



July 20, 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 asked that everyone silence their cell phones so there is no disruption of the meeting. If people were standing to please find a seat and keep conversations to a minimum so everyone can hear.

A roll call was taken with the following results:

Present at Roll Call:

Alderman Nemeth
Alderman Adams
Alderman Rahn
Alderman Frick
Alderman Eversmeyer
Alderman Stotler

Also present:

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

Pledge of Allegiance

The Pledge of Allegiance was given.

Prayer

Board of Aldermen 7-20-2021

Ministerial Alliance offered prayer this evening.

Approve Agenda

Motion made by Alderman Adams, seconded by Alderman Stotler 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 July 6, 2021.

Motion made by Alderman Adams, seconded by Alderman Nemeth to approve the minutes of the regular meeting on July 6, 2021. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

Public Participation

Mayor Myers stated there are numerous speaker cards. We will be respectful tonight, we have issues that come from the heart but when it crosses the line is when it is disrespectful, hurtful or use of profanity. This is a business meeting, so we will conduct it accordingly. Speakers will be allowed 5 minutes to speak, and there is no sharing of time. He also reminded everyone to speak into the microphone.

Jeremy Roth, 17415 N. Outer 40, Chesterfield, MO from McBride Homes, Elite Development, thanked them for the opportunity for the potential of development and they are excited. We appreciate the process we have gone through. This started back in March and we took a lot of feedback and made changes along the way. Since the last meeting we made more changes, we listened to the public. Changes are: Showing 5' right-of-way dedications to Lamar Parkway on both east and west side. This goes to a 56' right of way. The houses facing Lamar Parkway are now placed 5' further back. We also took the proposed sidewalk on the west side and moved it 5' back so it is now out of the right of way and now there is a 6' sidewalk easement. We also created a 6' sidewalk easement on the east side of Lamar Parkway. We also listened to the concern of parking. We created three parallel pull off spots along Lamar Parkway in between lots and those are temporary, for the Amazon Driver etc. We also added 4 parking spaces in some common ground along Old Gray Summit. People can still park 2 cars in the driveway, 2 in the garage and if they build a 3 car garage it's 3 in the garage and 3 in the driveway. We also increased side yard setbacks for the homes fronting Lamar Parkway. These can accommodate a larger side yard. Those are 10' side yard setbacks. We added a landscape berm along Old Gray Summit Road, there are over 100 new plantings in an attempt to create a visual screening. Along Old Gray Summit we also agree to restrict the private homeowner fences to all black aluminum through our indentures. There were a couple misconceptions at the last meeting he wanted to clear up. We are not building cottages in this community. This is the Bayside series.

The detention area/lake is not a wet retention, it is a dry detention basin. They have worked hard and know they can't make everyone happy, but feel they have addressed a lot of the concerns they heard. They are asking for their support with this project.

Stephen Flannery III, 305 W. Pacific St., Pacific, MO stated he wanted to share something. I fly out tomorrow morning for a funeral, my cousin committed suicide. This was a tragedy. He asked that people listen, and be our brother's keeper, watch over your friends and family. Normally there are signs, be helpful to one another. Many know I am a realtor and broker of Realty Executives Premier, and President of the Franklin County Board of Realtors, as well as past president and volunteer of many of our organizations. As a realtor I am in favor of this development. This subdivision would be a benefit to the city in the form of new families, increase of kids, increase in revenue. What is being proposed he has seen over and over again. This is nothing new than what we see in the St. Louis area. As a citizen who was born here, I am in favor of this development. He understands the fears and concerns. People fought growth with other subdivisions, even McDonalds, and PILOT. It seems we fight hard against development. He is disappointed that so many people are against this and the amount of hate on Facebook. We are all friends and citizens of Pacific, and he is frustrated about some of the things being said and Planning and Zoning actively campaigning against this. He urges them to vote in favor of this development. If you chose not to vote for it, then he recommends we put a sign up "closed".

