

CITY OF



May 3, 2022 * 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 Filley. The meeting was held at City Hall. The Public was able to attend in person and was streamed live on the City of Pacific YouTube channel. Mayor Filley welcomed everyone to the meeting.

A roll call was taken with the following results:

Present at Roll Call: Alderman Nemeth
 Alderman Cleeve by zoom
 Alderman Rahn
 Alderman Presley
 Alderman Lesh

Also present:	Administrator Roth	Attorney Jones
	Major Locke	Public Works Commissioner Brueggemann
	Collector Kelley	Community Development Director Myers

Absent: Alderman Eversmeyer

Pledge of Allegiance

The Pledge of Allegiance was given.

Prayer

Pastor Harold Harrison, Ministerial Alliance, offered prayer this evening.

Approve Agenda

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve the agenda. A voice vote was taken with an affirmative result.

Minutes

A. Regular meeting on April 19, 2022

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Motion made by Alderman Rahn, seconded by Alderman Lesh to approve the minutes of the regular meeting on April 5, 2022. A voice vote was taken with an affirmative result, and Mayor Filley declared the motion carried.

B. Executive meeting on April 19, 2022

Motion made by Alderman Presley, seconded by Alderman Rahn to approve the minutes of the executive session on April 5, 2022. A voice vote was taken with an affirmative result, and Mayor Filley declared the motion carried.

Public Participation

There were no speaker cards this evening.

New Bills

Consideration of Bills Previously Introduced

Bill No. 5138 An Ordinance amending the dimensional restriction for granting or renewing a Liquor License. (2nd reading) Sponsor: Nemeth

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5138 by title only for the second reading. Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve Bill No. 5138. Mayor Filley asked for any discussion. **A roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Cleeve, Alderman Rahn, Alderman Presley, Alderman Lesh. Nays: none. Whereupon; Mayor Filley declared Bill No. 5138 passed and becomes Ordinance No. 3320.** Administrator Roth stated the letter has been drafted and should go out tomorrow.

Unfinished Business

New Business

Resolution No. 2022-27 A Resolution to endorse the activities of the Public Police Officers Support Fund and permit use of the Pacific Police Department Logo for use by the fund in support of its mission.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-27 by title only. Mayor Filley asked for any discussion. **Motion made by Alderman Presley, seconded by Alderman Nemeth to approve Resolution No. 2022-27.** Mayor Filley asked for any discussion. Alderman Nemeth stated he thought this was amazing and thanked them. Beth Bowers, 501 W. Osage, Pacific, MO read their mission statement into the record. This brings the community together with the Police Department and helps them in different ways. Darrin Skaggs stated they have done this in Eureka, and it brings unity in the community. He is the President, Beth is the Vice-President, Ashley Ogle is the Treasurer, Sarah Summers is the Secretary and IT person. **A voice vote was taken with an affirmative result, and Mayor Filley declared the motion carried.**

Resolution No. 2022-28 A Resolution reappointing and extending the term of the City Administrator.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-28 by title only. Mayor Filley asked for any discussion. **Motion made by Alderman Nemeth, seconded by Alderman Presley to approve Resolution No. 2022-28.** Alderman Lesh questioned on the contract Section 3 Item C; it's more clarification, what does it mean by the highest level of benefits. Attorney Jones stated the intent when drafting this agreement, the city administrator would be at the same level of general department heads, this is for benefits, paid time off, insurance, etc. Alderman Lesh just questioned if it was additional compensation or really benefits. Administrator Roth stated when it comes to vacation he has 3 weeks, there are employees that have more years of service and have 4 weeks. This may be a conflict. Alderman Lesh thought that belonged under the benefit section, instead of compensation. **A voice vote was taken with an affirmative result.**

Resolution No. 2022-29 A Resolution reappointing and extending the term of the City Attorney.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-29 by title only. **Motion made by Alderman Presley, seconded by Alderman Lesh to approve Resolution No. 2022-29.** Mayor Filley asked for any discussion, there being none, a voice vote was taken with an affirmative result, and Mayor Filley declared the motion carried.

