

June 2, 2020 \* RECORD OF PROCEEDINGS

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

This meeting was held via Zoom videoconferencing. The public was able to view or listen to the meeting at the following: <https://zoom.us/j/us02web.zoom.us/j/87435332633>

**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. All Aldermen were visually seen through video conferencing and heard.

Also present:

- Administrator Roth
- Attorney Jones
- Chief Mansell
- PW Commissioner Brueggemann
- Director Kopp
- Collector Kelley by audio
- City Clerk Barfield

**Pledge of Allegiance**

The Pledge of Allegiance is given.

**Prayer**

There was no representative from Ministerial Alliance. Mayor Myers offered prayer this evening.

**Approve Agenda**

Motion made by Alderman Adams, seconded by Alderman Nemeth to amend the agenda, and place the subject of opening the pool under the Mayor's report. Administrator Roth stated he e-mailed out late this

afternoon a Special Events Permit that was received from the Partnership and he asked this be added to the agenda also. Motion made by Alderman Adams to amend his motion to also add the request from the Partnership, placed under New Business, seconded by Alderman Nemeth. A voice vote was taken with an affirmative result.

### **Minutes**

#### A. Regular meeting on May 19, 2020.

Motion made by Alderman Nemeth, seconded by Alderman Gass to approve the minutes of the regular meeting on May 19, 2020. A voice vote was taken with an affirmative result and Mayor Myers declared the motion carried.

### **Public Participation**

Mayor Myers stated that the agenda was posted, and citizens were to contact Kim Barfield, City Clerk, prior to the meeting or by attending through the zoom link, if they wish to speak. City Clerk Barfield stated no one has contacted her. Administrator Roth stated Grace Liebhart is here through zoom and would like to speak. Grace stated she worked at the pool and understood the main concerns. She stated staff at the pool takes their job seriously, and we are there to protect and help them. The daily limit hardly ever reaches 50 unless it is a holiday, and if it did happen, they would take charge of the situation. They would sanitize every 2 hours the high touch areas and do anything else the Board requested. They love their job and take it seriously.

Patricia Willy, Mayor Myers stated he received an e-mail from them requesting the pool to be open. There are a lot of people on disability or social security and this is a much easier way for them to do their physical therapy. He has attended the pool every day for the last 3 years and unless it was a holiday it was not overcrowded. He urged the Board to take a new vote.

### **Public Hearings**

Mayor Myers stated that comments must be made by attending the meeting through the Zoom line provided above. If you need assistance, please contact City Clerk Barfield.

a. A Public Hearing to hear comments on the Operating and Capital Funds Budget of the City of Pacific, Franklin and St. Louis Counties for the Fiscal Year commencing July 1, 2020 and ending June 30, 2021.

Mayor Myers read the Public Hearing into the record and opened it for comments. He asked for any comments through zoom. There were none. He asked City Clerk Barfield if she received any comments prior to the meeting. City Clerk Barfield did not receive any comments. He asked for any comments from the Board. There being no comments the Public Hearing was closed.

### **Mayor's Report**

a. Approve the appointment of Ed Gass to the Board of Adjustment, term to expire May 2025.

Motion made by Alderman Adams, seconded by Alderman Nemeth to approve the appointment of Ed Gass to the Board of Adjustment. A voice vote was taken with an affirmative result. This will happen when his term as Alderman ends.

Jensen's Point Flagpole – Mayor Myers stated the Flagpole Manufacturer has suggested flying a flag

which was flown at that time with 48 stars on it. Alderman Nemeth stated if we were going to do that, he would suggest a plaque explaining why there are 48 stars. Motion made by Alderman Adams, seconded by Alderman Nemeth to move forward with a flag for Jensen's Point with 48 stars and a plaque explaining why, and for this to be completed during this term. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Pool Season – Mayor Myers stated there has been a lot of discussion regarding the pool season since the last meeting. There is new information available based off what CDC and St. Louis County Health Department have put out. He put together a presentation, which is made part of the minutes. He stated there are no active cases in Franklin County.

