



SEPTEMBER 18, 2018 \* 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 Acting President of the Board Adams.

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:

Attorney Jones  
Bldg. Commissioner Seymour  
City Collector Kelley  
Lieutenant Meyer  
Deputy City Clerk Hayden

Acting President of the Board Adams wanted it on record that Mayor Myers, Administrator Roth and City Clerk Barfield are absent tonight due to a training down at the Lake of the Ozarks.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given.

**PRAYER**

Prayer was offered this evening.

**APPROVE AGENDA**

Acting President of the Board Adams stated that he would like to amend the agenda tonight. We have a request from Mr. McHugh for a temporary permit at the Opera House on September 29, 2018. Motion made by Alderman Johnson, seconded by Alderman Nemeth to add request to the agenda tonight. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

Acting President of the Board Adams would like to address this request right now since Mr. McHugh has another matter this evening. Motion made by Alderman Gass, seconded by Alderman Rahn to approve Andre's Banquet's and Catering, 4254 Telegraph Rd., St. Louis, MO 63129 for a temporary permit-intoxicating liquor for sale permit at the Opera House on September 29, 2018 for a wedding. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

### **APPROVAL OF MINUTES**

#### **A. Regular meeting on September 4, 2018**

Alderman Johnson would like to make a correction to the minutes. Under Collector Kelley's report, the contribution came from Pacific Soccer Association not the Pacific Youth Association. Motion made by Alderman Nemeth, seconded by Alderman Stotler to amend the minutes from the regular meeting on September 4, 2018. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

Motion made by Alderman Gass, seconded by Alderman Rahn to approve the amended minutes of the regular meeting on September 4, 2018. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

#### **B. Executive Session minutes on September 4, 2018**

Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve the minutes of executive session on September 4, 2018. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

### **PUBLIC PARTICIPATION**

Stephen Flannery, 305 W. Pacific Street, Pacific, MO – he is here on behalf of the Pacific Partnership. He has a couple questions that he is baffled with regarding the upcoming rodeo and ticket prices. There has been some back and forth with the City Clerk, Mayor and Administrator. Historically, since we established the rodeo five years ago, the Partnership had been asked by Mayor Adams at the time, to be part of coordinating said rodeo. A rodeo committee was formed and prices were established at that time. It was \$10 for Adults, \$5 for Kids and youth who are 5 and under are free. That has been the pricing for the last five years. We know that there has been economic struggles over the community the last five years, but the economy has gotten better. As the organization contracted to provide the services of said rodeo, the Partnership and Rodeo Committee made the decision to increase the adult admission to \$15, leave children at \$5 and ages five and under are still free. Over this past five years, there has been an increase in costs to put this rodeo on. The Partnership is not taking anything from the gate. It all comes to the City. So this increase is not for their benefit. As the contract organization, they felt it was in the best interest of the City to make this price increase. With having a contract, they felt it was their duty to do what is in the best interest of the City, act with real care and diligence. So, that is what their decision making process was based on. The current Mayor is saying there needs to be a resolution adopting said prices. There has supposedly been a resolution in the past. Nobody from previous or current Rodeo Committee's recalls there being a resolution passing prices. If this Board so desires, he is requesting a resolution for the \$15 for adult admission. If it is deemed to be unnecessary, he would graciously thank them for their time. He would also ask that if any voting should take place, Alderman Nemeth and Alderman Stotler would have to abstain because they are directors of the organization. The Washington Missourian is coming out tomorrow and the new prices will be advertised as such. Acting President of

the Board Adams stated he spoke with the Mayor and City Administrator this evening. They, at this point, have an objection to the price increase. Acting President of the Board Adams advised Mr. Flannery that this is a matter that should wait until the Mayor gets back. The Partnership needs to sit down with Administration, come to an agreement, then bring that to the Board. Any type of price increase that represents the City has to have Board approval. Discussion followed.

