



May 4, 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>. Mayor Myers stated Administrator Roth has been working very hard on the Facebook feed and audio. This will provide for extra transparency with the City. He reminded everyone to please speak into their microphones.

A roll call was taken with the following results:

Present at Roll Call:

Alderman Nemeth
Alderman Adams
Alderman Rahn
Alderman Eversmeyer
Alderman Stotler

A quorum was present. Absent: Alderman Frick

Also present: Administrator Roth
Attorney Jones
Collector Kelley
Chief Melies
Public Works Commissioner Brueggemann
City Clerk Barfield

Pledge of Allegiance

The Pledge of Allegiance was given.

Prayer

The Ministerial Alliance, offered prayer this evening.

Approve Agenda

Motion made by Alderman Nemeth, seconded by Alderman Adams 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 20, 2021.

Motion made by Alderman Rahn, seconded by Alderman Eversmeyer to approve the minutes of the regular meeting on April 20, 2021. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

B. Executive Session meeting on April 20, 2021.

Motion made by Alderman Nemeth, seconded by Alderman Eversmeyer to approve the minutes of the executive session on April 20, 2021. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Public Participation

There were no speaker cards this evening.

Mayor's Report

A. Appoint City representative to Pacific Partnership Board of Directors.

Mayor Myers asked if Alderman Stotler would accept this position. Alderman Stotler stated he was familiar with this Board and he would accept. Motion made by Alderman Adams, seconded by Alderman Rahn to approve the City representative of Alderman Stotler to the Partnership. A voice vote was taken with an affirmative result.

B. Appointment of Kim Walton to the Park Board.

Mayor Myers stated Kim Walton comes very highly recommended to serve on this Board. She's very positive, forward thinking individual and she has a passion to make the Parks more competitive. Her work with the Eagles and the American Legion demonstrates that she is a community player. She is motivated by her grandchildren to improve the parks. **Motion made by Alderman Nemeth, seconded by Alderman Eversmeyer to approve the appointment of Kim**

Walton to the Park Board. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried. Mayor Myers presented her Oath of Office.

COVID Signage: Alderman Nemeth stated before we move on, we had recently spoke about updating the signage in the City. He asked the status of this, because today there was something with the President being tasked with a very basic website for testing information. He suggested we adjust our own signage working towards vaccines rather than COVID prevention. Mayor Myers stated we were still in the "thought" stage. Mayor Myers asked if anybody had any ideas about the signage to please let him know. Alderman Nemeth suggested a message about vaccines may be more appropriate. Alderman Adams agreed with Alderman Nemeth so we could get back to more of a normal.

Red Cedar: Mayor Myers stated he also met with a representative from Historical Route 66 Association and they publish a magazine "Show Me Route 66" and this goes all over Missouri and other states, even other parts of the world. Some people travel to the United States just to travel Route 66. They impressed upon him that Red Cedar, from Chicago, beginning with Pacific, the Red Cedar is the first place that has historical significance where services are provided. In 2026 it is the 100th anniversary of the construction of Route 66. We have just a few short years to make the town the most welcoming as we can. I'm told the tourist will be coming again. In 2019 Red Cedar was on the cover of this magazine.

New Bills

There were no new bills this evening.

Consideration of Bills Previously Introduced

a. **Bill No. 5076** An Ordinance amending the regulation for use of the Parks in the City of Pacific. (2nd reading) Sponsor: Rahn

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5076 by title only for the second reading. Motion made by Alderman Rahn, seconded by Alderman Adams to Amend Section 5 of the pool fees and establish a Senior Rate in Part A. The adult fee would be reduced 50% down to \$22.50 for resident and the adult non-resident down to \$ 30.00 at the age of 62.

Motion made by Alderman Adams, seconded by Alderman Nemeth for Amended Bill No. 5076. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Amended Bill No. 5076 An Ordinance amending the regulations for use of the Parks in the City of Pacific. (2nd reading of amended Bill)

As posted pursuant to the ordinance, Mayor Myers read Amended Bill No. 5076 by title only.

Motion made by Alderman Rahn, seconded by Alderman Adams to approve Amended Bill No. 5076. A roll call vote was taken with the following results: **Ayes: Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Eversmeyer, Alderman Stotler Nays: none.** Whereupon, Mayor Myers declared Amended Bill No. 5076 passed 5-0 and becomes Ordinance No. 3260.

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. (2nd reading)
Sponsor: Frick

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5077 by title only for the second reading. **Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Bill No. 5077.** Mayor Myers asked for any discussion. A roll call vote was taken with the following results: **Ayes: Alderman Adams, Alderman Rahn, Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth. Nays: none.** Whereupon, Mayor Myers declared Bill No. 5077 passed 5-0 and becomes Ordinance No. 3261.

