansell stated the Highway Patrol still has vehicles for sale.

**EXECUTIVE SESSION RSMO 610.021 (2)**

Mayor Myers stated he would like to go into Executive Session under RSMO 610.021 (2) for leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor.

**Motion made by Alderman Stotler, seconded by Alderman Adams to go into Executive Session under RSMO 610.021(2). 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 the motion carried 6-0.**

The Board went into Executive Session at 8:00 p.m.

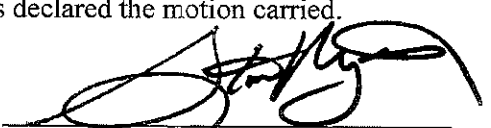
The Board reconvened at 8:10 p.m.

A roll call vote was taken. Present at roll call: Alderman Gass, Alderman Johnson, Alderman Gass, Alderman Nemeth, Alderman Adams, Alderman Rahn, Mayor Myers.

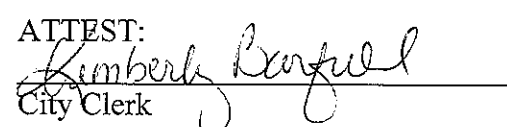
**ADJOURNMENT**

Motion made by Alderman Nemeth, seconded by Alderman Gass 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 8:10 p.m.

  
Steve Myers, Mayor

ATTEST:

  
City Clerk

