



March 2, 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 via Zoom Teleconferencing: The Public was able to view at <https://us02web.zoom.us/j/86562283583> 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 3-2-2021

Mayor Myers stated that Pastor Mike Gardner, Ministerial Alliance was present this evening to offer prayer. Prayer was given.

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.

Minutes

A. Regular meeting on February 16, 2021.

Motion made by Alderman Frick, seconded by Alderman Rahn to approve the minutes of the regular meeting on February 16, 2021. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

B. Executive meeting on February 16, 2021.

Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve the minutes of executive session on February 16, 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 Brad Reed would like to speak.

Brad Reed, 116 Janey Lane, Pacific, MO stated he has lived here in this house since 1995, he owns a building on St. Louis Street since 1982 and been part of the community since 1974. The meeting with City of Eureka the other night and the flooding is what he wanted to discuss. The engineers keep saying there will be no rise, but there needs to be some common sense used. His building has never been in the floodplain, but he worries every time. One little thing may not have an impact, but eventually all of the efforts will change something and the water will have to go somewhere. It all makes an impact eventually. We are never going to stop the flood water. He doesn't have anything against the City of Eureka, but what they are doing is going to affect us. He asked the elected officials to keep their residents in mind, fight for Pacific and protect us.

Mayor's Report

Board of Aldermen 3-2-2021

a. Covid-19 relief.

A few weeks ago, we discussed business license fees. He has a statement prepared:

In light of the effect of Covid-19 Virus under the Emergency Powers of the Mayor, I hereby waive the fee for the Liquor by the Drink License and the Sunday Sales fee for bars, restaurants and clubs in the City of Pacific and the Business License fee for those that were required to close by a Government order or regulation.

Motion made by Alderman Nemeth, seconded by Alderman Stotler. Alderman Adams asked if he was speaking of calendar year. City Clerk Barfield stated renewals will go out in May and due June 30th. Mayor Myers stated correct, that is the billing cycle he was speaking of, 2021. **A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Signage for election – Many of the signs are going up but are located in City right-of-way, and MoDot right-of-way or City property. At filing candidates are given information about placement of signs. Code Enforcement will be picking up any signs that are in violation and placed at City Hall by the dumpster. The candidates can pick up their signs at that location and put back out, just not in an illegal setting.

Covid-19 signs: Alderman Nemeth asked if the signs the City put up about Covid-19 were going to be updated. Mayor Myers asked the Board what they wanted to do. The Governor is winding it down a bit with the hope that it is gone over the summer with all the vaccinations out. Discussion followed about updating the sign, using different colors, making it larger, maybe one message per sign. Alderman Stotler agreed and thought simplifying the sign would help. Mayor Myers stated some of these changes increase the costs, one message per sign and increasing the size will increase costs. Alderman Adams was still on board with this as it addresses public safety. **Motion made by Alderman Adams, seconded by Alderman Nemeth to put up new signs, with a re-design, in new locations. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Fireworks – Alderman Adams stated Alderman Johnson has been responsible for the Fireworks Display in Pacific for many years, and is known as the “Fireworks lady”. She is leaving and the City has sponsored this. Tonight, he is asking the Mayor to think about the fireworks and encouraged Carol to continue this and the Mayor support this event. Alderman Johnson stated she appreciated this, but thinks a new person could take this over or another group, she would be glad to turn it over to someone else. The Car Cruise is being moved this year to September, in hopes of cooler weather. In the past the Fireworks was partnered with another event, and that is not the case this year. This is something we need to think about.

Presentations

Major Locke – Citizen Commendation

Administrator Locke stated this was to recognize Dalton Clark, and Michael Rucker, but they were not on this evening. Mayor Locke stated this is part of the struggle with Zoom. On January 27th Dalton and Michael heard a loud noise that sounded like gunshot. They went outside to find a victim had been gun shot in the leg. The actions that Dalton and Michael took saved this victims life. He thanked both of them for their outstanding actions, as they provided medical care immediately including applying a tourniquet. He commended them on their heroic actions. He has plaque for them to be picked up.

New Bills

- a. 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 o Pacific. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5069 by title only for the first reading. Alderman Adams stated he would sponsor the Bill.

Consideration of Bills Previously Introduced

Bill No. 5068 An Ordinance adding Grass Cutting Fees to the Schedule of Building Department Fees. (2nd reading) Sponsor: Adams

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5068 by title only for the second reading.

Motion made by Alderman Rahn, seconded by Alderman Nemeth to approve Bill No. 5068.

