

September 7, 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 Stotler by zoom

Also present:

Administrator Roth
Attorney Jones
Collector Kelley
City Clerk Barfield

Acting President of the Board Adams stated Alderman Frick was absent this evening, as he was not feeling well, and Alderman Stotler could be seen and heard by zoom, and he could see and hear us.

Pledge of Allegiance

The Pledge of Allegiance was given.

Prayer

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, and Acting President of the Board Adams declared the motion Board of Aldermen 9-7-2021

carried.

Minutes

A. Regular meeting on August 17, 2021.

Motion made by Alderman Rahn, seconded by Alderman Eversmeyer to approve the minutes of the regular meeting on August 17, 2021. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

Public Hearing

A. Public Hearing to hear comments on a verified petition for Voluntary Annexation for the following parcel of land located on or about property known as 18835 US Highway 66, Pacific, MO St. Louis County Locator No. 30Y310090.

City Clerk Barfield read the public hearing into the record. 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. He asked three times for comments. There being no comments, the public hearing was closed.

Public Participation

Acting President of the Board Adams stated he had one speaker card. If anyone would like to address the Board, please fill out a speaker card.

James Cleeve, 1926 Hwy N, Pacific, Mo stated he does not want Hwy N expanded as he does not want it coming closer to his house. He thanked Andy and Butch for having a second open house. He has a better understanding now of how the process works. He moved here in June 2020 and heard a little about it, but he thought the process was rushed. After we received a letter about the first open house, there was a change, and then two weeks later you guys were voting on it. He thought that was quick. Administrator Roth stated the City applied for the grant in 2019. To be considered for the grant there is certain criteria that needs to be met. The Program Agreement was approved, an engineering firm was selected and now we are in the open house phase. The City has had many federal aid projects, and they generally all work the same. There is a "cycle" for the St. Louis region. Acting President of the Board Adams stated going forward a project like this would go to one of the Statutory Committees; either Operations or Administration. This allows for the Aldermen to become more aware of the project and more time for citizen input.

New Bills

Sponsor: Bill No. 5103 Alderman Eversmeyer, Bill No. 5102 & 5104 will be Alderman Nemeth.

A. Bill No. 5102 An Ordinance adopting a new Wage and Salary Schedule for City Marshal of the City of Pacific, Missouri. (1st reading)

Motion made by Alderman Nemeth, seconded by Alderman Rahn to read Bill No. 5102 for the first

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reading. A voice vote was taken with an affirmative result. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5102 by title only for the first reading. Administrator Roth stated this bill adjusts the salary for the Marshal which is set by ordinance, before the term of office. Filing opens in December. Acting President of the Board Adams asked for any discussion, debate, or questions.

B. Bill No. 5103 An Ordinance adopting a new Wage and Salary Schedule for the City Collector of the City of Pacific (1st reading)

Motion made by Alderman Eversmeyer, seconded by Alderman Rahn to read Bill No. 5103 for the first reading. A voice vote was taken with an affirmative result. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5103 by title only for the first reading. Acting President of the Board Adams asked for any discussion, questions, or debate. Administrator Roth stated this bill is similar to the Marshal's and adjust the salary for a 4-year term.

C. Bill No. 5104 An Ordinance approving a petition for Voluntary Annexation filed by Brandon Elrod regarding certain property contiguous and compact to the City of Pacific, Missouri (St. Louis County Locator No. 30Y310090), annexing said property to the City; authorizing other actions in connection with such annexation, and repealing conflicting ordinances. (1st reading)

Motion made by Alderman Rahn, seconded by Alderman Eversmeyer to read Bill No. 5104 for the first reading. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5104 by title only for the first reading. Acting President of the Board Adams asked for any discussion, questions, or debate. Seeing none we moved on.

Consideration of Bills Previously Introduced

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. Sponsor: Rahn (2nd reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5099 by title only for the second reading. Acting President of the Board Adams asked for any discussion or amendments. Seeing none, **motion made by Alderman Rahn, seconded by Alderman Nemeth to approve Bill No. 5099. A roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Adams, Alderman Rahn, Alderman Eversmeyer, Alderman Stotler. Nays: none. Absent: Frick. Whereupon, Acting President of the Board Adams declared Bill No. 5099 passed 5-0 and becomes Ordinance No. 3283.**

Bill No. 5100 An Ordinance authorizing acceptance of the Conveyance and Transfer of certain Real Property at 207 West Watson Street (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. Sponsor: Rahn (2nd reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5100 by title only for the second reading. Acting President of the Board Adams asked for any discussion or amendments. Seeing none,

motion made by Alderman Rahn, seconded by Alderman Eversmeyer to approve Bill No. 5100. A roll call vote was taken with the following results: Alderman Adams, Alderman Rahn, Alderman Eversmeyer, Alderman Stotler, Alderman Nemeth. Nays: none. Absent: Frick. Whereupon, Acting President of the Board Adams declared Bill No. 5100 passed 5-0 and becomes Ordinance No. 3284.