## **NEW BILLS**

### **Bill No. 4007 An Ordinance revising the Personnel Manual for the City of Pacific with regard to hiring, firing and discipline.**

Motion made by Alderman Stotler, seconded by Alderman Nemeth for the first reading of Bill No. 4007. A voice vote was taken with an affirmative action. Acting President of the Board Adams declared the motion carried. As posted pursuant to the ordinance, Acting President of the Board Adams read Bill No. 4007 by title only for the first reading.

### **Bill No. 4008 An Ordinance providing for the approval of a Final Plat and Performance Surety for the Riverbend Heights Subdivision Plat 1 a tract of land zoned "R1-B" Single-family District located on the east side of West Congress St. south of its intersection with Old Gray Summit Road (19-6-14.0-0-099-034.000)**

Attorney Jones stated this bill is still marked Bill No. 4005 and is not correct. It is actually Bill No. 4008. Bill No. 4005 was read at the last meeting. We have since learned from the developer in order to obtain the performance guarantee necessary, he will have to do this in a phase development, Plat 1 then Plat 2. Attorney Jones prepared a new bill that should have been marked Bill No. 4008. This afternoon they learned that the developer was not able to get performance guarantee until the final Plat is approved. He added the last two sentences in section 1 indicating that the owner shall submit an appropriate performance guarantee to the City for approval within 30 days of passing this ordinance. The guarantee must be approved before the owner records the final Plat at the County Recorder's Office. The City will hold the Plat and cannot be recorded until the performance guarantee is approved by the City. This should be Bill No. 4008. It is his understanding from Mr. Gullet, Bill No. 4005 is being withdrawn for our consideration Plats 1 and 2 at the same time. Mr. Gullet stated that he has to downsize the project for the bank to give him a letter of recommendation for the first plat, Plat 1. The bank would not give him this until he had the final approval from the Board. Attorney Jones stated that since Bill No. 4008 was not posted ahead of time, he will have to read this bill in its entirety tonight. Discussion followed.

Motion made by Alderman Gass, seconded by Alderman Stotler to approve the first reading of Bill No. 4008 in its entirety. A voice vote was taken with an affirmative results, and Acting President of the Board Adams declared the motion carried. As posted pursuant to the ordinance, Attorney Jones read Bill No. 4008 for the first reading.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to amend Bill No. 4008 changing the spelling of Gullet. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

Motion made by Alderman Nemeth, seconded by Alderman Gass for the second reading of Bill No. 4008. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried. As posted pursuant to the ordinance, Attorney Jones read Bill No. 4008 as amended in its entirety. Motion made by Alderman Gass, seconded by Alderman Nemeth to approve Bill No. 4008. A roll call vote was taken with the following results. Ayes: Alderman Nemeth, Alderman Rahn, Alderman Adams, Alderman Gass, Alderman Johnson, Alderman Stotler. Nays: none Whereupon, Acting

President of the Board Adams declared the motion carried 6-0 and Bill No. 4008 becomes Ordinance No. 3092.

### **Consideration of Bills Previously Introduced**

**Bill No. 4004 An Ordinance authorizing the City of Pacific to accept a deed from Osage Estates 2011 for certain property adjacent to Lisa Lane.**

Motion made by Alderman Stotler, seconded by Alderman Nemeth to read Bill No. 4004 for the second reading. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

As posted pursuant of the ordinance, Acting President of the Board Adams read Bill No. 4004 by title only for the second reading. Motion made by Alderman Nemeth, seconded by Alderman Gass to approve Bill No. 4004. A roll call vote was taken with the following results. Ayes: Alderman Nemeth, Alderman Alderman Rahn, Alderman Adams, Alderman Gass, Alderman Johnson, Alderman Stotler. Nays: none. Whereupon, Acting President of the Board Adams declared the motion carried 6-0 and Bill No. 4004 becomes Ordinance No. 3091.

