



April 20, 2021 * 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 at City Hall. The Public was able to attend in person and was streamed live on the City of Pacific Facebook page: <https://www.facebook.com/cityofpacificmunicipalgovernment>. (There was sound difficulty with the video).

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.

Also present: Administrator Roth
Attorney Jones
Collector Kelley
Major Locke
City Clerk Barfield

Pledge of Allegiance

The Pledge of Allegiance was given.

Prayer

Pastor Lange, Ministerial Alliance, offered prayer this evening.

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 April 6, 2021.

Motion made by Alderman Stotler, seconded by Alderman Rahn to approve the minutes of the regular meeting on April 6, 2021. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Report of City Clerk, April 6, 2021 Municipal Election results

City Clerk Barfield read the results of April 6, 2021 election from Franklin County as follows:
City Marshal: Andrew "Drew" Whitman 180 votes, Scott Melies 305 votes, Greg Hurst 124 votes, Write In 1.

Pacific Alderman Ward 1: Gregg Rahn 84 votes, Write in 1.

Pacific Alderman Ward 2: Ryan Schaecher 108 votes, Jerry Eversmeyer 201, Write In 0 votes.

Pacific Alderman Ward 3: Andrew Nemeth 154 votes, Write In 0 votes.

The results of the St. Louis County were as follows:

City Marshal: Andrew "Drew" Whitman 0 votes, Scott Melies 0 votes, Greg Hurst 0 votes.

Pacific Alderperson Ward 1: Gregg Rahn 1 vote.

Ceremonial matters (Alderman Carol Johnson)

Mayor Myers presented Alderman Johnson with a plaque and congratulated her on the accomplishments made during her term. Alderman Adams stated that he and Carol have had many conversations, our doors were always open to one another, we respected one another and Carol will always be a part of this community. Alderman Nemeth thanked Carol for her service and guidance as he become Alderman. Alderman Rahn thanked Carol for her service and the guidance she provided him also. Alderman Frick stated he was always impressed with how much Carol listened to the citizens. Alderman Stotler stated Carol has been an asset to the community and a little spit fire. Alderman Johnson thanked them all. She stated a "your vote is your vote, vote from your heart and conscious".

Mayor Myers stated there was trouble with the sound on the Facebook feed and we were working on it.

Oath of Office

Mayor Myers presented an Oath of Office for:

Gregg Rahn – Alderman Ward 1
 Jerry Eversmeyer – Alderman Ward 2
 Andrew Nemeth – Alderman Ward 3
 Scott Melies, City Marshall

Mayor Myers thanked Major Locke for stepping in during this time and carrying the department through these changes. This has been a challenging time and commended him and the department for their hard work. Mayor Myers thanked Sheriff Steve Pelton for joining us this evening.

New Board convenes

Present at Roll Call: Alderman Nemeth
 Alderman Adams
 Alderman Rahn
 Alderman Frick
 Alderman Eversmeyer
 Alderman Stotler

A quorum was present.

Also present: Administrator Roth
 Attorney Jones
 Collector Kelley
 Major Locke
 Chief Melies
 City Clerk Barfield

Election of Acting Board President

Mayor Myers stated he was opening the floor for nominations of Acting Board President. Motion made by Alderman Nemeth, seconded by Alderman Stotler to nominate Alderman Herb Adams as Acting Board President. Mayor Myers asked if there were any other nominations. There being none, the floor was closed for nominations. A voice vote was taken with an affirmative result.

Alderman Adams thanked the Board members. He continued he tries to improve himself each year and wants to do a good job for them. He would be reaching out to each of them to discuss what their expectations of the Board President were and what their goals are, so he can help

carry them out.

Public Participation

Josh Campbell, 238 E High St., Jefferson City, MO stated he was speaking for the Bill on the Agenda this evening for PACE. There is a commercial property in the City that is trying to use PACE. PACE is a financing mechanism where private parties finance the cost of energy improvements through a Clean Energy District. Some models add the finance cost to the annual assessment. The City has no actual role beyond adopting the ordinance. They are not part of the transaction and there is no liability. This is required in order for a local project within the City limits to close. Franklin County has passed legislation approving the use of PACE. Tonight, he is asking the Board to approve this, along with a second reading of the Bill.

Mayor's Report

A. Committee appointments: Administration Committee appointments: Alderman Nemeth, Alderman Adams, Alderman Stotler

Operations Committee appointments: Alderman Rahn, Alderman Frick, Alderman Eversmeyer.

Planning & Zoning Committee: Alderman Eversmeyer as liaison.

Meramec Valley Historical Museum & Genealogy Society: Alderman Nemeth as liaison.