Bill No. 5078 An Ordinance revising the procedure for acceptance of Public Improvements and providing for a Replacement Bond to warrant against damage during building out of a subdivision. (2nd reading) Sponsor: Nemeth

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5078 by title only for the second reading. **Motion made by Alderman Rahn, seconded by Alderman Stotler to approve Bill No. 5078.** A roll call vote was taken with the following results: **Ayes: Alderman Rahn, Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth, Alderman Adams. Nays: none.** Whereupon, Mayor Myers declared Bill No. 5078 passed 5-0 and becomes Ordinance No. 3262.

Bill No. 5079 An Ordinance amending the required content for Notice Signs (2nd reading)
Sponsor: Stotler

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5095 by title only for the second reading. **Motion made by Alderman Adams, seconded by Alderman Eversmeyer to approve Bill No. 5079.** A roll call vote was taken with the following results: **Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth, Alderman Adams, Alderman Rahn. Nays: none.** Whereupon, Mayor Myers declared Bill No. 5079 passed 5-0 and becomes Ordinance No. 3263.

Bill No. 5080 An Ordinance amending the Regulations and Standards for fences and fence materials. (2nd reading) Sponsor: Adams

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

second reading. **Motion made by Alderman Eversmeyer, seconded by Alderman Adams to approve Bill No. 5080. A roll call vote was taken with the following results: Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth, Alderman Adams, Alderman Rahn. Nays: none. Whereupon, Mayor Myers declared Bill No. 5080 passed 5-0 and becomes Ordinance No. 3264.**

Unfinished Business

New Business

City Administrator Report

a. Budget report – Administrator Roth wanted to give the Board a basic overview of where we are with the budget. This is a first draft, but not a complete package. There is no water and sewer budget yet. Most of the attention is on general fund, transportation, parks and storm, and other operating funds. We are in good shape. The City finances are strong over the last few years. General Fund is always what we watch closely, and from an operating standpoint is very good. The operations cost of the budget is balanced, once the transfers are included in the number then we are out of balance with a total deficit of \$ 570,000. The whole source of that is the transfers. In order to fund the street department, we have to transfer out of general fund at this time. The Capital projects need funded. We are looking at this summer with the PPMP project at the Cedars and Denton Road Bridge. Then we have Hwy N Phase 4 in design now and in the budget also. Parks and Stormwater also needs a general fund transfer. We are fully staffed in the Police Department with 18 full time officers and at City Hall. The capital projects in the budget in FY 22 are as follows: Viaduct Street sidewalks is underway, there has been delays in the materials. Lift station # 5 is near completion but will be carried over, Denton Road, Hwy N Phase 4 design, Route 66 Road Connection still working on finalizing, and Red Cedar Inn renovation we are waiting on costs. The Cedars Subdivision PPMP Project, and Lift Station 2 are also for this year. There was a meeting yesterday about this project and is a big project. W. Osage Sidewalk Connections is a grant project, the engineering is in this fiscal year and construction in next year. First & Osage intersection, we haven't received the grant yet, Hogan Subdivision water main and overlay we hope to be out to bid by end of month with construction over summer. Wastewater CIPP program is another round this year and out to bid by end of month also. The budget is a challenge. On the Federal Funds coming to City – we were allocated \$ 1.3 million dollars. Water and sewer and broadband are the primary eligible items. The Treasury Department has not given the guidance yet, once we get this we will understand more. That money is not in the budget yet. Projects are the main challenge for the budget. If the revenues remain the same, we can make it work. If we see a downturn, we are going to have to cut some projects. Alderman Eversmeyer reminded the Board this is a real estate assessment year and thought we should take that into consideration also. Administrator Roth stated he budgets conservatively, right now it plugs in numbers similar to last year. The tax levy ceiling does adjust. The Hwy N Project starts from Westlake to Candlewick Lane. Hawthorne is not included in the project. Mayor Myers stated there are no sidewalks involved.

This is filling in the ditch after storm drains, then widen the highway and curb finish, as well as street lights along that side, but no sidewalks. The next meeting will be the final draft with a listing of the capital outlay requested by department heads. A public hearing will be set for June 1st and final adoption at June 15th meeting. The City Clerk and I work on this together, with the new federal money coming and the different projects it is always a challenge, and there will be changes even after it is finalized.

