



OCTOBER 4, 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 You-Tube channel.

A roll call was taken with the following results:

Present at Roll Call: Alderman Nemeth
Alderman Cleeve
Alderman Gendron
Alderman Presley
Alderman Eversmeyer
Alderman Lesh

Also present: Administrator Roth
Attorney Jones
Chief Melies
Collector Kelley
Director of Community Development Myers

Absent:
Public Works Commissioner Brueggemann

Pledge of Allegiance

The Pledge of Allegiance was done.

Prayer

Pastor McCausland offered prayer this evening.

Approve Agenda

Motion made by Alderman Nemeth, seconded by Alderman Eversmeyer to approve the agenda. A voice vote was taken with an affirmative result. Nays: none. Abstain: none. Mayor Filley declared the motion carried.

Approval of Minutes

A. Regular meeting on September 20, 2022

Motion made by Alderman Eversmeyer, seconded by Alderman Cleeve to approve the minutes of the regular meeting on September 20, 2022. Mayor Filley asked for any discussion. A voice vote was taken with an affirmative result. Nays: none. Abstain: none. Mayor Filley declared motion carried.

Public Participation

Mayor Filley stated you will be given 5 minutes to speak, as called forward, please state your name and address for the record.

Thomas Love, 211 Candlewick, Pacific, MO handed out a traffic study he did. He used a Reconyx HC500 Game Camera, which is a high-end camera. He spent a lot of hours compiling this data. This is not an overstatement. If cars are going fast enough, they can get by the camera. There are over 1,000 vehicles on Candlewick on any weekday. He thought this was a little excessive for a residential street. The heavy periods are 6-7 a.m. and 2-6 p.m. It's dangerous for kids to be on the street. The Board approved this at the last meeting, are we going to resolve this issue? With the addition to the Industrial Park do we have any idea of how many additional cars will be added. Alderman Nemeth thanked him for doing this and asked him for a solution? We don't have a great one yet either. He was not sure the gate was the right solution. Mr. Love stated the gate would solve the flow of traffic but probably will create other problems. The stop sign does not do anything. He suggested a committee with the residents and them to come up with a solution. Alderman Nemeth questioned if speed bumps potentially deter people from using Candlewick. Mr. Love stated there are no sewers on Candlewick, during heavy rains the water will go from the street to the yards. He thought speed bumps would contribute to this problem. Alderman Cleeve stated the zoning passed, but we have not heard anything else. Mr. Lesh stated this is on the Operations Agenda.

Steven Nichols, 1910 Indian Trial, Pacific, MO stated he wanted to correct some of the confusing statements last time he spoke. Himself and his neighbors all expect Mr. Gallaher to conform to his Performance Bond, curbs, sidewalks and gutters and stormwater to be relieved through a solution. At the last meeting he wasn't really clear.

Mike Gallagher, Pacific, MO stated regarding Indian Trials; he has spoke to Administrator Roth about this. He has no objections to doing what is supposed to be done; but none of it makes any sense. He doesn't like to do it if it doesn't make sense and will cause issues going forward. He thought himself, and PW Commissioner Brueggemann, and Administrator Roth came up with a Board of Aldermen 10-4-2022

good solution to the problem. He understands it has to go in front of the Board. He would like to ask for the approval to discuss doing something that makes sense out there. Mayor Filley asked if this needed to go to the Board of Adjustment. Mr. Gallagher continued that installing curb and gutter and sidewalk is going to cause issues for the man that was just talking and another property owner in front of his property. This also causes two blunt ends; instead of a smooth transition on the road there will be two dead ends in the middle of a road. This will cause difficulties for cross traffic. **He proposes a reverse S curve in the road instead of the two blunt ends and he would widen and overlay the existing road in exchange to get rid of the curb and gutter and sidewalk. This will solve the issues of the neighbors and water will flow like it is now, instead of directing it onto their property.** He believed the three of them were smart enough to come up with a good way to do this. Administrator Roth stated Mr. Gallagher is the developer of Nottingham Subdivision; a 3-lot subdivision along Indian Trails Road. The subdivision was initially platted in 2016; the developer passed away and it was not completed. Initially approved was curb and gutter and sidewalks, half of the road, and whatever was in that initial subdivision approval. Mr. Gallagher expressed early on that curb and gutter and sidewalks here didn't make sense. Administrator Roth told him he would need to petition the Board for a waiver. Mr. Gullet put down a Performance Guarantee securing the improvements and he has built on two lots. The road construction is still pending. That seems to be where we are at now. Mayor Filley thought we needed something in writing to be put on the agenda. Administrator Roth stated the initial subdivision was done by ordinance, he is petitioning for a change to this and asked Attorney Jones for comment. Attorney Jones stated he would like to look at the Subdivision Plat and the approving Ordinance and get back to Mr. Gallagher with a suggestion on the best way to proceed. Mr. Gallagher stated he understood this was a mess, he has no issues doing what was approved, but it was not thought out. To do this makes better sense. Mayor Filley stated Attorney Jones will review and Administrator Roth will follow up with him.