Unfinished Business

a. Resolution No. 2021-44 A Resolution accepting and approving the Preliminary Plans and Specifications for construction of the Highway N (Congress) Phase 4 Improvements Project, Federal Project No. STP5419-613.

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 Eversmeyer stated he would like to see verbiage added in case the trees and shrubs of the residents were damaged. The Becker house has some fire plants and there is a pine tree on the east side of the road. Discussion followed. **Motion made by Alderman Eversmeyer, seconded by Alderman Nemeth to approve Resolution No. 2021-44 with the amendment of "In the event of damage to trees and shrubs or other plantings as a result of this project, whether on the City right-of-way or on adjacent private property, for up to one year following construction, the City will replace said plantings as mutually agreed between City and property owner". A voice vote was taken with an affirmative result.**

Parking on St. Louis St. – Acting President of the Board Adams asked Alderman Eversmeyer if he would like to discuss this now. Alderman Eversmeyer stated this discussion was had in the past, and St. Louis St. was declared open parking. He does not think we need to assign parking spaces to certain businesses again. Alderman Rahn and Alderman Nemeth both agreed.

New Business

Resolution No. 2021-48 A Resolution authorizing and directing the Mayor to execute a Contract Agreement for the construction of Wastewater Collection System Improvements, cured-in-place pipe Reconstruction, in the City of Pacific.

City Clerk Barfield read Resolution No. 2021-48 by title only into the record. Acting President of the Board Adams asked if everyone read and understood the bill. **Motion made by Alderman Eversmeyer, seconded by Alderman Nemeth to approve Resolution No. 2021-48. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.**

Resolution No. 2021-49 A Resolution authorizing the execution of a Vacation of Public Use Easement for McBride.

City Clerk Barfield read Resolution No. 2021-49 by title only into the record. He asked if everyone read and understood the bill. **Motion made by Alderman Rahn, seconded by Alderman Eversmeyer to approve Resolution No. 2021-49. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.**

Mayor's Report

Liaison's – Acting President of the Board Adams asked if any of the Alderman Liaison's had a report.

Administration Committee – Alderman Nemeth stated the Museum and Historical Committee met last week. They now have a safe in mind that they will talk with Administrator Roth about. They are also finalizing their "intake form" which is a form they will use when they accept items. He continued that there was nobody there to broadcast their meeting and asked if someone could be trained for that.

Administrator Roth stated himself and City Clerk Barfield are trained on this. It does take a little time to get through it, but we will have someone here or can train someone.

Meeting with Chairman – Acting President of the Board Adams stated he met with the chairman of the Operations and Administration Committees. The reason was to roll out immediate plans for the City. He will use these committees for large projects to get Aldermen involved early. He feels like this will work and be effective, as it has with the Red Cedar Project. The Administration Committee will be talking about a plan for the new plaza. The new plaza will consist of Red Cedar, Jensen's Point, and the Wintec building. We need a plan for this area and how to use it and listen to the citizens. He wants the public to take the lead. We will start with a vision and then financing options. The Wintec building needs action. Alderman Nemeth thought that Patterhn Ives had done a good job with public options and giving ideas. He appreciated this. Acting President of the Board Adams thought there needed to be a balance. The balance is the Operations Committee looking into Public Works. In the past Public Works used to be by the Brew House. Bill Wiest had a vision of a modern facility. He wanted to build on that dream and expand the Public Works facility. He would like to charge this operation to expand and add to the current building, and do it well. Let the experts help us. We all work hard; we can do better. They need more garages. Expanding on that even more, let's move Parks & Recreation out of the Wintec building and put it into the new addition. This would have to fit the neighborhood. We need to add new offices to this facility, and a place for records. Recently he went to open a door at City Hall and it was locked. The City Clerk told him there were court records in there. This used to be the office for the Aldermen to meet with citizens. We are out of room for records. Let's go back to the Mike Pigg vision, and come up with a better dog pound and see what we can do.

Operations Committee – Alderman Eversmeyer stated they will be meeting September 8th at 5:30 p.m. to discuss the mural and ground work for these types of things.

Committee's – Acting President of the Board Adams stated in the coming weeks he will be meeting with the Chairman of the other City committees. These are City appointed committees.

City Administrator Report

a. American Rescue Funds – Administrator Roth stated the City received \$ 729,353 and this is now in general fund until further Board action.

Code Enforcement – has been re-assigned to the Police Department. This position has reported to the Building Department side and himself at times. He felt like assigning him to the Chief and having an office in the Police Department will lead to the development of a new start and program. The Chief is an excellent choice to lead this type of program. Acting President of the Board Adams stated he was serious about this. He has spoken to the Prosecutor about what his intentions are. Speaking with him does not interfere with the court system. The Prosecuting Attorney is an appointed position. We want

things to work well and be concluded.

Chief of Police

No report.

Public Works Commissioner Brueggemann

No report.