b. June 26th fireworks display – J&M is the Fireworks Vendor, although we are not under contract. The agreement is for \$ 12,500 which is budgeted from Tourism. We will continue to seek additional donations for the show and they need a final number by June 4th. Motion made by Alderman Adams, seconded by Alderman Nemeth to approve \$ 12,500 for the fireworks. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

c. Sewer User Charge review – Administrator Roth stated we have this major sewer project coming on. Lift station 2 needs a complete upgrade and the headworks at the lagoon, along with new gravity sewer mains. Total project costs are estimated at \$ 5.5 million. We will have to address our user charges. Our current rate is \$ 12.57 per month for each customer and volume charge is \$ 2.92 per 1,000 gallons. The 5,000-gallon rate, which is a typical household use, is \$ 27.17. When compared to the area it is the lowest in the region except for Union, which is very low. We have a need to raise rates and the last time they were raised was in 2012. The preliminary recommendation is to raise the volume rate to \$ 4.14 which would raise the total to \$ 33.27 for 5,000 gallons. This is still comparable, and lower than any regulated utilities. The question is how do we fund the debt service, he believes with this increase we can, but until we know the contract cost, we don't know. The City earlier did increase the rate to Brush Creek and we did that in anticipation of this major project, which benefits them in part also. The engineer calculated the rate at \$ 4.14 per 1,000 gallons. By raising our rate to that amount, there is some coordination. He believes this could retire the debt service. Mayor Myers stated this is about a \$ 6.00 increase, about an 18% increase. Alderman Adams stated the \$ 5.5 million that was mentioned, and we go out for bid, what is it. Administrator Roth stated the total project is a complete upgrade to Lift station 2 which is the main pump station for the City's system by Denton Road. The headworks of the WWTF is a complete rebuild overall and all the piping from Lift 2 down to the Wastewater Treatment Facility is new and all gravity mains upstream of lift 2 that connection to Brush Creek Pump Station is built. This is a major project. The discussion yesterday was to phase it and by phasing it we would rebuild Lift 2 and headworks in Phase 1 and all piping in Phase 2. Phase 1 is about \$ 3.5 million to \$ 4.0 million. In that regard the user charges we are discussing now he is confident with. Phase 2 requires 31 easements we need to get. This would be in bidding stage in early 2022. There are variables. The new money from the Fed's could be put towards this project, but is for the Board to discuss. The intent today is to let you know what we are looking at. Alderman Adams wanted to make sure everyone understood, there is two bids with two phases. The increase to Pacific residents, is it just for Phase 1 or for anticipated costs of Phase 2. Administrator Roth was not sure yet, he needs to analysis it more. Alderman Adams stated he was part of the meeting yesterday and in agreement with it. He could support Phase 1 but he questions who is

paying for what. He wanted to make sure what the residents of Pacific are responsible for that is what they are paying for, just like the residents of Brush Creek are paying for their responsibility. Alderman Rahn agreed and this is a much-needed project. Mayor Myers stated the last increase was in 2012. That is a 2% annual increase, which is comparable to the cost-of-living increase. There don't need to be a decision tonight, but wanted to discuss it. Alderman Adams stated the citizens should know that the Mayor and Administrator and Engineers, Attorneys, have all worked hard to get us to this point. Attorney Jones stated we are involved with litigation with Brush Creek at this point. Since the revised rate went to \$ 4.14 per 1,000 the bill is only partly being paid, they are maintaining the increase is not contractually supported, and we disagree. One of the defenses in the lawsuit is that Pacific hasn't passed on an increase to its own residents, which is not entirely true. This rate increase is positive factor in the litigation as well as necessary for retiring the debt financing for this project. This achieves two very important goals. Administrator Roth stated there is an allegation that we haven't raised our rates, our rate has been higher than theirs since 2012. The rate has been \$ 2.92 per 1,000 and Brush Creek's rate has been \$ 1.92 all that time. While it is true in recent months we haven't raised, but we would argue we have been paying more than they have for many years. We must address our user charges, which is the intent of the discussion tonight. We have done a lot of work in sewer, we added blowers, dredged the lagoons, Lift station 5 is near completion and rebuild Lift station 1. Alderman Adams wanted to be clear to the citizens and users, we are not at odds with the users, they are our friends and neighbors and have been for a long time. We hate what is going on right now, but it's been going on for way too long. He hopes there is an end to this. Our disagreement is with the management of Brush Creek Sewer District, not the users. Mayor Myers thought there was unanimous consent and agree this needs to be resolved. Administrator Roth did not think we were ready for a Bill yet, but thought there was a public hearing requirement. He would like to see how the American Rescue Plan money comes to the City and the uses of those funds can be. Administrator Roth stated if we are going to phase the project maybe we phase the increase as well.

d. Sewer Connection request, Brush Creek Sewer District – Administrator Roth stated we have a sewer connection request for Brush Creek, Nick Schultz. He is requesting to connect onto Brush Creek at W. Osage Street.