Bert Forde, Midwest Pool, was on zoom, and stated Chrissy with Midwest Pool is also attending through the zoom link. Chrissy Withrow is a 5 Star National Lifeguard and has been working with CDC and St. Louis County preparing to open pools. Chrissy stated there are 18 facilities opening across the state in the next 2 weeks and St. Louis County is also preparing to open. There are layers of protection in place. People are already naturally doing the social distancing. The extra staffing and precautions that are being taken are working. Alderman Nemeth stated he was the Park Board Liaison and they have met again and are recommending the pool opens. They also came up with a list of cleaning regiments which are limiting the occupancy to 50 patrons at one time, limiting them to the Meramec Valley R-3 school district area, showing a Driver's License or school ID, no one under the age of 16 without parent, guardian or older sibling, pool deck furniture will be limited to maintain social distancing with no outside furniture allowed on the deck, enhanced cleaning of all surfaces especially bathrooms. Pool staff would have the authority to enforce these guidelines and take any action they needed to ensure safe operation. Chrissy also added we would need a line of protection from the worker and the guest, such as a piece of plexiglass. Alderman Nemeth added that the Park Board was disappointed we did not open earlier but was glad there was more discussion. If Midwest Pool thinks any of these request need changed or there is an additional charge, he hoped the City would fund it. Alderman Nemeth continued that due to the late start the Park Board would like to stay open 4 weeks later, which could potentially put us into October, and would depend on the weather. Chrissy stated she thought they could be ready to open the pool by June 15<sup>th</sup>. Public Works Commissioner Brueggemann stated we still needed the spare pump that was authorized. Mayor Myers asked if Chief Mansell thought the Police Department could help check the pool when they do rounds. Chief stated whatever officer is assigned to that sector could do it. Public Works Commissioner Brueggemann stated Public Works would also do this.

**Motion made by Alderman Nemeth, seconded by Alderman Adams to open the pool tentatively on June 15<sup>th</sup>, pending the repairs with the following adopted guidelines:**

- **Occupancy is limited to 50 patrons at any one time**
- **Patrons are limited to the Meramec Valley R-3 school district territory only. Driver's License, school ID or other acceptable form of ID will need to be presented**
- **No one under the age of 16 without parent, guardian, older sibling or other person of charge (babysitter)**
- **Pool deck furniture will be limited to maintain social distancing**
- **No outside furniture allowed on the deck**
- **Enhanced cleaning of all surfaces, especially bathrooms.**
- **The Pool Staff will have authority to enforce these guidelines and take other actions necessary to ensure we operate as safely as possible.**

**A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried. Nays: Alderman Gass.** Alderman Johnson asked for more information regarding extending the pool season to October. Alderman Nemeth stated he would like to add to his

motion to revisit the closing date for the season at a later time. Alderman Adams wanted the Board to understand that this puts additional duties on our own personnel as well, and any other administrative decisions that need to be made be done so by the Mayor and Administrator Roth, as they already have the authority to make those decisions.

### New Bills

Alderman Nemeth stated he would like to sponsor Bill Number 5015.  
 Alderman Stotler stated he would like to sponsor Bill Number 5016.  
 Alderman Rahn stated he would like to sponsor Bill Number 5017.  
 Alderman Adams stated he would sponsor Bill No. 5018.

Bill No. 5015 An Ordinance Approving and Adopting a Budget of anticipated cash revenue and cash disbursements for the operating and capital funds of the City of Pacific, Franklin and St. Louis Counties, Missouri for the Fiscal Year commencing July 1, 2020 and ending June 30, 2020<sup>1</sup> providing for expenditures in accordance with said budget to make appropriations thereof. (1<sup>st</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5015 by title only for the first reading.

Bill No. 5016 An Ordinance establishing the Fiscal Year 2020-2021 Wage and Salary Schedule for appointed officials and employees of the City of Pacific (1<sup>st</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5016 by title only for the first reading.

Bill No. 5017 An Ordinance prohibiting Ballpark Parking on W. Pacific St. (1<sup>st</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5017 by title only for the first reading.

Bill No. 5018 An Ordinance amending the requirements for approval of a Special Event Permit in the City of Pacific (1<sup>st</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5018 by title only for the first reading.

### Consideration of Bills Previously Introduced

a. Bill No. 5008 An Ordinance approving a Zoning Change (Map Amendment) from City of Eureka PC Zoning to M-2 for the property at 18675 US Highway 66, known and identified as St. Louis County Parcel ID 3X410025. (2<sup>nd</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5008 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Rahn, seconded by Alderman Nemeth to approve Bill No. 5008. 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. 5008 passed and becomes **Ordinance No. 3192**.

b. Bill No. 5009 An Ordinance approving a Zoning Change (Map Amendment) from the City of Eureka Board of Aldermen 6-2-2020

PC Zoning to M-1 for the property at 18663 US Highway 66, known and identified as St. Louis County Parcel ID 30X410016. (2<sup>nd</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5009 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Rahn, seconded by Alderman Stotler to approve Bill No. 5009. 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. 5009 passed and becomes **Ordinance No. 3193**.

c. Bill No. 5010 An Ordinance amending the City of Pacific Zoning Code and Land Subdivision Regulations pertaining to Off-Street Parking and Final Plat Requirement. (2<sup>nd</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5010 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Gass, seconded by Alderman Johnson to approve Bill No. 5010. 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. 5010 passed and becomes **Ordinance No. 3194**.