Ray Gullet, 103 Metrocom Drive, Pacific, MO stated he wanted to speak about the property he was trying to get the CUP on. Last time there was items brought up about a different property he has in town. He has since spoke with Steve Myers about if there are any code violations on the property. He thought him and Steve Brune were reviewing this to be brought to his attention so they can be corrected. He was not aware of any issues there. The property in question is just inside storage and takes up most of the lot. Alderman Cleeve stated this was originally proposed as storage or snow equipment and now a garage, and asked why; there was an office and restroom in the other one. Mr. Gallagher stated he was only going to do an office because you guys were going to make me. This is just going to be a storage building. He wanted to keep snow equipment removal and his boats. One of his boats is sitting in front of his office and he has no where to go with it. He wants to store it inside. The other boat is at his garage in his house, but it makes things tight. Originally, he was going to call it a snow removal business because he was going to keep some of the equipment in there. There is enough room for the snow equipment removal in there and the boats. When he speaks of snow removal equipment; he means half a dozen snow plows and salt spreaders. Alderman Cleeve is concerned about the water and downspouts. Water goes in the ground mainly now, covering it, are the downspouts going to go next to the building and runoff? Mr. Gullet stated that was correct, just like any other building in town. He is not going to direct it to the neighbor's property. Alderman Cleeve stated his downspouts go to a ditch that goes to a creek. Mr. Gullet stated the property is flat. He can make an effort to installing a rain garden between the building and the neighbor. The

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downspouts are piped to a 55-gallon drum that is in the ground that has holes in it, there is rock around it and then it dissipates in the ground over time. He can do one of these in the front corner and no one would know it was there. On the other side it will run out to the street, and it won't be that much water. Mayor Filley stated this is a Bill scheduled for a second reading and suggested we discuss it more at that time.

New Bills

Mayor Filley stated before reading the Bills she asked for sponsors. Alderman Eversmeyer will sponsor Bill No. 5161. Alderman Presley stated he would sponsor Bill No. 5162.

Bill 5161 An Ordinance providing for the approval of a Final Plat for Hoven Valley Estates Plat 5 Subdivision, a tract of land zoned "R-1H" Single Family Hillside District and located along Inez Lane in the City of Pacific (1st reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5161 by title only for the first reading. Alderman Lesh stated at the Planning & Zoning meeting it was pending surveyor notes from Mr. Myers regarding the slope. Did we get that information? Administrator Roth stated we did; the slopes are in conformance with the regulations according to the information provided. We do not have the Final Plat Document that shows that. He gave the surveyor more feedback this afternoon and expects to have it at the next meeting. The slope conformed with 2-acres. Alderman Eversmeyer stated this will not make any lot non-conforming.

Bill No. 5162 An Ordinance authorizing the City of Pacific to accept Transfer of Franklin County Parcel ID Number 19-6-14.0-0-031-039.140, also known as 2164 Meadow Grass Drive, Pacific, Missouri. (1st reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5162 by title only for the first reading.

Consideration of Bills Previously Introduced

Bill No. 5158 An Ordinance providing for a waiver of the Sidewalk Requirement and curb and gutter at 504-514 South Third Street. (2nd reading) Sponsor: Eversmeyer.

Attorney Jones called "point of interest". He stated it was his understanding that this Bill needs to be amended. He suggested a motion to amend the Bill and then a second reading as amended. It was previously only referring to sidewalks, and it should refer to curbs and gutters as well. The amended version is in the packet.