Nick Schultz, 7588 Bluff Road, Washington, MO stated he planned on putting a small construction company here. Subdividing Unnerstall's lot, and this will be truck parking and office trailer. This is the lot adjacent to Avery Trailer Park, this is 3 acres. Alderman Nemeth thought this was a neglected area for a while, and this will be an amazing clean up project. Mayor Myers stated he would like him to annex him. Administrator Roth stated he is subdividing the lot; Franklin County requires any sewer connection receive City approval. This is included in our agreement. He is non residential sewer flow. If he wants to annex, he would pay City rates. His request tonight is from the agreement for sewer connection. Alderman Adams thought that any time there is a request that involves City services and is contiguous with our City limits we should do so only if there is an annexation request. We would love to have him in the City. This would only serve our citizens best if we require annexation. Mayor

Myers stated it would be a simple voluntary annexation. Alderman Nemeth stated there is only one way to get bigger, he believes the more people we bring in everybody benefits and this also includes Police protection. Administrator Roth stated we would need to research this a bit, but with respect to sewer he would become the City's customer. The water is what we need to research. Alderman Adams thought we should be looking at extending our water lines to the west anyway. Alderman Stotler stated he liked the idea of this being contingent on annexation. Alderman Eversmeyer agreed. **Motion made by Alderman Adams, seconded by Alderman Rahn that we provide all possible services contingent upon annexation. A voice vote was taken with an affirmative result. Administrator Roth stated he would provide notification to the County Planner and the applicant tomorrow.**

Red Cedar Inn Bid opening is May 11th at 2 pm and the Administration Committee meeting the next day. We are down to six plan holders and expect competitive bids. This is an unusual time in the construction world, and we had an excellent turn out at the pre-bid.

Planning & Zoning will meet next Tuesday for rezoning for a tract off of Hwy N. We need to try to refer to this as Congress, MoDot keeps making this point to us. It is no longer Hwy N, it is Congress.

Ward Map - Alderman Nemeth asked about an updated Ward Map, and discussed how Ward 3 jumps around. He would like something updated and put on the website. Administrator Roth stated we have a Ward Map. City Clerk Barfield stated the map she has needs updated, as we have annexations and the census information when it's available. Attorney Jones stated we would re-district based on the population. Alderman Adams stated the last time it was done Administrator Selby did it. Administrator Roth stated we could work on a better map and distribute it by e-mail etc. Alderman Nemeth stated something would be helpful, and we could work towards something more interactive. Administrator Roth was told by the end of the year we would know updated City data.

American Rescue Funds - Alderman Adams stated he spoke with the Aldermen and Mayor and he mentioned at the last meeting the Federal money coming down. He would like to create a discussion regarding what to do with the money. He suggested department heads and Aldermen submit a small list and an independent person or group review it and come back with a recommendation. He would like this to be an agenda item to start a discussion. **Motion made by Alderman Adams, seconded by Alderman Nemeth to include the American Rescue Plan Funds on the next agenda. A voice vote was taken with an affirmative result.**

Rainy Day Fund – Alderman Adams stated it seems borrowing from the rainy-day fund seems to work for us. He would like to create a discussion about increasing the monthly transfer amount. **Motion made by Alderman Adams, seconded by Alderman Eversmeyer to have this as an agenda item for the next meeting. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Public Works Commissioner Brueggemann

Public Works Commissioner Brueggemann stated he sent his report out and asked if there were any questions? There are a lot of projects going on now.

City Attorney Report

Nothing to report.

Miscellaneous

a. Approve payment to Premier Demolition Inc. for Contract 1, Pay Application # 2 in the amount of \$ 51,400 (funds transferred out of G/F to FEMA per Res 2021-19)

Motion made by Alderman Rahn, seconded by Alderman Adams to approve Pay Application # 2 in the amount of \$ 51,400.00. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

b. Approve payment to Premier Demolition Inc. for Contract 2, Pay Application # 2 in the amount of \$ 6,150 (funds transferred out of G/F to FEMA per Res 2021-19)

Motion made by Alderman Adams, seconded by Alderman Nemeth to approve Pay Application # 2 in the amount of \$ 6,150.00. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

c. Approve payment to Patterhn Ives for the Red Cedar Project in the amount of \$ 29,462.16.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve the payment in the amount of \$ 29,462.16. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Alderman Nemeth asked that the Police Chief be added to the agenda for a report.

Chief Melies – Chief stated he didn't have a formal report but can give an update. Things are progressing very well. He attended one day of MIRMA training and learned about human resources, he also met with our representative, Jeff Arp. They are also working towards accreditation. We have very good officers that are working hard towards updating this. At some point he will be asking for funds to improve the department. Board members agreed and support the Department.

Reports of City officials

Alderman Nemeth – No report.

Alderman Adams – he had a builder approach him today that builds on the south side. He questioned the City requiring sidewalks. He suggested we talk about this. When we think about the disconnect of properties on the south side, it may not make sense to require sidewalks, especially if there is park property on one of the sides.

Alderman Rahn – No report.

Alderman Eversmeyer – No report.

Alderman Stotler – No report.

Collector Kelley – no report.

Adjournment

There being no further business, motion by Alderman Rahn, seconded by Alderman Eversmeyer to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 8:30 p.m.


Steve Myers, Mayor

ATTEST:

City Clerk