Mayor Myers asked for any discussion. Alderman Adams stated in reading the ordinance it does not appeal any other ordinance. Attorney Jones stated that was correct, this is adding it to the Building Department Fee Schedule because in a search he did not find it anywhere. Alderman Adams asked since this is a weed abatement ordinance a violation would be filed in the Municipal Court, was that correct? Attorney Jones stated it could go to court or handled thru staff as an Administrative Function. This as it appears tonight is for the Administrative Function. Alderman Adams asked if the Ordinance violation was on the books already. Attorney Jones stated it was, staff could go either route. This creates two tools; handled through court or handled through Administration. Alderman Adams asked if Code Enforcement can at the same time go thru court and file a summons for the violation and use the Administration Function. Attorney Jones stated he has advised staff to only do one or the other. If one is filed in court the Judge could impose the “costs” of abatement or it could be more and impose a “fine” on the defendant. Alderman Adams asked if it was in court and the City cuts the grass then is it under the Administration ordinance or does the Judge use the other ordinance. Attorney Jones stated no, he would use the General Provision of the Code. 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. 5068 becomes Ordinance No. 3252.**

Old Business

None.

New 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.

Mayor Myers read Resolution No. 2021-15 into the record. Mayor Myers asked for any discussion. Alderman Nemeth stated he spoke with the Park Board President, and their meeting last night was cancelled due to lack of quorum. He would like this tabled until the next meeting. It is also missing any COVID-19 Restrictions and he would like to hear the Park Boards recommendation on these. Alderman Adams stated he felt it should be the same restrictions as last year except he would move the number of attendees to 90. Mayor Myers stated this is just for a contract to use them. He thought we could set the rules later. Administrator Roth agreed, the contract is to run the pool. The Board voted on certain restrictions last year. He would rather those restrictions be set as additional rules by Board action. The Park Board did not meet and has not had time to review the contract. **Motion made by Alderman Nemeth, seconded by Alderman Frick to table this until the next meeting. A voice vote was taken with an affirmative result, and Mayor Myers declared the resolution passed.**

- b. Resolution No. 2021-16 A Resolution authorizing and directing the preparation and submittal of an Application for funding through the Missouri Prairie Foundation for the Blackburn Park Native Plan Garden Project.

Mayor Myers read Resolution No. 2021-16 into the record. Mayor Myers asked for any discussion. Administrator Roth stated this also needs reviewed by the Park Board, but we are on a short deadline. **Motion made by Alderman Adams, seconded by Alderman Frick to approve, contingent on Park Board approval. A voice vote was taken with an affirmative result, and Mayor Myers declared the resolution passed.**

- c. Resolution No. 2021-17 A Resolution authorizing and directing the Mayor to execute an Agreement with CM Archer Group, PC for Professional Services relating to Design and Bidding Phase Services for the St. Louis Street Area Water Improvements Project.

Mayor Myers read Resolution No. 2021-17 into the record. Mayor Myers asked for any

discussion. Administrator Roth stated this is for W. St. Louis St. and Hogan Subdivision. **Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the resolution passed.**

City Administrator Report

a. Budget report / Capital Improvements Project

Administrator Roth stated the Budget is tracking well. We have received reimbursement from MoDot for Denton Road Bridge. The various projects are a concern. Denton Road construction is a big concern. This is set for construction at the end of the year, and our matching funds are \$ 300,000. He met with Cochran about the PPMP Project. The Cedars Subdivision needs to be addressed. He felt like a long-term Capital Improvement Plan would be helpful. When you have Federal Aid Projects and they stretch out over 2-3 years then a budget needs to be built for it. The next project after Denton Road is Hwy N Phase 4. Once a plan is set it can be modified when needed. Discussion followed on if a Capital Improvement Plan must be set by ordinance. Attorney Jones stated the plan can be adopted subject to the budget cycle. Even if it was adopted by a separate ordinance, it is still subject to budget appropriation. Alderman Johnson stated this is why the Museum has been worked on for so long, this started in 2013 and one Board cannot bind another Board, so it wasn't budgeted for every year. Alderman Adams asked if it was adopted by Ordinance, wouldn't it have to be repealed by Ordinance. Attorney Jones stated the ordinance would have language referencing "budget appropriation" and be approved with an "affirmative" statement.

Alderman Nemeth stated that Administrator Roth needed a new microphone, as he was fading in and out.

Flood Buyout- Administrator Roth stated there are 6 more properties to close this Friday bringing the total to 17 properties. Demolition started last week, and 3 are done. CDBG has agreed to reimburse for 8 properties. Once the demolitions are complete, he will submit for final reimbursement from the State. The City was approved for the Missouri Development Finance Board Loan in the amount of \$ 150,000. Once this is received, we intend to replenish the Contingency Fund with those funds. He continued that the Missouri Conservancy has also showed interest in partnering with us to help cover costs.