**Bill No. 4006 An Ordinance authorizing the City of Pacific to execute a Road Relinquishment Agreement with MHTC and to accept a deed from MHTC for a section of Thornton Street Road for Orr St. to Westmore Place.**

Motion made by Alderman Gass, seconded by Alderman Rahn for the second reading of Bill No. 4006. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

As posted pursuant to the ordinance, Acting President of the Board Adams read Bill No. 4006 by title only for the second reading. Motion made by Alderman Gass, seconded by Alderman Rahn to approve Bill No. 4006. 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, Acting President of the Board Adams declared the motion carried 6-0 and Bill No. 4006 becomes Ordinance No. 3093.

### **New Business**

**Resolution No. 2018-38 A Resolution authorizing and directing the Mayor to execute a Land Lease with Jerry Holloway for a portion of City right-of-way.**

Acting President of the Board Adams read Resolution No. 2018-38 by title only. Motion made by Alderman Johnson, seconded by Alderman Rahn to approve Resolution No. 2018-38. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

### **CITY ATTORNEY REPORT**

#### a. Burns-McDonnell Contract Amendment

As the City Administrator indicated in his report to the Board, there is a request from Burns-McDonnell to amend the professional services agreement to include some additional work. The price was based upon the project budget and taking a pro-rated share of 12.8%, because that was the same percentage that the initial project budget had to the initial contract maximum. This would be an increase of \$33,680 to a not

to exceed price of \$202,240, previous not to exceed was \$168,650. Acting President of the Board Adams did talk to Administrator Roth and this is the understanding. Alderman Gass asked the representative from Burns-McDonnell what work did they do. The A-B Building, the electrical equipment that was flooded in 2015 and 2017 was ruined. When he got back in and looked at it, you could raise that equipment but there isn't enough square footage. So what we did was build a deck with an awning over the top of it adjacent to the existing UE. This way if there is another flood, you are back in business.

Motion made by Alderman Stotler, seconded by Alderman Gass to approve amending the contract. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

### MISCELLANEOUS

- a. Approve hiring, Communication Dispatch employee

Motion made by Alderman Nemeth, seconded by Alderman Johnson to approve the hiring, Communication Dispatch employee. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

- b. Approve the list of bills.

Motion made by Alderman Rahn, seconded by Alderman Stotler to approve the list of bills. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

- c. Approve temporary liquor license for sale by the drink to Rodney Leadbetter, SUBOB Management Company for the Pacific Music Festival on September 22, 2018.

No action taken. Event has been cancelled.

### REPORTS OF CITY OFFICIALS

Alderman Nemeth – No report

Alderman Adams – No report

Alderman Rahn – No report.

Alderman Gass – stated he had a couple of things.

Needs somebody to look at the concrete being dumped on the other side of the gate at the access road out of Hawthorne. Building Commissioner Seymour will look into it.

Out on Inez Lane, the gentleman at the very end on the west side of the roadway, where the water line trench is, is there a way we can put some dirt in the trench to level it up some. Building Commissioner Seymour will relay the message to Public Works Comm. Brueggemann.

Alderman Johnson – has a couple things.

Tomorrow night at the Senior Citizen's Center at 6:30 pm there will be a presentation on Purina Farms by the Historical Society. It is open to the public and if you would like you can bring a covered dish.

Wants to know if we found out anything about the AT&T substation in the front yard on Hwy. N. Building Commissioner Seymour stated he has not looked into this yet. He will contact tomorrow.

Addressed a question to Alderman Adams as to what are we doing with Red Cedar Inn. Alderman Adams stated they had a short meeting. They are looking at all the different architects and will narrow it down to 2-5 architects.

Alderman Stotler – has been asked if Null & Crossbones could park their Hearst somewhere else. They don't like seeing it when you come right off the highway.

Lieutenant Meyer – No report.

Building Commissioner Seymour – No report.

Collector Kelley – wanted it known that what the Board approved for the bulky trash pickup literature is different from what went out to residents. There were some changes and wanted everyone aware of it.

#### **ADJOURNMENT**

Motion made by Alderman Gass, seconded by Alderman Nemeth 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 7:52 p.m.

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Steve Myers, Mayor

ATTEST:

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City Clerk