Motion made by Alderman Nemeth, seconded by Alderman Eversmeyer to amend Bill No. 5158 to include curb and gutter. Mayor Filley asked for any discussion. Collector Kelley stated she was married to one of the RBT owners and wanted this on record, since this is being amended. Alderman Lesh stated this is a Bill to waive a sidewalk requirement and he heard comments from people; we seem to be waiving the requirement frequently. He wanted to make a point that if we have ordinances that require sidewalks, we should give consideration to whether or not going forward we are going to stick with it. The intent is to get sidewalks built, if

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we keep giving waivers that is not going to happen. The Bill before Planning & Zoning is calling for an exemption in the area this property falls in and he knew they were working on it. He would like to hear other input, as this could be tabled depending on the outcome of the discussion. Attorney Jones stated this motion is to amend the Bill, not a vote on the approval. **A voice vote was taken with an affirmative result to Amend Bill No. 5158. Opposed: none. Abstain: none.**

Amended Bill No. 5158 An Ordinance providing for a waiver of the Sidewalk Requirement and curb and gutter at 504-514 South Third Street. (2nd reading) Sponsor: Eversmeyer.

Motion made by Alderman Lesh, seconded by Alderman Cleeve to read Amended Bill 5158. Mayor Filley asked for any discussion. Alderman Lesh stated "his previous points". Alderman Eversmeyer stated the reason we waived the guttering and sidewalks; this is in the floodplain and there are no sidewalks and guttering going north and south, they all go east and west. They are not going to be fully developed down there. Alderman Cleeve stated he knew Mr. Myers is working on the area that will not require this. He would rather not have the requirement then people don't have to ask. Alderman Lesh asked if this was coming before us anytime soon, and possibly table this. He continued that will require further discussion at Planning & Zoning. Community Development Director Myers stated in this floodplain area it is going to be our recommendation to waive. He doesn't know exactly when this plan will be complete, but in the meantime, we are holding up an answer to the contractor. Alderman Lesh continued if this is worth discussion, he thought this would be worth tabling until Planning & Zoning discusses. **Mayor Filley stated the motion on the floor is for the second reading of the Bill. A voice vote was taken to read the Amended Bill No. 5158. Opposed: none. Abstain: none.** As posted pursuant to the ordinance, City Clerk Barfield read Amended Bill No. 5158 by title only for the second reading.

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5158 by title only for the second reading. Attorney Jones stated the original one was read, not the amended one. (City Clerk read the original title of the bill in error)

As posted pursuant to the ordinance, City Clerk Barfield read Amended Bill No. 5158: An Ordinance providing for the waiver of the Curb and Gutter and Sidewalk Requirement at 604-514 South Third Street.

Motion made by Alderman Eversmeyer, seconded by Alderman Presley to approve Amended Bill No. 5158. Mayor Filley asked for any discussion. There being none, a roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Cleeve, Alderman Gendron, Alderman Presley, Alderman Eversmeyer, Alderman Lesh. Nays: none. Abstain: none. Mayor Filley declared Amended Bill No. 5158 passed 6-0 and becomes Ordinance No. 3340.

Bill No. 5159 An Ordinance authorizing a Conditional Use Permit for property located at 210 South Third Street, Franklin County Parcel ID 19-1-12.0-4-003-081.100, in the City of Pacific. (2nd reading) Sponsor: Eversmeyer

As posted pursuant to the ordinance, City Clerk Barfield Amended Bill No. 5159 by title only for Board of Aldermen 10-4-2022