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

B. Post office relocation: Mayor Myers stated the public comment time period is now for the relocation of the post office. A new post office is being sought out. Everyone in the 63069-zip code should have received a post card. The post cards call for responses of the public. He is reminding everyone to do that. If 5% respond that will be 800 responses. Jeffrey White is the soldier who lost his life in Afghanistan and Congress named the post office in his honor. They held off on the lettering for the new post office. They want to have the renovation completed by this fall. Alderman Adams thanked Mayor Myers for his hard work in seeing this project through and thought he did a great job.

C. Intersection of Osage Street/Indian Warpath

Mayor Myers stated at one time City officials met with MoDot about this intersection. MoDot engineers did a study that did not warrant traffic control. He believes this is a dangerous intersection and that with the volume and Industrial Park near by we should revisit this. He

feels like it is just a matter of time before someone gets seriously hurt. He asked that Chief Melies look into this and suggested another meeting with MoDot and the Chief and President of the Board and one other Alderman. The goal is to get their attention about the dangers of the intersection.

New Bills

Alderman Adams stated he would sponsor Bill No. 5080 and Bill No. 5081 of the second reading.

Alderman Nemeth stated he would sponsor Bill No. 5078.

Alderman Rahn stated he would sponsor Bill No. 5076.

Alderman Stotler stated he would sponsor Bill No. 5079.

Alderman Frick stated he would sponsor Bill No. 5077.

- a. **Bill No. 5076** An Ordinance amending the regulations for use of the Parks in the City of Pacific. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5076 by title only for the first reading. Motion made by Alderman Rahn, seconded by Alderman Frick to consider a reduced rate for seniors. Discussion followed. Alderman Rahn amended his motion to consider a reduced rate for seniors 62 years of age and older. This motion was seconded by Alderman Adams. A voice vote was taken with an affirmative result.

Alderman Rahn will do some research and at the next meeting recommend a rate.

- b. **Bill No. 5077** An Ordinance amending the Fiscal Year 2020-2021 Budget and Wage and Salary Schedule for Appointed officials and employees of the City of Pacific. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5077 by title only for the first reading.

- c. **Bill No. 5078** An Ordinance revising the procedure for acceptance of Public Improvements and providing for a Replacement Bond to warrant against damage during build out of a subdivision. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5078 by title only for the first reading

- d. **Bill No. 5079** An Ordinance amending the required content for Notice Signs. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5079 by title only for the first reading.

e. **Bill No. 5080** An Ordinance amending the Regulations and Standards for fences and fence materials. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5080 by title only for the first reading.

Bill No. 5081 An Ordinance to enable the City of Pacific, Missouri to join Show Me Pace, pursuant to Section 67.2800 to 67.2835, RSMO, the "Property Assessment Clean Energy Act," and stating the terms under which the City of Pacific, Missouri will conduct activities as a member of such district. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5081 by title only for the first reading.

Consideration of Bills Previously Introduced

Motion made by Alderman Adams to have the second reading of Bill No. 5081 at this time.

f. **Bill No. 5081** An Ordinance to enable the City of Pacific, Missouri to join Show Me Pace, pursuant to Section 67.2800 to 67.2835, RSMO, the "Property Assessment Clean Energy Act," and stating the terms under which the City of Pacific, Missouri will conduct activities as a member of such district. (2nd reading) Sponsor: Adams

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5081 by title only for the second reading. **Motion made by Alderman Adams, seconded by Alderman Frick to approve Bill No. 5081.** Mayor Myers asked for any discussion. A roll call vote was taken with the following results: **Ayes: Alderman Frick, Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth, Alderman Adams, Alderman Rahn. Nays: none. Whereupon, Mayor Myers declared Bill No. 5081 passed 6-0 and becomes Ordinance No. 3265.**

Bill No. 5073 An Ordinance approving a petition for Voluntary Annexation filed by Keith Bruns regarding certain property contiguous and compact to the City of Pacific, Missouri (Franklin County Parcel ID 19-6-14.0-0-000-011.000), annexing said property to the city, authorizing other actions in connection with such annexation, and repealing conflicting ordinances. (2nd reading) Sponsor: Adams

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5073 by title only for the second reading. **Motion made by Alderman Adams, seconded by Alderman Stotler to approve Bill No. 5073.** 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 Eversmeyer, Alderman Stotler Nays: none. Whereupon, Mayor Myers declared Bill No. 5073 passed 6-0 and becomes Ordinance No. 3257.**

Bill No. 5074 An Ordinance amending parking Restriction on Orleans Street. (2nd reading) Sponsor: Frick

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5074 by title only for the second reading. **Motion made by Alderman Frick, seconded by Alderman Adams to approve Bill No. 5074. A roll call vote was taken with the following results: Ayes: Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth. Nays: none. Whereupon, Mayor Myers declared Amended Bill No. 5074 passed 6-0 and becomes Ordinance No. 3258.**