Scott Lesh, (a petition was passed out to the Board) he thanked everyone for allowing him to speak. In regards to the proposal for the development along Lamar Parkway, a petition was developed and circulated. The petition reads "We the undersigned residents, strongly urge that the Aldermen of the City of Pacific, MO reject the R-1B PUD-PDR rezoning recommendation for the proposed Brush Creek Manors development by McBride Berra Land Company, LLC on Lamar Parkway. A copy of the petition is included with the minutes. He read from the petition. There are 911 total signatures, not all from the City of Pacific but surrounding areas. Ward 3 was 389, Ward 2 was 306 and Ward 1 was 21 signatures, concerned residents of 182. When collecting the signatures, the sentiment was we are not against development, but there are places better that will work better than this site. They largely object because it's not in the right spot. The other item they speak loudly was that they want businesses but not at the expense of our residential areas. They are willing to drive to get shoes or shopping and want Pacific to attract for our tourism and nature. As we went into this process, he commended the solutions they came up with. He thought a turning lane would be needed sooner rather than later. Due diligence, he asked and you guys responded, questions need to be asked and dug into. In four days, he keeps finding more, the Fire Department states they have seen the plan but nobody spoke to them about it. Mayor Myers stated he spoke with the Fire Chief and they approved it. This project has received their blessing. Mr. Lesh stated that was not what he was told.

Josh Grodie, 1657 Meade Court, Pacific, MO thanked them for taking their calls. He appreciated the changes that McBride proposed. He thought the majority of them are good suggestions. His concern now was the parking places, 4 spots for 45 homes doesn't seem to be

enough. His personal concern, was his in-laws, he can't see out of Gary's driveway when he turns out of their house. What do we do there? He thought the spots should be put down by the railroad tracks, good solution but bad spot. He wanted to clarify with the sidewalk they will be on the east side inside the horseshoe. It just shows a public walkway and the plan don't show the sidewalk itself. There has been a lot of changes to the original plan. When he was on Planning & Zoning, if there were substantial amendments, we halt the process and we make sure. He didn't see the need to rush this tonight. He thought we were in the gray area and this is substantial change of the original development. Those are positive changes, but still thought we should slow down and look at it and make sure we understand it. Alderman Adams said it best a few weeks ago, not everyone is a developer and let's take time to ask the experts. The last comment he had was to keep it respectful. He has gained respect for some and lost it for others. He is sure that will mend over time. There is a huge outcry that we are not anti-development, we want the development done right, if not done right it is not right for us. The majority of you could be denying more people who voted you into your office. We need to listen with our whole heart.

Gary Koelling, 1950 Old Gray Summit Road, Pacific, MO thanked them for letting him speak. His uncle has lived at 270 and 55 all his life. He built a nice house and there was a subdivision that was going to be put next to his and it scared him. That place was on Apache Lane in Osage Hills, and the subdivision going in was in Forest Glenn. I can only wonder what they would think if somebody decided this development was going up there. I am not for stopping development on this property. I want to see something nice here. Mr. Adams always wanted good ideas. He had an idea. He showed a drawing with driveways along Lamar Parkway. He has gotten delayed in traffic on Lamar Parkway so many times. What is going to happen when the Fire Department is stuck in this lane and traffic coming on to you. Where are they going to pull off, in the people's yards. Putting the turn lane in is going to allow the people to pull off to the side. If the houses are built here, we are going to move their setback again. Who wants to live there in that lot? He did not appreciate what Mayor Myers said to him the week before the Planning & Zoning meeting and I quote you said "well Gary, you know that crime is way higher in apartment complexes than it is in something like this, and you know that this place is prime for apartments". Mayor Myers stated he did not recall saying this. Mr. Koelling stated that is what he is so mad about, he doesn't miss things like that. He is very sorry that Aldermen get thrown in the middle like this.