Director of Community Development Report

Director Kopp stated there was a lot going on. Officer Watson is continuing his education for the Police Department. Scott Wagner is attending a virtual conference this week. Patterhn Ives has submitted 75% of the drawings and they are reviewing for Red Cedar. The next Administration meeting is March 10th at 3 p.m. Code Enforcement has been working on different incidents; one is a place with multi exterior violations. They have been cited two tickets per week while the violation exists. There was a structure fire on a property and second

notices have been sent out and is due for a reinspection on the 23rd, if they have not complied, they will move forward with proceedings. There is an older home in downtown area that has been cited. It is in a Trust, but they are working on the repairs to the garage. The new software is scheduled to go live on Monday. Staff is working on a soft transition. He has had some training on the electronic sign so he is now familiar with the capabilities.

Public Works Commissioner Report

Commissioner Brueggemann stated that they have started on the inlets on Phelan Street. They had to replace a fire hydrant on Highland St. Beginning Wednesday through Friday the street sweeper will be doing the whole town. They are starting in the Cedars and moving east. Work is moving forward on Lift Station 5 and Ameren is working on getting the light installed on Lisa Lane this week.

City Attorney Report

Attorney Jones stated he received an e-mail from the US Supreme Court and the motion was denied to transfer the Martin Heck case. It appears this litigation is now over. He will contact his Attorney and report back to the Board. He reminded the Board the City denied the re-occupancy for multiple homes following the floods due to damage. Pacific Manor Mobile Home was an existing non-conforming use. Once they lost this status, they cannot occupy it. Mr. Heck went to the Board of Adjustment for a variance and argued this was for the entire park and we had no right to measure damage for each home. This is not consistent with the Zoning Ordinance. As other mobile homes lose their non-conforming status the City will be eliminating mobile homes.

Major Locke

Major Locke stated the Department had 382 calls last month, 104 traffic stops with 40 arrests. It was a challenging month with the weather, but everyone did a great job. As the weather gets warmer, he reminded everyone to watch for motorcycles. Mayor Myers stated he had a compliment on Major Locke this past week, Big Boy's Towing complimented him and liked working with him.

Miscellaneous

- a. Approve invoice for Viaduct CID in the amount of \$ 801.98 from Gilmore Bell to be paid from the CID.

Motion made by Alderman Nemeth, seconded by Alderman Adams to approve the invoice to be paid from the CID. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- b. Approve invoice for Osage CID in the amount of \$ 3,967.43 from Gilmore Bell to be paid from the CID.

Motion made by Alderman Adams, seconded by Alderman Rahn to approve the invoice to be paid from the CID. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

- c. Approve invoice from E. Osage CID in the amount of \$ 3,021.13 from Gilmore Bell to be paid from the CID.

Motion made by Alderman Frick, seconded by Alderman Nemeth to approve the invoice to be paid from the CID. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Reports of City officials

Alderman Nemeth – No report.

Alderman Adams – No report.

Alderman Rahn – thanked Public Works for doing a good job with the snow. He also thanked Alderman Frick for getting their streets taken over.

Alderman Frick – Asked for an update from Director Kopp regarding Bellevue & Olive St. Director Kopp stated they are sending a letter and they will have 7 days to comply. He would have to get with other department heads regarding the stop sign.

Alderman Johnson – stated Maxine Birdsong passed away on February 23rd. She was 94 years old and owned Birdsong Pharmacy. They are accepting donations through Nieburg Vitt.

Alderman Stotler – stated the Beautification Committee would like to move forward with a Grant Application thru the Missouri Prairie Foundation. He asked if they had any budget to add to this, as the Grant is for \$ 800.00. He continued they have also done research on trying to beautify the port-a-potties. The kits are \$ 1,500 or, to buy the supplies and build it ourselves runs from \$ 400 - \$ 700. He also asked if there was a date for the Spring Bulky Trash pickup. He continued that there is still a problem at the Commuter Lot with trash and asked if there were any plans to have camera's installed. Administrator Roth stated their budget was \$ 5,000 in the past. The bulky trash pickup has been moved to the fall. Alderman Adams stated as we get back to more of a "normal" he asked at Administrator Roth to find money for the Beautification Committee. Administrator Roth suggested the trash bins at the Commuter Lot be removed or scaled down.

Collector Kelley – No report.

Adjournment

There being no further business, motion by Alderman Rahn, seconded by Alderman Nemeth to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 8:32 p.m.

ATTEST:

Kimberly Barfull

City Clerk



Steve Myers

Steve Myers, Mayor

