



August 17, 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 Acting President of the Board Adams. 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>.

A roll call was taken with the following results:

Present at Roll Call:

Alderman Nemeth
Alderman Adams
Alderman Rahn
Alderman Frick
Alderman Stotler

Also present:

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

Acting President of the Board Adams stated Alderman Eversmeyer was absent this evening, as it was his anniversary.

Pledge of Allegiance

The Pledge of Allegiance was given.

Prayer

Pastor Lange offered prayer this evening.

Approve Agenda

Board of Aldermen 8-17-2021

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

Minutes

A. Regular meeting on August 3, 2021.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve the minutes of the regular meeting on August 3, 2021. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

B. Executive session minutes on August 3, 2021

Motion made by Alderman Stotler, seconded by Alderman Frick to approve the minutes of the executive meeting on August 3, 2021. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

Acting President of the Board Adams stated he had three speaker cards. If anyone would like to address the Board, he asked they fill out a card and give to the City Clerk.

At the last meeting the Board went into executive session. He is asking that Attorney Jones explain to the public what executive session is, what is covered and limited to and why we have them and what this means to the public.

Attorney Jones stated closed meetings and closed records are permitted under the Sunshine Law for specific reasons, all intended to not put the City at a disadvantage or put the City at a disadvantage for the purchase or sale of real estate or expose personally identifiable employment records. These can be discussed in closed session by the Board of Aldermen. At the end of the closed session if there are any votes, they must be taken by roll call and the motion and votes are available to the public. The subject matter in closed session is only for certain reasons, including litigation or threatened litigation, purchase or sale of real estate, 911 recordings, emergency plans, welfare plans and others. These records would remain closed. If this comes up and is worthy of discussion often times the Board makes a motion to move to closed session. This motion must be made in open session to do this and voted on by roll call. A majority of the Board has to approve it before they can go into closed session.

Acting President of the Board Adams asked what the penalties for violation are. Attorney Jones stated the penalties depend on whether it's intentional or not. It could be civil fines collected for by the Attorney General, collection of attorney fees if taxed against the City and suit is valid.

Acting President of the Board Adams asked who in the meeting oversees it to make certain they stay within those boundaries. Attorney Jones stated he does as City Attorney, and any member of the Board of Aldermen can object claiming it is outside the scope of the subject. It is not uncommon for a member of the Board to ask. He pays very close attention to the topics that are discussed in closed session, if we stray beyond those in the Statute, then he tells the Board it is not proper and we need to go back to open session.

Acting President of the Board Adams asked if Attorney Jones has ever seen a board member that was unwilling to go into executive session because they had concerns about the meeting. Attorney Jones stated he has not, he has seen an elected official question a particular topic once in executive session, but even then, it's very rare. It is very specified things that can be discussed.

Acting President of the Board Adams stated if there were any questions, please contact him or City Hall.

Public Hearing

Acting President of the Board Adams stated the Public Hearing is now open. City Clerk Barfield read the public hearing into the record.

A Public Hearing to hear citizens comments on the property tax rate to be set by the City of Pacific, a political subdivision. The tax rate shall be set subject to change, based on the State Auditor's approval, to produce revenues which are reflected in the budget for the fiscal year beginning July 1, 2021, shows to be required from the property tax. The tax rate is determined by dividing the amount of revenue by the current assessed valuation. The result is multiplied by 100 as the tax rate will be expressed in cents per \$ 100 valuation.

Acting President of the Board Adams stated the public hearing is now open and asked if anyone wanted to address the Board. He asked for any questions. There being no comments, the public hearing was closed.

Public Participation

Acting President of the Board Adams stated speakers will be limited to 5 minutes. Please state your name and address for the record.

James Cleeve, 1926 Hwy N, Pacific, MO stated he submitted a letter to Mr. Roth regarding the Hwy N Project. He questioned the process on the proposed plans. If MoDot does not object, he understands it goes out to bid. There was feedback given at the open house, but what happens to the feedback we gave? Administrator Roth stated an open forum was held on August 25th from 4:00 to 6:00 p.m. to meet with myself and the project engineer. Several residents showed up and we took comments, which was included in the board packet. The process is the Board authorizes the preliminary plans to be submitted to MoDot, once in MoDot's hands the changes are minor. If there are substantial changes then they come back to the Board. Once the preliminary plans are approved then we go to final plans. This is submitted again for MoDot approval then authority to advertise and federal funding is obligated. This is the point of decision for the Board typically. Once past the preliminary plans, they are pretty much set. Mr. Cleeve stated he sees nothing that reflects the plans changed. Administrator Roth stated since the open forum, he met with the project engineers. The resolution tonight sets the roadway width at 34'. What was shown at the forum was 36' wide roadway, it was reduced by 2'. This is essentially what the Board has tonight, and the basic plans are the same. The big features are in the resolution tonight.