Audrey Myers, 1733 Kristi, Lane, Pacific, MO thanked the Mayor and Board for allowing them to speak this evening. She moved to this town 32 years ago and Jeff has lived here all his life. He is speaking from the heart, not on details. She loves living in Pacific, very proud of it and have defended it on more than one occasion. Jeff and I are against this as it stands, we are not against development. Please look at the signatures on the petition that you received tonight. These signatures make up almost ¼ of the 4,408 registered voters in Pacific. She spoke to many of these signatures and they are not against development, but against it as it stands. She wanted them to know she is very passionate about this and I say this with all due respect "if you approve this petition as it is now, it is a slap in the face to every signature and very

disrespectful to the citizens that have voted you in this position”.

Barbara Alt, 1951 Patricia Lane, Pacific, MO stated she has been in this area for 53 years. She has witnessed many times when trains block railroad tracks. Lamar Parkway is the only way to get emergency vehicles from one side of the city to the other. It's not like Payne Street or Hwy N. She looked at the Masterplan and it calls for quality of life objectives, high degree of public participation on one's life and wellbeing, preserve the areas, open spaces, small town atmosphere, prevent, blight and preserve the character of existing neighbors through zoning and enforcement. This does not match the ones around it. She counted the houses and distances. She suggested a new traffic study. Since the Huntington Project from 2006 for this same property, things have changed. The I-44 ramps changed; people use Lamar Parkway to get on the highway. It's not the same as it was back then. We need to consider the most important thing and that is safety, ability for emergency vehicles to get thru and keep the children safe.

Bryan Vatterott, 46 Cedar Ridge, Pacific, MO and he is on the Board of Adjustment. How did this get this far to begin with? This goes from R-1C to R-1B. Out of the 45 houses only 11 lots confirm to the 10,000 square foot for R-1B. The lowest size is R-1A, we have 20 lots that fall under the R-1A regulations. They call out for 80' frontage, what he sees is an average of 52', which is way below. The setbacks are not correct either. How did it get this far that these lots don't confirm to any codes in this township? If voted through you are setting a precedence that the zoning ordinance don't mean anything.

Gary Watson, passed.

Rick Layton, 35 Cedar View, Pacific, MO stated he has questions. How many houses per acre is this plan for? Mayor Myers stated this is not a question and answer, this is the time to make comments. Mr. Layton continued that he hoped this was proportioned for this area. The PA system needs worked on also. He is asking his Ward 3 Aldermen to table this for more discussion. The proposal should be renegotiated and be closer to a 1/3 of an acre per house. I am against this and development should be consistent. There should be a flag over on the bald hill, he is asking his Ward 3 Aldermen to do that.

Mayor Myers stated he has a letter received from the Pacific Chamber of Commerce he was asked to read. This will become a part of the minutes.

That is all the cards he has for tonight so this part of the meeting is closed.

Mayor's Report

Ameren tree clearing – Along Route 66 has caused concerns. They are relocating the power lines that serve US Silica. He called Ameren regarding the debris piles that were left. Route 66 turns 100 years old in 2026 and the city is underway with improvements along Route 66, along

with work to Red Cedar Inn and Jensen's Point. They have agreed to come back and pick up the brush piles.

In addition to what Steve Flannery said earlier about the suicide, there is going to be a discussion forum held at New Beginnings Luther Church on suicide prevention. If anyone has someone that is struggling, he encourages you to get them there.

New Bills

Bill No. 5094 Alderman Adams stated he would sponsor.

Bill No. 5095 Alderman Nemeth stated he would sponsor. He had a question about Bill No. 5094. This reads taxes, is it appropriate for that? Attorney Jones stated those terms are used interchangeable in the license chapter which is where this provision will be included. The city would not be in a position to waive real estate taxes.

A. Bill No. 5094 An Ordinance permitting the Board of Aldermen to waive Permit Fees, Taxes or License Fees under certain circumstances. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5094 by title only for the first reading.

B. Bill No. 5095 An Ordinance amending the Parking Restrictions on Lisa Lane. (1st reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5095 by title only for the first reading.