the second reading. **Motion made by Alderman Eversmeyer, seconded by Alderman Nemeth to approve Bill No 5159.** Mayor Filley asked for discussion. Alderman Presley asked if this would be storing snow removal equipment. Mayor Filley stated it could potentially; it is for storage. Alderman Presley stated his concern was regarding disturbing the neighbors while sleeping with the snow removal equipment. Ray Gullet stated we have multiple trucks, roughly 6 that have plows and salt spreaders. When you put this equipment on, most of the time half of it doesn't work right. We have to prepare for the storm two days ahead of time. He also has skid steers, which won't be stored here. It takes 1-2 days to get ready; when snow is predicted we get it all put on and take it to the shop to see what is working. He has a mechanic that works for him. He continued the acceptable uses for this area include a convenience store, which could be open 24 hours, a private night club, coin operated laundry mat; which is usually open 24 hours. He said that to say there's other acceptable uses that he could do without any of this that would be open 24 hours. The lot is small, it would be hard to do anything other than what he wanted to do. To be clear, we do not put plows on at 2:00 in the morning. They have been on for a long time at that point. He does hospitals, SAMS Clubs, Lowe's, Home Depot; there is no way he could get ready at 2 am in the morning; it just is not possible. To be totally honest, he may have to send someone down there at midnight to get something they need, but 90% of the stuff stays at Metrocom Drive. Right now, the plows are outside and the weather is hard on them. He understands the concerns, but they are not realistic. Alderman Presley confirmed he wouldn't be moving equipment out or in on a regular basis. Mr. Gullet confirmed no he would not, a day or two ahead of the storm, between 7 and 3:30 we get the plows off the ground; take to the shop to check them and the same thing with the salt spreaders. There won't be any traffic in and out of there in the middle of the night. He would be surprised if he goes there more than 30 times a year. He doesn't have a problem installing the rain garden. Alderman Cleeve stated he was confused, the first CUP was declined, but now you're basically petitioning for the same thing except for the office and the bathroom. Mr. Gullet thought that if he had been here during the first go around; to explain all of this it may have been a different outcome. Alderman Cleeve stated he was told this was a different request. Mr. Gullet stated he is not positive there is going to be snow removal equipment in there, but there could be. It's a garage that he could keep things in, and he is just being upfront. Mayor Filley thought previously an assumption was made that it would be a full fledge snow removal business run out of this. Alderman Cleeve did not assume that. Alderman Lesh stated you mentioned you were told you had to do a bathroom and office; how did that come about? Mr. Gullet stated that they said part of the ordinances said that if you have a business in town it has to have a bathroom and a workable space. He was going to build an office in there for snow removal stuff, but now he won't. Alderman Lesh asked if this was calling for a residential use under this application or is it back to a commercial use that don't fit C1. Administrator Roth stated this is a storage building with a commercial use that is not permitted in C1. This is C1 zoning, the ordinance permits a storage building use, no outside storage. If Mr. Gullet wants to sell it in 2 years and someone wants to use it for storage they can. We are only talking about the storage use. That is what is not permitted in C1. In order to get that, he has to get a CUP. His understanding is he is using this for his own private purpose. If it would be sold, and someone wants to use it as a business use, it would have to be evaluated at that point. Alderman Lesh thought business equipment, sounded like a business use. Mr. Gullet stated this is used for dual use, boats and it would be nice to have the snow plows and spreaders in out of the weather. This lot doesn't have a lot of uses. He understands their concern, but if you want to force me to do something else there, I can have a night club. Mayor Filley stated this is a mixed-use area, where we have residential and commercial together. Motion made by

Alderman Lesh that the CUP includes those rain measures that Mr. Gullet suggested. Mayor Filley stated there was a motion on the table. **Alderman Eversmeyer stated he would amend his motion to include a non-engineered rain garden on the southwest corner.** Alderman Lesh asked if it should be included in the CUP. Attorney Jones stated there is a procedure with revoking a CUP. It would involve a notice, and a hearing and a matter of prove at the hearing. Administrator Roth asked if the CUP ordinance could be passed, and have the board by motion to instruct staff not to issue any occupancy permits until the rain garden is constructed. Incorporating a specific storm water technique into a CUP seems unusual. Attorney Jones thought it could be done either way. Alderman Nemeth thought the second way seemed like the best, that way we can go back and validate all of it. Mayor Filley said it sounded like we are going back to the original motion to approve Bill No 5159. **Alderman Eversmeyer withdrew his motion to amend and reverted back to the original motion, and Alderman Nemeth agreed reverting back to the original motion.** Alderman Lesh was in favor of putting the conditions of the rain garden in the CUP, and made a motion. Attorney Jones stated there was a motion on the table that needed to be voted on. **A roll call vote was taken to approve Bill No. 5159. Nays: Alderman Cleeve. Ayes: Alderman Gendron, Alderman Presley, Alderman Eversmeyer, Alderman Lesh, with strong reservation in making sure staff approves storm water as Mr. Gullet said he would do; Alderman Nemeth. Mayor Filley declared a vote of 5-1 approved, and Bill No. 5159 becomes Ordinance. 3341.**

Motion made by Alderman Eversmeyer, seconded by Alderman Presley that regarding staffs involvement in not only ensuring it is done right but completed with a type of rain garden/barrels on the southwest corner of the building to deter water from entering the neighbor's property. Mayor Filley asked for any further discussion. A voice vote was taken with an affirmative result. Opposed: none. Abstain: none. Mayor Filley declared the motion carried. Administrator Roth stated for sake of clarity; the building permit will not be issued until we see those plans, and we won't issue the occupancy permit until the plans are complete. That is how we would enforce that.