Becky Butler – she had to leave.

Colleen Swanson, 1980 Hwy N, Pacific, MO stated this is under new business as a resolution for Hwy N. Normally you would read twice and then vote, so how after the open house, we don't know what

changed and you are already at a resolution. It's just automatically a resolution. How am I supposed to know what affects me. Administrator Roth stated there is no ordinance required for preliminary plats and are typically done by resolution. The Board could take comment and table it, he does not object if they take that action tonight. She left at 5:30 p.m. that night and the doors were locked and she had to make a phone call to get the doors unlocked again. The resolution on 2021-43 if that's a resolution and voting on the mayor that resigned, why is that in resolution and not ordinance. She is just trying to understand. She would like a roll call vote on Resolution 2021-43. Attorney Jones stated ordinances are required to be read twice either by title or in full and voted on to become part of the Code of Ordinances of the City. That is required by Chapter 79 which covers Fourth Class cities. Resolutions are not ordinances and not required to be read twice. A Resolution is a motion in writing and does not require a roll call vote, and an Ordinance does. Acting President of the Board Adams stated he has done this in the past and what he will continue to do is after the Resolution is read then I ask the Board will there be any discussion, and that is the time to voice concerns and questions, and will ask if this matter should be referred to a committee. This gives them a chance to refer it to the Operations Committee or Administration Committee where it can be further explored. The Board will have an opportunity before voting to discuss tonight or send to a committee.

Christi Meadows, 2010 Highway N, Pacific, MO stated this is their future new home. She understands this project has been approved, she is new to the community and trying to figure out how this impacts her property. They are working on landscape and since the road is reduced by 2', it is a real concern with the speed of the cars and the traffic. The speed people travel even on a bike, which were on the sidewalk. Her concern is if a bike path is there will it really be used. They are happy to be here and the City has been good to them. She is just concerned about the safety with the bike path.

Doug Wurst, 1950 Hwy N, Pacific, MO stated he was here for Hwy N. We were shown a design at the open house, it sounds like it has been modified. He suggested they do not vote on this tonight, and schedule another open house. This way residents can understand what is happening.

Acting President of the Board Adams is going to ask Attorney Jones to address the following Statutes: 100.454 and 100.455 and explain to the public the actions that we have taken this last week and address the concerns of some. Attorney Jones stated he thought he meant Statutes 105.454 and 105.455 and Acting President of the Board Adams agreed. Attorney Jones stated these are included in a section of the State Statutes that are targeted towards lobbyist. These are people who have left the public office and then try to influence the body of who they formerly served. There is a section in 105.454 subparagraph 5 that disqualifies a person from working for one year after termination of his office, if he is going to attempt to influence a decision of the body that makes decisions for the City. In this particular case, Steve Myers was the Mayor, and had great opportunities as Mayor to influence the decision of this Board and it's policies. This new position if the Resolution passes as the Director of Community Development reports directly to the City Administrator. No staff member or department head actually attempts to influence the Board of Aldermen. The City Administrator doesn't attempt to influence, he reports, and then the Board of Aldermen makes their own legislative decisions. He reached the conclusion after reading this Statute and the job duties for this position, that because former Mayor Myers would not be in a position to influence a decision, he is not disqualified by this section. He also reviewed an advisory opinion by the Missouri Ethics Commission that was handed down last month with almost the same question, and the Missouri Ethics Commission reached the same conclusion that he did. To make sure he is not mis-understanding something he did send a letter this week to the Missouri Ethics Commission with the job duties for the Director of Community Development

and requested our own advisory opinion to see if they feel different. When we receive the decision, we will make the public aware of it. The other section was 105.455 and this is a 6-month waiting period and is limited to compensated lobbyist and specifically disqualifies a person elected to the State Senate, House of Representatives, Office of Governor, Lieutenant Governor, Attorney General, Secretary of State, State Treasurer or State Auditor who vacates the office from registering or serving as a lobbyist for 6 months and Mr. Myers has not been in any of those offices. Section 105.455 would not apply in any way to his new position. Acting President of the Board Adams stated if there were any questions after this meeting, he is available 7 days a week at any time. His number is on the City's website.