Resolution No. 2022-30 A Resolution authorizing and directing the Mayor to execute an Agreement with CM Archer Group, PC for professional services relating to design of a New Headworks Facility for the Wastewater Treatment Facility.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-30 by title only. **Motion made by Alderman Rahn, seconded by Alderman Presley to approve Resolution No. 2022-30.** Mayor Filley asked for any discussion. Administrator Roth stated he invited Jeff Meadows, CM Archer to the meeting for a brief presentation. Jeff Meadows, CM Archer, Rolla, MO stated the agreement in front of board tonight is an amendment to the previous contract. Part of the Lift station 2 project is a design of a new sewer to the Cedars and beyond to the west to Brush Creek and including a new Lift Station on west side of tracks and a force main. Originally the original design was for that. The capacity of the facility is going to exceed the facility, and a new headworks facility is needed. The current one is beyond its useful life. This project is well suited for an application for ARPA Funds. All funds have to be spent by 2026, and they are looking for shovel ready projects. We have a Construction Permit through DNR already, and working on easements now. We do have known capacity issues to the regulators which will bring attention to our application also. We anticipate applications come out in June, then a 60-day process, then a 90-day review period. Alderman Nemeth asked if the citizens would notice any changes. Administrator Roth stated it is clear the existing facility needed replaced. The total project is an excellent ARPA project, and a full package. The sewer regulations are strict, and requirements must be met. It's important that we understand where we are with the sewer program. This is a major project, and hope a fair amount is covered through ARPA. There are other aspects to it. The agreement with Brush Creek Sewer District terminates next year. The existing permit expires in 2026 and by then there has to be a significant reduction in ammonia, which will require more upgrades. He does not believe there will be a big increase in rates. **A voice vote was taken with an affirmative result. Mayor Filley declared the motion carried.**

Resolution No. 2022-31 A Resolution authorizing the Mayor or the City Administrator to execute an Easement Assignment and Assumption Agreement for GRG donated property.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-31 by title only. **Motion made by Alderman Nemeth, seconded by Alderman Lesh to approve Resolution No. 2022-31. Mayor Filley asked for any discussion, there being none a voice vote was taken with an affirmative result, and Mayor Filley declared the motion carried.**

Resolution No. 2022-32 A Resolution authorizing the Mayor or the City Administrator to execute a lease with MoDot.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-32 by title only. **Motion made by Alderman Presley, seconded by Alderman Rahn to approve Resolution No. 2022-32. Mayor Filley asked for any discussion, there being none a voice vote was taken with an affirmative result, and Mayor Filley declared the motion carried.**

Mayor's Report

Mayor Filley asked Attorney Jones if all these appointments could be read and approved with one motion. Attorney Jones stated that could be done and if anyone has a particular one to discuss they can bring that up.

- a. Appointment of Standing Committee per Section 110.100
 - i. Operations (1 from each ward)
 - ii. Administrative (1 from each ward)

Mayor Filley stated she would like to appoint Alderman Rahn, Alderman Lesh, and Alderman Eversmeyer to the Operations Committee.

Mayor Filley would like to appoint Alderman Nemeth, Alderman Cleeve, and Alderman Presley to the Administration Committee.

- b. Appointment of Linda Bruns to Planning & Zoning – term to expire May 2026.
- c. Appointment of Donna Brocato to Planning & Zoning – term to expire May 2026.
- d. Appointment of Kali Keenum to the Park Board Committee to fill the open position– term to expire May 2025.

Alderman Lesh asked for some background on Kali. Mayor Filley stated Kali came to a Park Board meeting and is relatively new to the community and has young children. She has interest in the Parks.

- e. Appointment of Dennis Oliver to Meramec Valley Historical Society-term to expire May 2025.
- f. Appointment of Donna Graham to Meramec Valley Historical Society-term to expire May 2025.
- g. Appointment of Steve Flannery to Industrial Development Committee – term to expire May 2027 and Planning & Zoning – term to expire May 2023.

Alderman Cleeve asked why Steve Flannery's term is shorter on the Industrial Development Committee. Mayor Filley stated that is because he is filling the vacancy that was created by Alderman Presley. Alderman Cleeve asked Attorney Jones if there was going to be any conflict of interest with Mr. Flannery being a real estate agent and on Planning & Zoning. Attorney Jones stated there is not a conflict, but depends on the particular matter coming before Planning & Zoning. The statute that governs conflicts of interest precludes officials from benefiting from a particular vote, in a way different than the general public. If a matter comes before the commission for approval and he had the listing for that property, he would encourage him to recuse himself, if it affects him differently. Each of you still have rights as a citizen to vote as you see fit. If there is a particular benefit that's a point where they could be a conflict and that person should recuse himself. Alderman Cleeve did not have any problem with Mr. Flannery doing this he just had questions. Alderman Lesh stated he was being appointed to two seats, and asked if anyone else showed interest in either of these. Mayor Filley stated she had one other person show interest in the Planning & Zoning, but at this time she made the decision to go with Steve. She had no one else express interest in the IDA Committee

- h. Approve appointment of Mayor Heather Filley, Steve Roth, Billy Eckelkamp, Kim Barfield to the W. Osage CID.

Alderman Lesh asked what the W. Osage CID was. Attorney Jones stated this is a district that was formed by legislation and has a separate board comprised of members, generally elected officials and staff of the city, members of the community as well, with a typical mix. Mr. Eckelkamp is a property owner in the district.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve the appointments of a-h. Mayor Filley asked for any further discussion. A voice vote was taken with an affirmative result, and Mayor Filley declared the motion carried.