Bill No. 5075 An Ordinance of the Board of Aldermen of the City of Pacific, Missouri; authorizing the City enter into a Loan Agreement with the Missouri Development Finance Board; and authorizing certain other actions related thereto. (2nd reading) Sponsor: Nemeth

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5075 by title only for the second reading. **Motion made by Alderman Nemeth, seconded by Alderman Frick to approve Bill No. 5075. A roll call vote was taken with the following results: Alderman Rahn, Alderman Frick, Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth, Alderman Adams. Nays: none. Whereupon, Mayor Myers declared Bill No. 5075 passed 6-0 and becomes Ordinance No. 3059.**

Unfinished Business

a. Resolution No. 2021-22 A Resolution to authorize an Application for funding through the Missouri Department of Transportation (MODOT) Cost-Share Program for the 1st and Osage Street (Route F/Business Loop 44) Intersection Improvement Project (No action on 4-6-21)

Mayor Myers read Resolution No. 2021-22 by title only into the record. Motion made by Alderman Adams, seconded by Alderman Frick to approve. A voice vote was taken with an affirmative result. Administrator Roth stated the deadline has passed on this. There was no action taken at the last meeting based off the advice of Dave Christensen, Cochran. Attorney Jones stated there is no program year on this so you don't have to accept it. Administrator Roth stated even if SEMAC comes through, we may apply later. Attorney Jones agreed that this Resolution could apply to the future application.

New Business

- a. Resolution No. 2021-23 A Resolution authorizing and accepting a Lease-Purchase Finance Proposal for financing of the Pacific Government Center and Red Cedar Inn Project.

Mayor Myers read Resolution No. 2021-23 by title only into the record. Administrator Roth

handed out a Memo with the responses from the City's Request for Proposal Lease-Purchase proposals. One was a joint proposal between Citizens and Bank Star, and the other was from First State Community Bank. The tabulations were reviewed. For City Hall Citizens and Bank Star offered a rate of 1.95% for a term of 10 years and on Red Cedar Inn they offered a rate of 1.95% for 10 years, 2.25% for 15 years and 2.50% for 20 years. First State offered a rate of 2.10% for 10 years on City Hall, and 2.35% on Red Cedar For a 10-year term, 2.35% for a 15 year and 2.50% for a 20 year. The Citizens-Bank Star rate is fixed for the first 10 years; subsequent years are Prime minus 1.0%. Based on the proposals we have he recommended the following:

- Accept the Citizens-Bank Star proposal for the City Hall (Pacific Government Center) debt, as 1.95% fixed for 10 years
- Accept the First State Community Bank proposal for the Red Cedar Inn project at either a 15 or 20-year term, at the rates as quoted. He recommended the longer term for Red Cedar. To do this debt over 10 years he thought was out of our reach with existing revenues. The 20-year term seemed more realistic. Gilmore Bell has advised that a Certificates of Participation structure will be necessary to do this, with a fourth bank serving as the trustee bank. The trustee banks fees are expected to be about \$ 1,500 to \$ 2,000 annually. He would request Board authority to move forward with the Certificates of Participation structure with proposals to be sought from trustee banks in coordination with Gilmore Bell and City Attorney. Attorney Jones stated he spoke with Eric Creach, Gilmore Bell, and he recommended we bundle the programs. The City would enter into a ground lease with the trustee. Then Citizens and First State purchase the rental rights. This can also be prepaid at any time with no penalty. The bank names need to be filled in on the Resolution.

Josh Sachs, Bank Star, 1999 W Osage, Pacific Mo stated they appreciated the opportunity for the proposal and the Boards for this to be kept local. We recognize this could go out further. Adam Brandt, Citizens Bank, 2245 W. Osage, Pacific, MO agreed and appreciated the opportunity. Mayor Myers stated with the existing loan we would be entering into a 4% interest, with this reduced to 1.95% that is a considerable savings.

Motion made by Alderman Nemeth, seconded by Alderman Frick to approve the recommendation from staff and approve Citizens-Bank Star proposal for the City Hall debt and First State for the Red Cedar Inn project debt for the longer term. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried. Alderman Nemeth agreed and stated he was glad this was kept local and hoped this was the beginning of keeping the Red Cedar Project local. Alderman Adams stated he was glad to see the partnership between the banks.

b. Resolution No. 2021-24 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. 2021-24 by title only into the record. Motion made by Alderman Adams, 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 apologized that the technology was not working and streaming to Facebook. He stated that we practiced with this yesterday and we weren't sure what was wrong. It appears to be a band width issue, but we will figure it out. The budget is generally in good shape. The numbers are positive. We are making progress on the new budget. He intends to have the first draft at the May 4th meeting. He complimented Major Locke as his budget was very thorough. Financing the capital projects with local banks feels good. The budget is a challenge as there are so many moving parts and we must be creative.