New Business

A. Resolution No. 2021-43 A Resolution authorizing the execution of an Employment Agreement for the Director of Community Development.

City Clerk Barfield read Resolution No. 2021-43 by title only into the record. Acting President of the Board Adams asked if members of the Board had the opportunity to read the Resolution and asked if there were any questions. He asked for any discussion or if they want this referred to any of the committees? Seeing none, **Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve. Acting President of the Board Adams stated he wanted the public to understand, in his position as Acting Mayor he has not relinquished his position as Alderman of Ward 2 and has no intention of doing so. He will be voting on this tonight, he dodges nothing. He asked the Clerk for roll call vote. Ayes: Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Stotler. Nays: none. Absent: Alderman Eversmeyer. Acting President of the Board Adams declared the motion carried.**

B. Appointment of Wayne Winchester to the Meramec Valley Historical Museum & Genealogy Committee.

Mr. Winchester was unable to make it. Acting President of the Board Adams asked if everyone reviewed this and if there were any questions. Should this be referred to a committee? Seeing none, Motion made by Alderman Stotler, seconded by Alderman Rahn to approve. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

Recognition

A. Plaque presentation to Steve Myers as Mayor

Acting President of the Board Adams stated there are many former Mayors in Pacific. Don't be surprised if I continue to call Steve, Mayor Myers. Wherever I see a former Mayor I always appreciate the office they held and continue to call them Mayor. I know this is strange, and since he is now an employee, if we are in a discussion and he represents his position he will be the Director and I will be the Acting Mayor or Alderman. If we are in public, he will be the Mayor.

Alderman Frick presented Steve Myers a plaque for Mayor. Steve Myers stated it's been one of the greatest honors and privilege in his life to serve as Mayor. Pacific's rich history with our present position is good, and the things in the pipeline now are moving us forward. Our best days are ahead of us. He appreciates the Board and the staff at City Hall for all the things you accomplish working together as a

team.

New Bills

Sponsor: Bill No. 5098 Alderman Stotler

A. Bill No. 5098 An Ordinance fixing the Tax Rate for the City of Pacific, Counties of Franklin and St. Louis, State of Missouri, for the year 2021 and establishing the effective date thereof. (1st reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5098 by title only for the first reading. Acting President of the Board Adams asked for any discussion, debate, questions, or referred to a committee. Seeing none we moved on.

Sponsor: Alderman Rahn will Sponsor Bill 5099 and Bill No. 5100.

B. Bill No. 5099 An Ordinance authorizing acceptance of the Conveyance and Transfer of certain Real Property at 203 West Watson St. (Franklin County Parcel ID 19-1-12.0-4-001-280.100) to the City in furtherance of the City's Voluntary Flood Buyout Program; authorizing the execution and recordation of certain documents in connection therewith; and authorizing further action in furtherance thereof. (1st reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5099 by title only for the first reading. Acting President of the Board Adams asked for any discussion, questions, debate or referred to a committee. Seeing none we moved on.

C. Bill No. 5100 An Ordinance authorizing acceptance of the Conveyance and Transfer of certain Real Property at 207 West Watson St. (Franklin County Parcel ID 19-1-12.0-4-001-280.000) to the City in furtherance of the City's Voluntary Flood Buyout Program; authorizing the execution and recordation of certain documents in connection therewith; and authorizing further action in furtherance thereof. (1st reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5100 by title only for the first reading. Acting President of the Board Adams asked for any discussion, questions, debate, or referred to a committee. Seeing none we moved on.

Consideration of Bills Previously Introduced

Bill No. 5096 An Ordinance authorizing a Conditional Use Permit for property located at 301 W. St. Louis St. (Franklin County Parcel ID: 19-1-1.0-4-003-030.000) in the City of Pacific. Sponsor: Adams & Eversmeyer (2nd reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5096 by title only for the second reading. Acting President of the Board Adams asked for any discussion, debate, should this be referred to a committee. Seeing none, **motion made by Alderman Nemeth, seconded by Alderman Frick to approve Bill No. 5096. A roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Stotler. Nays: none. Whereupon, Acting President of the Board Adams declared Bill No. 5096 becomes Ordinance No. 3280.**