Consideration of Bills Previously Introduced

Bill No. 5089 An Ordinance amending the Fiscal Year 2021-2022 Budget and Wage and Schedule for appointed officials and employees of the City of Pacific. Sponsor: Nemeth (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5089 by title only for the second reading. Motion made by Alderman Frick seconded by Alderman Rahn to approve Bill No. 5089. A roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Eversmeyer, Alderman Stotler. Nays: none. **Whereupon, Mayor Myers declared Bill No. 5089 becomes Ordinance No. 3273.**

Bill No. 5090 An Ordinance amending the Parking Restrictions on Lisa Lane. Sponsor: Nemeth (2nd reading)

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5090 by title only for the second reading. Motion made by Alderman Nemeth, seconded by Alderman Eversmeyer. A

roll call vote was taken with the following results: Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth. Nays: none. **Whereupon, Mayor Myers declared Bill No. 5090 becomes Ordinance No. 3274.**

Bill No. 5091 An Ordinance approving a Zoning Change (Map Amendment) from R-1C Single Family Residential to R-1B PUD-PDR Residential and Accepting and Approving a Planned Unit Development for property at Old Gray Summit Road and Lamar Parkway, Franklin County Parcel ID: 19-1-11.0-3-099-005.000, further described as "The Manors at Brush Creek" in the City of Pacific, Missouri. (2nd reading) Sponsor: Eversmeyer.

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5091 by title only for the second reading. Mayor Myers asked for any discussion. Alderman Nemeth asked within the horseshoe there is sidewalks on both sides, along with both sides of Lamar. Is that correct? Jeremy Roth, McBride stated that was correct. Alderman Adams asked Attorney Jones if it was the City's position that all these things can be enforced in court; otherwise, the agreement means nothing. Attorney Jones stated that was correct, but the Bill has been read twice, but not amended. Paragraphs B-J in the ordinance were added when the revisions were made to the preliminary plat. We need a motion to amend it to add those additional paragraphs, and then we need to read it by title only again as amended. **Motion made by Alderman Adams, seconded by Aldermen Nemeth to Amend Bill No. 5091.** Attorney Jones stated this can be read by title only. Later in the meeting there is a Resolution to approve the Preliminary Plat. It is also going to be amended adding those paragraphs and attaching the new preliminary plat. Alderman Adams stated to be clear, he asked Attorney Jones to explain the process. Attorney Jones stated based on feedback from residents and the developer, and additional comments received from July 16th, additional requirements were placed on the developer based upon this development. They have been incorporated into the preliminary plat submitted by McBride. To make sure these are abided by this will be recorded and built in that fashion, which is why we are amending the Bill and Resolution, the Preliminary Plat will be included as Exhibit A.

Mayor Myers asked Jeremy Roth, McBride if he would like to speak to any of the discussion before the meeting tonight. Jeremy Roth stated there were some discussions about entering into a Development Agreement regarding improving Lamar Parkway and Old Gray Summit Road with a cost-share agreement. He continued that we discussed an amount of \$ 750 per lot to the contribution of those improvements. Alderman Adams confirmed that Jeremy Roth with McBride has the authority to make that statement. Jeremy Roth stated he did. Alderman Rahn encouraged McBride and staff to keep the mud off Lamar Parkway during construction. He continued that McBride is one of the very few builders that use all union construction personnel. Administrator Roth stated regarding process the intersection of Old Gray Summit Road and Lamar Parkway has been a topic of discussion. It was only this afternoon that we came to this agreement. We don't have it in written form yet. A Cooperative Agreement with the City has to be entered into. From a procedure standpoint, his vision would also need to be amended to include approvals made and the Final Plat Approval is contingency upon such agreement. Attorney Jones agreed and that would be a second step. Alderman Adams asked if