d. Bill No. 5011 An Ordinance amending the City of Pacific Zoning Code to establish regulations for Short-Term Vacation Rental Facilities in the City of Pacific (2<sup>nd</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5011 by title only for the second reading. Mayor Myers asked for any discussion. Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Bill No. 5011. 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. 5011 passed and becomes **Ordinance No. 3195**.

e. Bill No. 5014 An Ordinance regulating the operation of Utility Vehicles and Golf Carts in the City of Pacific. (2<sup>nd</sup> reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5014 by title only for the second reading. Mayor Myers asked for any discussion. Alderman Gass suggested the Bill be amended to include that this is only on improved streets, meaning we do not want them on a grass alley. Discussion followed regarding what if that were their only access to their garage, Alderman Johnson asked if they could ride in the fields at the parks. There was further discussion about not allowing them on the sidewalks. Attorney Jones stated that if there was going to be this many changes he recommended not voting on this tonight, and a clean Bill at the next meeting. He continued that now it is prohibited all together from riding in the fields. The Bill could be amended to allow them on the streets and parking areas, but not on the grass. Board members agreed to that change. Alderman Rahn stated taking the restriction of 18 years old off since you can obtain a Drivers License at 16 years old. Motion made by Alderman Adams seconded by Alderman Rahn that no helmet is required on a UTV. A voice vote was taken with an affirmative result, and Mayor Myer declared the motion carried. That would remove Item B3 from the existing Bill. Board members discussed Item B4 should include all occupants if designed for it by the manufacturer. Attorney Jones stated these vehicles are not required to be licensed. Chief Mansell stated anything under 50 cc is not required either. Item B5 was discussed and recommended to be changed to 40 mph or posted speed limit. Chief Mansell stated they would still not be allowed on State Highways, which are Highway 66, First Street, and I-44. They can cross them, but that is it. Alderman Nemeth suggested we take this Bill off and bring a cleaned-up version to the Board at the next meeting. He suggested the Mayor appoint some of them to a committee to work on it. Board members

agreed.

Mayor Myers stated he would appoint Alderman Nemeth, Alderman Stotler, Alderman Johnson, Chief Mansell, Attorney Jones, and Administrator Roth to this. Administrator Roth stated by Code, Bryan Kopp is the Traffic Engineer, he would suggest he attend rather than himself. Mayor Myers agreed. Board members decided Thursday, June 4<sup>th</sup> at 4:00 p.m. they would meet by Zoom.

Board members agreed this Bill would continue to the next Board meeting.

### New Business

#### **Resolution No. 2020-27 A Resolution to authorize a Contract Award for Construction of Wastewater Treatment Facility Blower Improvements in the City of Pacific.**

As posted pursuant to the ordinance, Mayor Myers read Resolution No. 2020-27 by title only. Mayor Myers asked for any discussion. **Motion made by Alderman Gass, seconded by Alderman Adams to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Special Event Permit – Administrator Roth stated the Partnership has submitted for Special Events Permit for a “Stay Strong Block Party” in place of the Pacific Car Show. This event would be on St. Louis Street between 1<sup>st</sup> St. and 4<sup>th</sup> St. on Saturday, June 27<sup>th</sup> from 4pm to 11pm. They would need the streets blocked off and port-a-potties and police presence. They also submitted a plan for social distancing, which is made part of the minutes. **Motion made by Alderman Gass, seconded by Alderman Adams to approve the Special Event Permit. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried. Abstain: Alderman Nemeth, as his wife submitted for the Permit.**

Alderman Johnson asked if she could run the “thank you” ad for the fireworks and this be paid for out of general fund. This is something she does every year. **Motion made by Alderman Adams, seconded by Alderman Gass to allow for the “thank you” ad in the Missourian to be paid from general fund in an amount not to exceed \$ 475.00. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Petty Cash for the pool – Alderman Johnson stated since we have approved the pool season to begin, we need to approve the petty cash for the collector’s office. Alderman Adams stated he did not think this needed Board action and could be done administratively. Board members agreed.

### City Administrator Report

#### a. Project updates

Administrator Roth stated his report was also in the Board packet. The Bigfoot Plaza project is nearing completion. The target date is June 19<sup>th</sup> to set the truck and the unveiling is Saturday, June 20<sup>th</sup> at noon. The Osage St. water main project had a pre-construction meeting and a Notice to Proceed was issued. The weather has pushed the Lisa Lane project back some but hope to have this road open before the end of June. On the Cemetery Mapping there was a meeting with the consultant and still working on. The Parks Planning project stalled due to COVID-19. This will get back on track. The Storm Water planning

project is moving forward. A survey will go out soon to allow the community to weigh in on problem spots. Viaduct CID Project has received approval from MoDot, but they have asked us to wait until their MoDot contractor is done. Denton Road bridge is in the preliminary stages.