Bill No. 5097 An Ordinance amending the Fiscal Year 2021-22 Budget and Wage and Salary Schedule for appointed officials and employees of the Cit of Pacific. Sponsor: Nemeth (2nd reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5097 by title only for the second reading. Acting President of the Board Adams asked for any discussion, debate, everyone had a chance to read, any amendments or referred to a committee. Seeing none, motion **made by Alderman Nemeth, seconded by Alderman Frick. A roll call vote was taken with the following results: Alderman Adams, Alderman Rahn, Alderman Frick, Alderman Stotler, Alderman Nemeth. Nays: none. Whereupon, Acting President of the Board Adams declared Bill No. 5097 becomes Ordinance No. 3281.**

Acting President of the Board Adams stated normally we have two readings in two consecutive meetings. Bill No. 5098 will be read twice tonight because it is time sensitive. He continued that this Ordinance fixes the tax rate. He asked City Clerk Barfield to explain the ordinance. City Clerk Barfield stated the tax rate is set by valuations from Franklin County and St. Louis County. This is a revenue neutral tax rate. St. Louis County has not submitted their final numbers yet so this could change, but the way the ordinance is wrote it adjust for that. Revenue neutral means there is no increase in the taxes, just tax generated and budgeted for.

Bill No. 5098 An Ordinance fixing the Tax Rate for the City of Pacific, Counties of Franklin and St. Louis, State of Missouri, for the year 2021 and establishing the effective date thereof. (2nd reading) Sponsor: Stotler.

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5098 by title only for the second reading. Acting President of the Board Adams asked for any questions or debate, and any discussion, seeing none, **motion made by Alderman Frick, seconded by Alderman Stotler to approve Bill No. 5098. A roll call vote was taken with the following results: Ayes: Alderman Rahn, Alderman Frick, Alderman Stotler, Alderman Nemeth, Alderman Adams. Nays: none. Whereupon, Acting President of the Board Adams declared Bill No. 5098 becomes Ordinance No. 3282.**

New Business

Resolution No. 2021-44 A Resolution accepting and approving the Preliminary Plans and Specification for construction of the Highway N (Congress) Phase 4 Improvements Project, Federal Project No. STP 5419-613.

City Clerk Barfield read Resolution No. 2021-44 by title only into the record. Acting President of the Board Adams asked for any discussion. Alderman Nemeth asked the two Aldermen that represent this Ward what they thought. The only comments he had seen was what was in the packet and heard tonight. Administrator Roth stated this is a Preliminary Plan, but without a substantial change in the plans, it would not come back to the Board. Typically, once Board approves Preliminary Plans and this goes to MoDot. The next time the Board hears about it is when we go out to bid. Alderman Frick asked if it would be appropriate to have another open house. Acting President of the Board Adams stated he does not want to delay the project but wants the citizens to weigh in. He did not see any problem with having another one. **Motion made by Alderman Frick, seconded by Alderman Nemeth to hold another open house before our next scheduled meeting. Alderman Nemeth asked to amend the motion to**

table this and then have the open house. Administrator Roth stated this is not a time urgency. We want to get to MoDot in September. **A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.** Administrator Roth stated this would be subject to the availability of the Project Engineer but he would like to schedule it for September 2nd. Notifications would be sent to the residents as before.

Resolution No. 2021-45 A Resolution to authorize a Transfer of Funds from the City's Contingency Fund to the City's General Fund, returning funds that were previously transferred to support the City's Voluntary Flood Buyout Program.

City Clerk Barfield read Resolution No. 2021-45 by title only into the record. He asked for any discussion or amendments, should this be referred to a committee. **Motion made by Alderman Stolter, seconded by Alderman Rahn to approve Resolution No. 2021-45. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.**

Resolution No. 2021-46 A Resolution of the City of Pacific, Missouri, adopting a Voluntary Flood Buyout Program Policy (Flood Mitigation Assistance Program) and identifying a Project Manager.

City Clerk Barfield read Resolution No. 2021-46 by title only into the record. Acting President of the Board Adams asked if there was any discussion, amendments or referred to a committee. **Motion made by Alderman Nemeth, seconded by Alderman Frick to approve Resolution No. 2021-46. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.**

Resolution No. 2021-47 A Resolution authorizing and directing the preparation and submittal of an Application for Funding through the St. Louis County Municipal Park Grant Commission for the Jensen Point Restroom Project.