Bill No. 5160 An Ordinance amending parking restrictions on Lamar Parkway (2nd reading) Sponsor: Lesh

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5160 by title only for the second reading

Motion made by Alderman Nemeth, seconded by Alderman Lesh to approve Bill No. 5160. Mayor Filley asked for any clarification. Alderman Lesh asked City Clerk Barfield since we already have two other ordinances in here does that create a problem having multiple ordinance that say the same thing. City Clerk Barfield stated that she was not aware of any, she would send them off for codification. Attorney Jones stated as long as the ordinances were not inconsistent, he did not see a problem. It was correct to point out that we already prohibit parking, this one adds the 15 minutes turnouts. **A roll call vote was taken with the following results: Ayes: Alderman Gendron, Alderman Presley, Alderman Eversmeyer, Alderman Lesh, Alderman Nemeth, Alderman Cleeve. Mayor Filley stated with a 6-0 vote, Bill No. 5160 becomes Ordinance No 3342.**

Unfinished Business

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Bill No. 5150 An Ordinance approving a Zoning Change (Map Amendment) from NU Non-Urban to M-1 Light Industrial for two tracts of land totaling approximately 48 acres and being generally described as Lot 1, Alt Place, Franklin County Parcel ID 19-6-14.-0-0-034-036.20 (8-acre tract) and Franklin County Parcel ID 19-6-14.0-0-099-035.100 (40-acre tract) being generally located at Industrial Drive, Pacific, Missouri. (2nd reading) Sponsor: Eversmeyer. Tabled 7-19-22, 8-2-22, 8-16-22.

Mayor Filley stated Bill No. 5150 is at the Operations Committee level for discussion. Alderman Eversmeyer stated this was scheduled for the October 21st agenda.

New Business

Resolution No. 2022-64 A Resolution authorizing and approving certain purchases relating to construction and fabrication of exhibits for the Red Cedar Inn Welcome Center and Museum Facility; and authorizing certain expenditures necessary thereto.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-64 by title only. **Motion made by Alderman Nemeth, seconded by Alderman Eversmeyer to approve Resolution No. 2022-64.** Mayor Filley asked for any discussion. Alderman Cleeve asked for this to be explained. He understands this is not additional money we didn't expect to spend. Administrator Roth stated that was correct. This is not an additional expense. We adopted a budget for the operation of the Center including the exhibits and this is within that budget. This represents a good part of the expenditures necessary to create those exhibits. Tourism Director O'Malley stated she was within the \$ 400,000 budget number. Acrylic is taking time to be shipped, and then to print. We are only asking for the purchase funds at this time. She has a presentation scheduled for the 18th all within the budgeted amount. Administrator Roth stated on October 12th there is a joint meeting of the Tourism Commission and Meramec Valley Historical Society. Director O'Malley will present her overall plan at that meeting. We will ask for a recommendation to move the plan forward and then bring to this board. The goal is to package everything together and obtain all the authority she needs to go forward with the center. **A voice vote was taken with an affirmative result. Nays: none. Abstain: Alderman Presley. Mayor Filley declared the motion carried.**

Resolution No. 2022-65 A Resolution authorizing and directing the Mayor to execute an Agreement with George L. Crawford & Associates, dba CBB, for professional services relating to traffic engineering studies of the Interstate 44 – Viaduct Street-Hogan Road-Thornton Road Interchange in the City of Pacific.