all the things we talked about to be comfortable, all documentation etc., how long will that take? Administrator Roth stated we discussed earlier providing it as part of the final plat approval, which is months away. It can be done quicker, and offered to be done in a few days. Alderman Adams suggested that until it is done, the Mayor not sign the ordinance; the Mayor has 30 days to sign the ordinance and get it done in that 30 days. He recommends that he not sign it until all documentation is done where we are clearly in a position of enforcement. Attorney Jones stated we still need a second reading as amended and if approved, then the Mayor could do as you suggested. Discussion followed. Alderman Adams stated he can only trust what he can enforce. Alderman Frick thought this was preliminary, if we approve today, it is subject to receiving the proper documentation. That seems fair. Alderman Adams wanted to empower the City; the Mayor could sign the ordinance tonight. Alderman Frick stated it was not law until the agreements have been put into writing. Attorney Jones stated if it passes tonight, it still does not give the developer the right to develop until the Final Plat is approved with the Cooperative Development Agreement. Alderman Adams stated he wasn't taking away the Mayor's right to sign the ordinance, he is trying to shift the Mayor to consider not signing this and not be comfortable until we have all the documentation, then the Mayor would sign the Ordinance. Jeremy Roth stated from his experience, this could take more than a couple days. He respectfully asks and stated an approved zoning ordinance is important for them to keep moving forward. They are committing to this. They can't get any permits until their obligations are complied with. He would ask that it be a condition of the zoning. Alderman Adams stated he wasn't comfortable until the City had full control of the project. A lot of things can get done in 30 days. Jeremy Roth thought this was an amendment to the ordinance. Attorney Jones stated that would require another motion. Alderman Adams asked that all these promises that have been made, he wants to be in the position that the documentation that supports them that we have those first before the Mayor signs the ordinance. Don't be confused, I just want documentation that supports the commitments.

Mayor Myers stated we are going to add an Item K to the amended version: Attorney Jones stated it would be an additional amendment and a motion to amend Bill 5091 and add the requirement that the Developer enter into a Cooperative Development Agreement with Pacific to contribute \$ 750 per lot for road improvements. Mayor Myers stated this would be the new amended version. Alderman Adams stated in his 50 years of being around, because they wanted to be friendly, a few mistakes were made. Brush Creek Sewer District is one, and Public Water District 3 is another one. It shows the importance of playing business first, we hold the cards. Attorney Jones stated if this was amended it would get this done.

Motion made by Alderman Adams, seconded by Alderman Frick to add an Item K; “the developer shall enter into a Cooperative Development Agreement with the City of Pacific to contribute \$ 750 per lot for road improvements”.

Alderman Adams asked Jeremy Roth, McBride if they were okay with that, and he answered that they didn't have a problem with this.

A voice vote was taken on the amendment.

c. Amended Bill No. 5091 An Ordinance approving a Zoning Change (Map Amendment) from R-1C Single Family Residential to R-1B PUD-PDR Residential and Accepting and Approving a Planned Unit Development for property at Old Gray Summit Road and Lamar Parkway, Franklin County Parcel ID: 19-1-11.0-3-099-005.000, further described as "The Manors at Brush Creek" in the City of Pacific, Missouri. (2nd reading) Sponsor: Eversmeyer.

As posted pursuant to the ordinance, Mayor Myers read Amended Bill No. 5091 by title only for the second reading. Motion made by Alderman Nemeth, seconded by Alderman Frick. A roll call vote was taken with the following results: Ayes: Alderman Rahn, Alderman Frick, Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth, Alderman Adams. Nays: none. Whereupon, Mayor Myers declared **Amended Bill No. 5091 becomes Ordinance No. 3275.**

d. Bill No. 5092 An ordinance to authorize the Mayor to execute an Agreement between the City of Pacific, Missouri and the Missouri Highway and Transportation Commission providing for construction of West Osage Sidewalk Connections Improvements, Federal Project No. 5419(614) (2nd reading) Sponsor: Adams.