City Clerk Barfield read Resolution No. 2021-47 by title only into the record. Acting President of the Board Adams asked if there was any discussion, amendments, or referred to a committee. Alderman Rahn asked if we received this, will there be options for the type of bathroom. Administrator Roth stated yes, we would go out for bids and look at a product and would need approval of the Board. **Motion made by Alderman Rahn, seconded by Alderman Stotler. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.**

Mayor's Report

Acting President of the Board Adams stated he has spoken with the Chairperson of the Operations Committee and of the Administration Committee. The intent is to plan a day next week to discuss the next major projects for the City.

a. Administrator working on Personnel Manual Updates

Acting President of the Board Adams stated Administrator Roth will be working on the Personnel Manual. A few years ago, a group of Aldermen were updating the manual. That will be a change and Steve Roth will do this and the Board of Aldermen will review the updates.

b. Committee Liaison report to Board

Acting President of the Board Adams stated in the next two weeks he hopes to meet with the Chairman of all the committees. This will be to discuss their goals or problems and explain how they will be managed from the City Administrator's office. The liaison's attend to their committees and report them back to the Board.

c. Parking on St. Louis St.

Alderman Eversmeyer asked that we pass this until he comes back to the next meeting.

City Administrator Report

a. Bulk Trash Pickup schedule October 4 & 11

Administrator Roth is proposing bulky trash be scheduled for the weeks of October 4th & 11th. This would be the same plan that we used in the past, contract with Rich Gullet & Sons for hauling. Through Waste Connections we get 10 free loads. The west side of town in week one and the east side in week 2. This is a budgeted item. **Motion made by Alderman Nemeth, seconded by Alderman Frick to approve. Alderman Stotler asked if there was a number of items. Administrator Roth stated there was not for volume. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared it carried.** Administrator Roth stated this will either be included in the newsletter or a direct mailing.

b. Red Cedar Materials Testing proposals

Administrator Roth stated there is testing we are responsible for. Navigate bid this and solicited quotes from three firms, and two responded. The low bid is from PSI Intertek in the amount of \$ 5,327 and we recommend approval. This is for different items such as, concrete that gets poured for testing, etc. **Motion made by Alderman Stotler, seconded by Alderman Nemeth to approve PSI Intertek in the amount of \$ 5,327. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared it carried.**

Population Numbers – Administrator Roth stated he received this yesterday and sent it out by e-mail. The 2020 population for the City is 7,414. In his opinion, this is a good number and close to a 6% growth. Alderman Nemeth asked if there was a way to get a population count that would include MVR3. When we think about development, there's a bigger population that frequent our town. That number reflects who shops, and drives and participates in the town. Is this achievable? Administrator Roth was not sure, once the full data is released there is a lot of number there. We will also look at our Ward boundaries as soon as all the data is released.

CVS Update – Administrator Roth stated we received notice from CVS on Monday and Attorney Jones has reviewed. Attorney Jones stated we sent a proposed easement modification with the new Marketplace Road plans and it would have changed the access easement area at the CVS location. He was relying on a section of the original easement agreement that says we can't change the easement area or point of connection with Lamar Parkway without the prior written consent of the owner of the CVS track. It goes on to say consent should not be unreasonable withheld condition or delayed. They

have refused to consent and make a few points that are valid. The most significant one is additional language in the same part of the contract that says any such modified location must continue to provide access to and from the CVS tract that is substantially the same grade, width and visibility. What would end up happening is the access from Lamar Parkway to the front of the CVS store would be lost and instead access rerouted to the back of the store. They argue that is not the same visibility, and access as the exiting location. They also say the remainder tract, the part not in the easement, they have control over the uses that are going to be developed in that area, to the extent that the developer wants to add additional stores or retailers that might compete with CVS, and of course they don't want that and have protection. A final point is CVS don't own the tract anymore and it was sold to DRZ Pac MO LLC. To discuss this further we need to loop in the new owner and the mortgage holder. We have gone back to Mr. Bosse and asked for an alternative location and are waiting to hear back. Alderman Nemeth asked if we can do anything in the future to lessen these kinds of denials. Administrator Roth stated the first layout we brought to CVS did not move the entrance, it was only until their engineer was brought in that they suggested the entrance be moved back, then later objected to that. Attorney Jones was not aware of that. He suggests we talk to Mr. Bosse, as this does change things. He does not recommend going forward with a lawsuit.