City Attorney Report

Attorney Jones stated a number of new laws went into effect in the last two weeks. The City will need to update the Code with these changes, which he will be bringing back. One of them is the Sunday Sales of alcohol, which is now 6 am to 1:30 am on Monday, just this change alone needs updated in seven different places in the code. This was Senate Bill No. 216. Also, Senate Bill 432 provides for an unpaid leave for victims of domestic violence. A notice needs posted as well, and he will prepare this also.

Lawsuit with Brush Creek – this is for unpaid sewer fees and is pending in St. Louis County on September 16th.

Public Water District 3 – has requested records, which he obtained from the City Clerk. He is putting these in a presentation order now.

CVS – there has been no more discussions.

City Collector

Collector Kelley stated the American Rescue Funds were received in the amount of \$ 729,353.95 and moved out of her account to general fund. She received an e-mail that those records needed to be maintained for these funds and since the money was moved, Administrator Roth and Clerk Barfield are responsible for this, not her office.

Acting President of the Board Adams asked why they were moved to general fund. Administrator Roth stated general fund is where any money received is generally put, unless directed otherwise by the Board. The Board took no specific action on these funds yet. City Clerk Barfield stated there is a revenue line item for American Rescue Funds, which is where the funds were posted to. Administrator Roth stated the reporting of the funds is similar to a single audit, which we go through.

Old permits – Collector Kelley stated that 4 of the 10 past due permits have been collected. There has been two withdraw. She will work with Administrator Roth on how to file these.

Acting President of the Board Adams stated collection is important to him. That is why I continue to say that the City “collects”. He will be meeting with staff about this also.

Miscellaneous

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a. Approve the Picnic License, Temporary Permit Intoxicating Liquor to the Pacific Eagles, Jerry Eversmeyer, 707 W. Congress, Pacific, Mo for Iron Horse Rodeo, October 1 & 2, 2021 and Bike Show at the Eagles on September 26, 2021, and a BBQ at the Eagles on October 16, 2021.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve the Picnic License, Temporary Permit Intoxicating Liquor to the Pacific Eagles, Jerry Eversmeyer, for the Iron Horse Rodeo, Bike Show and BBQ. Abstain: Alderman Eversmeyer. A voice vote was taken with an affirmative result.

b. Approve Special Event Permit for American Legion Post 320, 320 W. Meramec St. on September 11, celebrating the First Responders. **Motion made by Alderman Rahn, seconded by Alderman Nemeth to approve. A voice vote was taken with an affirmative result.**

c. Approve Picnic License, Temporary Permit Intoxicating Liquor & Package Liquor License to Old Farm Winery LLC, Steven Strupp, 5375 Viehland Farm Road, Catawissa, MO 63015 for the Witches & Warlocks event on October 15, 2021 booth at the 100 block of St. Louis St., Pacific, MO 63069.

Motion made by Alderman Nemeth, seconded by Alderman Rahn to approve the Picnic License, Temporary Permit Intoxicating Liquor & Package Liquor License to Old Farm Winery LLC, Steven Strupp. 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 – stated the Museum Committee is missing three members. This puts them in tough spot when trying to meet. He asked if we could ask for volunteers in the newsletter. He continued that the commitment is only a few hours a month and suggested including a description of the committee. They are also missing general volunteers. Acting President of the Board Adams stated he was aware of openings on the committee's and will address this. After he meets with the chair persons, he is going to look into reforming them with a process that works and eliminates confusion.

Alderman Rahn – stated on the way here tonight a golf cart was on Osage in the middle lane just riding. He asked that we include the rules for UTV's, and golf carts in the newsletter.

Alderman Eversmeyer – stated he spoke to the Chief about four wheelers in the Hawthorne subdivision. He agreed the public needed to be reminded of the law.

Alderman Stotler – Reminded everyone of the Car Show on September 18th, the Rodeo on October 1st and 2nd, and vendors are still needed for both of these events. He continued that the Beautification Committee is also short on members.

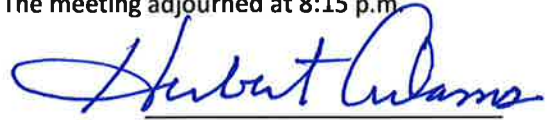
Alderman Nemeth stated this Friday is the last Sunset on the Rails for the season. It starts at 7 pm.

Acting President of the Board Adams stated on our water bill – choose option B. This adds a \$ 1.00 to your bill and goes to the Senior Center. He asked that information regarding the Senior Center and the Agape House be included in the newsletter. We need to educate people and make them aware of what we can offer. The strength of a community is how many citizens and organizations do their part. The

Government should act as a partner.

Adjournment

There being no further business, motion by Alderman Nemeth, seconded by Alderman Eversmeyer to adjourn. A voice vote was taken with an affirmative result. The meeting adjourned at 8:15 p.m.



Acting President of the Board
Herbert C. Adams

ATTEST:

City Clerk