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5092 by title only for the second reading. Motion made by Alderman Adams, seconded by Alderman Eversmeyer to approve Bill No. 5092. A roll call vote was taken with the following results: Ayes: Alderman Frick, Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth, Alderman Adams, Alderman Rahn. Nays: none. **Whereupon, Mayor Myers declared Bill No. 5092 becomes Ordinance No. 3276.**

e. Bill No. 5093 An Ordinance amending the User Charge System for the City of Pacific to provide funds needed to pay for upgrades and expenses associated with the City's Sewer System. (2nd reading) Sponsor: Frick.

As posted pursuant to the ordinance, Mayor Myers read Bill No. 5093 by title only for the second reading. Motion made by Alderman Frick, seconded by Alderman Stotler. A roll call vote was taken with the following results: Ayes: Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Frick. Nays: none. **Whereupon, Mayor Myers declared Bill No. 5093 becomes Ordinance No. 3277.**

Unfinished Business

Mayor Myers stated this Resolution must be amended.

Motion made by Alderman Adams, seconded by Alderman Eversmeyer to remove Resolution No. 2021-36 from the table. A voice vote was taken with an affirmative result.

Resolution No. 2021-36 A Resolution to accept a Preliminary Plat for the Manors at Brush Creek, McBride Berra Land Company LLC, Applicant. (Tables 7-6-21)

Mayor Myers read Resolution No. 2021-36 by title only into the record. We need to add the paragraphs E-K and substitute as Exhibit A the Preliminary Plat that was filed with the City on Friday.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to amend Resolution No. 2021-36 and add items E-K. A voice vote was taken with an affirmative result.

Amended Resolution No. 2021-36 A Resolution to accept a Preliminary Plat for the Manors at Brush Creek, McBride Berra Land Company LLC, Applicant.

Mayor Myers read Amended Resolution No. 2021-36 by title only into the record. Motion made by Alderman Rahn, seconded by Alderman Stotler to approve Amended Resolution No. 2021-36. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

New Business

Resolution No. 2021-39 A Resolution taking notice of and Reaffirming the Provision of Ordinance No. 1866 entitle "An Ordinance of the City of Pacific, Missouri to establish a Procedure to disclose potential Conflicts of Interest and Substantial Interest for certain officials.

Mayor Myers read Resolution No. 2021-39 by title only into the record. He asked for any discussion or amendments. **Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Resolution No. 2021-40 A Resolution authorizing and directing the Mayor to execute an Agreement with SC Engineering dba Cochran for Professional services relating to Engineering and Inspection of the West Osage Sidewalk Connections Project, Federal Project No. TAP 5419(614)

Mayor Myers read Resolution No. 2021-40 by title only into the record. He asked for any discussion or amendments. **Motion made by Alderman Stotler, seconded by Alderman Nemeth to approve Resolution No. 2021-40. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Resolution No. 2021-41 A Resolution authorizing and directing the Mayor to execute an Engagement letter Agreement with Sikich LLP for Professional services relating to preparing Audited Financial Statements for the City of Pacific Fiscal Year 2021.

Mayor Myers read Resolution No. 2021-41 by title only into the record. **Motion made by Alderman Eversmeyer, seconded by Alderman Stotler to approve Resolution No. 2021-41. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

City Administrator Report

Administrator Roth stated the new budget just started. We are in good shape at this point. Sales tax looks good, we had an excellent Prop P recently. We received \$ 109,310 in Franklin County Cares Funds. He asked Chief Melies to prepare a recommendation related to budget for these funds. The operating budget is pretty good, the budget for projects is a little more difficult.

American Rescue Plan Funding – we haven't heard anything yet.

Hwy N Phase 4 – this project has an Open House on August 5th. Notices were sent out along the route today. The purpose is to show the residents the plans and obtain feedback. This will come to the Board at some point, then to MoDot.