Chief of Police

Chief Melies stated that we are caught up on the monthly incident reporting to the State.

3-way stop – At the last meeting you asked for him to look into this. There have been 4 crashes from 2015 to 2019. This does not meet the crash requirement, but the volume number could warrant an additional stop sign but he does not have those numbers yet. At this time, it does not warrant a 3-way stop.

Public Works Commissioner Brueggemann

Public Works Commissioner Brueggemann stated he will have a full report at the next meeting. The storm that came through last Thursday did a lot of damage and they have a lot of brush to pick up.

Westbound ramp – he sent MoDot the ordinance.

Tree trimming – this is done as they can get to it.

City Attorney Report

No report.

City Collector

No report.

Miscellaneous

- a. Approve the list of bills.

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

b. Approve Special Event Permit for St. Bridget of Kildare Catholic Church, Block Party, August 28, 2021. **Motion made by Alderman Frick, seconded by Alderman Nemeth to approve. A voice vote was taken with an affirmative result.**

c. Approve Pay Application 4 (final) Gershenson Construction, Viaduct Street Sidewalks, in the amount of \$ 13,681.00.

Administrator Roth stated we don't have final lien waivers, once we have everything we will pay. Alderman Nemeth asked if all the crosswalks will be marked and the stripping. Administrator Roth will check but does not believe the stripping is in the contract. **A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried. (There was no motion)**

d. Approve Pay Application # 1, Legacy Contracting Group, Red Cedar Inn renovation, in the amount of \$ 124,867.80.

Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve Pay Application # 1 in the amount of \$ 124,867.80. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

e. Approve a Special Event Permit for Kaleidoscope on August 29, 2201 for a Farmer's Market in the parking lot.

Alderman Rahn asked if they needed an insurance waiver and if it is required. Administrator Roth stated this is on private property, typically there is nothing to insure from a City standpoint. Motion made by Alderman Nemeth, seconded by Alderman Stotler to approve the Special Event Permit for Kaleidoscope. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

Reports of City officials

Alderman Nemeth – Stripping at Viaduct at the intersection and Thornton to Skyline, is this going to be done. Public Works Commissioner Brueggemann stated this was discussed but not included in the budget this year. Administrator Roth stated maybe this could be done with the Jokerst paving project. He would like to have a package for an early 2022 bid, if we have budget.

Alderman Rahn – No report.

Alderman Frick – No report.

Alderman Eversmeyer – No report.

Alderman Stotler – Do we have a littering ordinance. Attorney Jones stated we have Chapter 225 that covers litter.

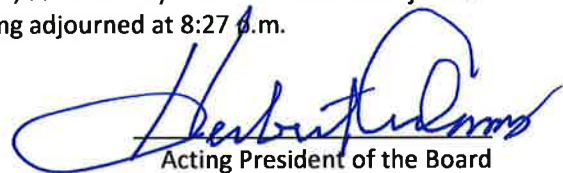
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Acting President of the Board Adams – There are many parts of the City that make it work. They are all important. One that is extremely important is the Senior Center. There is an important need for our seniors. At one time we lost the center, it is because of the leadership of Helen Preiss and others that we have one. The problem is it is not being supported by anyone except our citizens. There is no help from the State. We have to help ourselves. One day you will be a senior, and you will have a need for this center. It does more than provides meals, it gives them a place to go, it gives them a place to talk to people and share. I hope we never lose it again, but we will if we don't pay our part. I give \$ 1 every time I pay the water bill, if everybody could say that imagine the help that would give. Doing this would help yourself, helps your parents and whole family. Make a note, next time you pay your bill to add \$ 1.00. Alderman Stotler thanked him for bringing this up, he is on the Board, and encourage people to check out their Facebook. They are doing activities again. They also asked for guidance as the emergency shelter but question what the temperature should be when it's cold that they are needed. They said the contract was vague. Alderman Nemeth asked if this was an option for WD 3 customers. Collector Kelley stated it was not. Alderman Frick stated they have a Trivia Night coming up soon also. Acting President of the Board Adams stated, he has heard it again, and again, and this is one way to do that; honor they mother and father and our days shall be longer.

There will be no executive session tonight.

Adjournment

There being no further business, motion by Alderman Nemeth, seconded by Alderman Frick to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 8:27 p.m.


 Acting President of the Board
 Herbert C. Adams

ATTEST:

 City Clerk