El Agave Special Event – there was a late request for them to have their event for Cinco-de-mayo. They have requested police patrols as in the past. Motion made by Alderman Adams, seconded by Alderman Stotler to approve the special event permit. A voice vote was taken with an affirmative result.

Mayors Report

Safety Net – Mayor Myers stated he met with Safety Net and the Ministerial Alliance. Safety Net provides for needs of the homeless in the community. There are 190 students who don't have a permanent structure legally to stay at. He would like for them to come to a Board meeting and present to you what they do and what their needs are. He has asked Administrator Roth to find a way to partner with them using tax payer money and try to help this organization. He asked Attorney Jones if we could do that with a 501C3. Attorney Jones stated he would research it, but he did not think there was anything specific wrong with it. Mayor Myers will invite them to come speak.

Public Works Commissioner Brueggemann

Mayor Myers stated he was out not feeling well tonight.

City Attorney Report

Nothing to report.

Miscellaneous

a. Approve the list of bills.

Motion made by Alderman Nemeth, seconded by Alderman Adams 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 Pay Application # 1 from Premier Demolition in the amount of \$ 55,350 to be paid from the FEMA account.

Motion made by Alderman Adams, seconded by Alderman Frick to approve Pay Application # 1 from Premier Demolition in the amount of \$ 55,350 to be paid from the Fema account. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- c. Approve invoice from Premier Demolition in the amount of \$ 3,450 to be paid from the FEMA account.

Motion made by Alderman Adams, seconded by Alderman Frick to approve the payment to Premier Demolition in the amount of \$ 3,450.00 to be paid from the FEMA account. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- d. Approve invoice from Meramec Regional Planning in the amount of \$ 27,909.25 to be paid from the FEMA account.

Motion made by Alderman Nemeth, seconded by Alderman Frick to approve the invoice from Meramec Regional Planning in the amount of \$ 27,909.25 to be paid from the FEMA account. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- e. Approve invoice from Cochran in the amount of \$ 1,093.21 to be paid from the Viaduct CID account.

Motion made by Alderman Rahn, seconded by Alderman Eversmeyer to approve the payment to Cochran in the amount of \$ 1,093.21 to be paid from the Viaduct CID. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Reports of City officials

Alderman Nemeth – Thanked the residents of Ward 3 for allowing him to represent them. He congratulated Chief Melies, Alderman Rahn, and Alderman Eversmeyer.

Lisa Lane – Alderman Nemeth stated on Lisa Lane people are parking on both sides of the road. He asked Chief Melies to look into this and bring back a recommendation.

Alderman Adams – Stated he thought the contractor doing the demolitions on the south side of town was doing a fabulous job. He was sincere earlier when he stated he wanted to speak to the other Aldermen.

Alderman Rahn – Thanked the citizens of Ward 1 for supporting him. He thanked Major Locke for his hard work. He congratulated the other Board members.

Alderman Frick – Stated he was concerned about the spike in cyber threats. They are running rapid and the cost is extensive. Criminals are breaking in and stealing data or asking for money. He asked if we needed to strengthen our system. Mayor Myers stated ArchTech has established a fire wall that they believe is secure and we are safe. Administrator Roth stated he thought we were as safe as we reasonably could be. We, the City, don't keep customers personal information on our system, it is all held by a 3rd party. The Police Department has information, but it is all stored on servers outside of our control. Alderman Frick stated the underwriters have criteria that he would like to send to him to review.

Alderman Eversmeyer – Thanked the citizens of Ward 2 for their support. He looked forward to working with everyone. He congratulated Alderman Rahn and Chief Melies.

Alderman Stotler – Congratulated everyone also. The Beautification Committee is having a Clean Up Day on Saturday, meeting at the City Park at 9 a.m.

Collector Kelley – no report.

Chief Melies – Thanked the citizens of the town for supporting him. This is a good day in Pacific. He has been in contact with the Mayor about the intersection at the High School and is already working on this. The department has started taking inventory. Alderman Adams stated we were excited about what we could learn from him and that we are open to learn.

Pastor Lange – stated the National Day of Prayer is May 6th. Mayor Myers stated the room is already reserved for them.

Executive Session RSMO 610.021(3)

Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded.

City Clerk Barfield read RSMO 610.021 (3) into the record.

Mayor Myers stated he would like to go into Executive Session under RSMO 610.021(3). Motion made by Alderman Adams, seconded by Alderman Nemeth to go into executive session. A roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Eversmeyer, Alderman Stotler. Nays: none. Whereupon, Mayor Myers declared the motion carried 6-0.

The Board went into executive session at 8:23 p.m.

The Board reconvened at 8:46 p.m.

Present at roll call: Mayor Myers, Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth.

Adjournment

There being no further business, motion by Alderman Rahn, seconded by Alderman Frick to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 8:49 p.m.

ATTEST:

Kimberly Barfull

City Clerk



[Signature]

Steve Myers, Mayor