CVS approval of roadway – Alderman Nemeth asked for an update. Administrator Roth stated we have gone from contact to contact on this project for months. Attorney Jones stated he was asked for another version of the document and he sent it to an office in Rhode Island, and made numerous phone calls. They have an obligation to review the request to alter the position of the easement and not unreasonable withhold their consent, and we can enforce that with a Civil Action for Injunction if necessary. We have one more contact and if that don't work, I will be coming back to the Board to do this. **Motion made by Alderman Nemeth, seconded by Alderman Adams to authorize Attorney Jones to file suit if they cannot get any further. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Annexation of Old Gray Summit Road – Alderman Adams asked for an update. Attorney Jones stated he called the Traffic Engineer last week and he was on vacation. He spoke to the clerk in the office and he is supposed to get back with me this week.

Operations Committee – has this been set yet with Nancy Omer. Alderman Eversmeyer stated we are going to meet August 4th at 3:00 p.m.

Cemetery Committee – Alderman Adams suggested they have a meeting; he has had members call him and they don't know what is going on with the map and don't have a chair person. Administrator Roth stated it is an important issue, and this we just haven't gotten to. We do need to reorganize and the City Clerk and I have spoken about this.

Beautification Committee – Alderman Adams stated it seems they are excited about the ramp project. With the Bigfoot project, it expanded and everybody had input and that is a beautiful

project. Those are the things I think the people of Pacific are looking for.

Chief of Police

No report.

Public Works Commissioner Brueggemann

a. Aramark uniform contract

Motion made by Alderman Adams, seconded by Alderman Frick to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

b. Sewer vacuum/excavator trailer purchase

This is for a purchase order in the amount of \$ 95,974.00. Alderman Nemeth asked if there was discussion regarding a trailer verses a truck. Public Works Commissioner Brueggemann stated he has spoke about this with Administrator Roth and he prefers the trailer. **Motion made by Alderman Adams, seconded by Alderman Stotler to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

Weeds and mowing along new sidewalks – Alderman Nemeth stated they are high at Viaduct.

Lift Station 5 is online as of yesterday afternoon. This was a long time coming and a good project. Administrator Roth stated this was a long time coming and gave Robert credit.

Overgrown trees at Hawthorne still need taken care of also.

City Attorney Report

No report.

Miscellaneous

a. Approve the list of bills.

Motion made by Alderman Adams, seconded by Alderman Nemeth to approve the List of Bills. A voice vote was taken with an affirmative result.

b. Approve Temporary Permit, Liquor for sale by the drink for St. Bridget of Kildare Fall Festival, Constance Pross. **Motion made by Alderman Eversmeyer, seconded by Alderman Stotler to approve. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.**

c. Approve payment to SCI Engineering in the amount of \$800 to be paid from E. Osage CID.

Motion made by Alderman Nemeth, seconded by Alderman Frick to approve the payment to SCI Engineering in the amount of \$ 800.00. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

d. Approve payment to Gershenson Construction for pay App 2 (\$51,609) & Pay App 2 (\$17,932.00) for Viaduct Sidewalk Project.

Motion made by Alderman Adams, seconded by Alderman Frick to approve both payments. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

e. Approve payment to Cochran in the amount of \$ 1,639.81 from Viaduct CID.

Motion made by Alderman Eversmeyer, seconded by Alderman Rahn to approve payment to Cochran in the amount of \$ 1,639.81. A voice vote was taken with an affirmative result, and Mayor Myers declared the motion carried.

f. Approve Special Event Permit, Bigfoot Open House, September 25, 2021.

Motion made by Alderman Stotler, seconded by Alderman Frick to approve the Special Event Permit for Bigfoot on September 25, 2021. 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 – No report.

Alderman Frick – No report.

Alderman Eversmeyer – No report.

Alderman Stotler – No report.

Collector Kelley – No report.

Adjournment

Board of Aldermen 7-20-2021

There being no further business, motion by Alderman Nemeth, seconded by Alderman Adams to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 8:44 p.m.



Steve Myers, Mayor

ATTEST:



City Clerk