Water & Sewer hookup – Administrator Roth stated this is a policy question, and staff needs direction from the Board. There have been two inquiries about hooking onto water and sewer and the Code does not give specific provisions. Alderman Gass stated this situation came about before which is why there is a higher rate for the out of town, they had hooked up, and then they did not want to annex. Alderman Nemeth thought they should be required to obtain all City services and annex. Alderman Adams stated in the past the policy required annexation, but there was a problem with the State suing people, and then they had to petition the City. He agreed if they want our services, they should come into the City limits. Alderman Adams asked if the policy could be made through ordinance. Attorney Jones thought it could be. **Motion made by Alderman Adams, seconded by Alderman Gass to authorize the City Administrator to draft an ordinance to create the policy that you must be in the City limits to gain City services. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Flood – Administrator Roth stated after the Flood of 2015 the Wastewater Treatment Facility was destroyed. FEMA awarded us about \$ 1 million and we received the first amount of reimbursement a while back for \$ 750,000. This week we received the remaining \$ 250,000. Tonight, the Board authorized the new blowers, and this has been a long time coming.

#### **Director of Community Development Report**

Director Kopp stated his department has received 37 permit applications. There were 30 residential inspections completed and 9 commercial inspections, along with 24 plan reviews done. The department has been working on training Code Enforcement on the inspection process. He has done a few on his own. There have also been 29 citations wrote, mostly for tall grass. They have also been working on the 2018 Code options. The plan is for Code Amendments to be completed by October and procedures updated. They are currently working with the Fire Department and having them final out their inspection first then we come in for our final. This is a cooperative effort that is working well.

#### **Public Works Commissioner Report**

Public Works Commissioner Brueggemann thanked the Board for approving the Blower Project. He also requested a meeting regarding the Yard Waste Policy. Alderman Adams felt like this was a day to day function and staff could come up with the policy. He continued if at some point the Board does not agree, we can bring it up.

#### **City Attorney Report**

Attorney Jones stated the Board awarded Option 1 for Brush Creek to Archer Elgin Engineering. He met with them last week and the sub-committee to discuss funding and the next steps. He has restructured the rates from the 2003 agreement and would like to send the County's attorney a letter requesting the rates be revised to what Engineer Jeff Meadows recommends. **Motion made by Alderman Gass, seconded by Alderman Nemeth to approve a letter to the County for a rate revision. A voice vote was taken with an affirmative result.**

Public Water District # 3 – Attorney Jones stated there is an Agreement between the City and the Water District, but there is a lingering issue over the rate, and it is based off the calculation. The Committee

suggested I look into this also, and he asked if the Board of Aldermen agreed. **Motion made by Alderman Adams, seconded by Alderman Nemeth for Attorney Jones to look into the agreement with Public Water District # 3. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

### Miscellaneous

a. Approve Pay Application # 1, Insituform Technologies CIPP project in the amount of \$ 369,456.38.

Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Pay Application # 1 in the amount of \$ 369,456.38. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

### Reports of City officials

Alderman Nemeth – thanked Ed for his years of service, he has learned a lot from him and wished him the best.

Alderman Adams –thanked Ed for his service.

Alderman Rahn – thanked Ed for his service. He continued that on Route 66 on the east end the Welcome Sign needs some attention. He also thought the electronic sign could use some paint along with the outside of City Hall. He continued that the house the City bought at the corner of 1<sup>st</sup> St. and Osage needs the grass cut in the back yard.

Alderman Gass – No report.

Alderman Johnson – Asked if Code Enforcement would deliver the Fireworks letter to the residents on both sides of Blackburn Park informing them of the Fireworks display to be shot off on Saturday, June 27<sup>th</sup> at 9:30 pm.

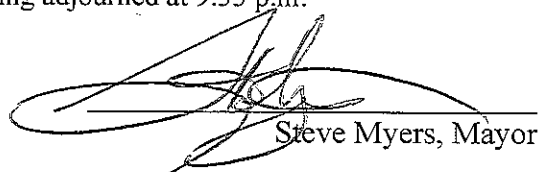
Alderman Stotler – thanked Ed for his time served.

Chief Mansell – stated when he started in 1989 Ed Gass was one of the first people he met. He thanked Ed for his time served.

Chief Mansell – stated St. Louis City has issued a curfew due to the recent activities. Four officers have been shot and 1 Captain. Our hearts go out to these people. Mayor Myers stated the Governor has called for the National Guard.

### Adjournment

There being no further business, motion by Alderman Adams, seconded by Alderman Nemeth to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 9:33 p.m.

  
Steve Myers, Mayor



ATTEST:

Kimberly Barfull  
City Clerk