City Administrator Report

Budget update – Administrator Roth thanked them for the support of his reappointment. He serves at the pleasure of the Mayor and Board, but can be removed at any time, subject to the code. He loves his job; it has been challenging. In the packet included a full list of capital expenditures requested, along with background information. In the big picture, this is the most complicated budget we have put together. There is ARPA funds that has be to allocated, Red Cedar, many federal aid transportation projects, Denton Rd is first, Hwy N Phase 4 as well as W. Osage sidewalk is this year, along with Bosse Drive, preventative maintenance project, etc. He received good feedback on having a special board meeting just for the budget. He suggested the week of May 23rd. The budget has many moving parts and he thought it would be beneficial. **The board decided on Monday, May 23rd at 7:00 p.m.** Attorney Jones cannot make that meeting. Administrator Roth stated Tourism is meeting Monday, the 10th, and Park Board on the 9th. These will be included with our budget at that meeting.

Chief of Police

Major Locke congratulated everyone, and thanked them for supporting the Police Officers Support Fund. This has worked well in Eureka, and he thought it would work well here.

Public Works Commissioner

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Public Works Commissioner Brueggemann stated there are two items on the agenda.

a. Maintenance agreement with Vandevanter Engineering

Motion made by Alderman Nemeth, seconded by Alderman Presley to approve the Maintenance Agreement. Mayor Filley asked for any discussion, there being none, a voice vote was taken with an affirmative result.

b. Indian Trails Rd water line

Commissioner Brueggemann stated this is a Purchase Order for water main work. The previous administration approved extending Indian Trail at the dead end in Bend Ridge Estates. There is 25' of road that did not get completed. This includes moving the water line across the street. The cost is \$ 8,331.54 in the budget under materials. Motion made by Alderman Rahn, seconded by Alderman Presley to approve the Purchase Order. A voice vote was taken with an affirmative result.

Thornton Rd – Commissioner Brueggemann stated once the rain stops, they will fix the big patch that needs asphalt. Alderman Nemeth stated there are also other things, they didn't clean up the piles of dirt on private property. He is frustrated they won't come back and do the right thing. It's poor cement work and poor asphalt work. Their signs are still up and they are not working. Commissioner Brueggemann stated we can do the work and bill them. Administrator Roth stated they had enough time to do it, and we will do it. If there is a provision of the code that we can bill them, we will do that.

Community Development Director Myers

Director Myers stated there was a well-attended Community Engagement Meeting for the Skateboard Park. American Ramp has that information. They had 50 plus responses to an online survey.

City Pool – Katie Aholt, Navigate also attended. There are 32 deficiencies with the property and this is serious. We are going to get through this pool season. It will not be perfect, but we are doing our best to make it safe and address as much as we can.

City Attorney Report

Attorney Jones thanked the board for reappointing them. He appreciates the board and their confidence. He also serves at the pleasure of the Mayor and Board and can be removed per code. He enjoys serving for the city.

Collector Kelley

No report.

Operations Committee – has not met.

Administration Committee – Alderman Nemeth stated we have a meeting coming up, but are cancelling because Red Cedar is running on its own at this point. In June we will have a meeting on the second

Tuesday in June. He thanked the previous aldermen for helping with getting Red Cedar to where it is.

Miscellaneous

a. Approve Special Event Permit, Pacific Car Show, Pacific Partnership, June 25, 2022.

Motion made by Alderman Rahn, seconded by Alderman Lesh to approve the Special Event Permit. Mayor Filley asked for any discussion. Administrator Roth stated he received information today from the Partnership, which he has passed out. Chief has met with them. It is his understanding that everything is ready to go at this point. Alderman Nemeth questioned between closing First St. until Midnight or closing and reopening at 6 pm. There were concerns from Chief on keeping it closed until midnight. Mayor Filley stated they did receive permission from MoDot to close it until midnight, but after discussing with Chief it will open at 6:00 p.m. **Alderman Rahn amended his motion for First St to be opened at 6:00 p.m. and Alderman Lesh seconded the amended motion. A voice vote was taken with an affirmative result. Abstain: Alderman Nemeth**

Reports of City officials

Alderman Nemeth – No Report.

Alderman Cleeve – No Report.

Alderman Rahn – this afternoon he called Robert and got great service. With the pipeline project Hwy OO was full of mud, the flagging was less than desirable, and the signs are left out every night. The mud is dried up now, but it is still there.

Alderman Presley – No Report.

Alderman Lesh – No Report.

Adjournment

There being no further business, motion made by Alderman Nemeth, seconded by Alderman Presley to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 8:00 p.m.

ATTEST:

City Clerk






Mayor Filley