As posted pursuant to the ordinance, City Clerk Barfield read Resolution No. 2022-65 by title only. **Motion made by Alderman Presley, seconded by Alderman Nemeth to approve Resolution No. 2022-65.** Alderman Lesh asked for some background information. Mayor Filley stated the intersection was a topic many years ago on how to best construct it for traffic flow. MoDot was involved in discussions with a roundabout. In hopes to bring this back up for discussion a traffic engineering study is needed. Administrator Roth stated this traffic study will determine the recommendation for the best way to approach it. This will be paid from the Viaduct CID. A voice vote was taken with an affirmative result, and Mayor Filley declared the Board of Aldermen 10-4-2022

motion carried. Opposed: none. Abstain: none.

Resolution No. 2022-66 A resolution accepting and approving a Conceptual Plan for Preliminary Design of Improvements to the 1st Street and Osage Street Intersection in the City of Pacific.

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2022-66 by title only. Motion made by Alderman Eversmeyer, seconded by Alderman Lesh to approve. Mayor Filley asked for any discussion. Alderman Eversmeyer stated this came before the Operations Committee and they voted in favor of this 3-1. He thought it was a good presentation. Alderman Lesh had information regarding the truck route. Alderman Nemeth thought this was well needed. Alderman Lesh stated the drawings at the Operations Meeting illustrates the path the trucks will take. It shows two lines for the front tires and a third line for the rear axle, coupled with the overlay on google he thought the design had a double wide lane going southbound. With a second look it wasn't calling for that. It will still be one lane southbound and one lane northbound and the median is going to be a truck turning median and trucks will drive over it. It is a compromise based on the space available. It is essentially just a right-hand turn lane. We do have a truck route today with ample signage and he hopes to get it together and shared. **A voice vote was taken with an affirmative result. Opposed: none. Abstain: none.**

Resolution No. 2022-67 A Resolution authorizing and approving the purchase of five (5) Dodge Durango Police Pursuit Vehicles for the City of Pacific Police Department.

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 2022-67 by title only. Motion made by Alderman Cleeve, seconded by Alderman Nemeth to approve Resolution No. 2022-67. Mayor Filley asked for any discussion. Alderman Lesh stated in the report it mentions the current vehicles are having repairs done, and he asked Chief to address how much use we are getting out of the vehicles, are we trading them in? Chief Melies stated we don't plant to trade them. We have other cars in the fleet that are much older. This is the result of a model change of the Ford Explorer. We don't want to use the Ford Explorer in the future and hopefully they will work out their issues in the coming months. From a fleet perspective, we are gathering information from other police departments and they are experiencing the same thing. The Durango seems to be the superior vehicles at this time. Past Fords were not a problem, but with this model we feel the Durango is a better vehicle for the price. There aren't any Ford fleet vehicles at this time. A voice vote was taken with an affirmative result. Opposed: none. Abstain: none.

Mayor Report

Mayor Filley stated she was able to attend the rodeo both nights, fabulous turnout and everybody did a great job. She thought it was record sell out both nights. Congratulations to everybody.

This weekend is Homecoming weekend. The Parade is Friday at 3:00 p.m.

City Administrator Report

Administrator Roth thanked them for the approval of the traffic study at Viaduct. As long as he has been in Pacific there has been discussion about that intersection. There was a project in 2013-2014 and the roundabout project that was designed and the city squashed it. The problem has not gone away. What has changed is MoDot has more funds and more grant opportunities available. This study will position us to move forward. His goal is to take the result and talk to MoDot. It is not in MoDot's 5-year plan and it needs to be.

Red Cedar budget report – We are close to the end and right now we are trying to get closed without anymore change orders but there may be one or two more. There is a meeting later in the week to work out the game plan. The total contract value with Legacy is \$ 2.27 million, the original was \$ 2.16. There is a change order log in the packet that details them. There was \$ 2.5 in the project fund to begin with. We have around \$ 2.3 remaining and this balance is available for the museum exhibits and equipment. We also have some grant revenue funding from St. Louis County Municipal Parks tied to the parking lot site work. The adopted budget includes all of this. Tourism has rebounded, the last fiscal year Tourism receipts were the highest ever.

FY 22 budget report – the audit process is starting. Revenues are strong including sales tax, which results in good balances in the funds. There are some gross receipts that are mixed and tracking stable. We have pushed the budget in recent years, the trend line is up. The way our budget is built, a downturn would hurt the budget and built a little more on sales tax then it used to be. Contingency is in good shape approaching \$ 1.9 million. He has not looked at expenditures in detail. In general, they seem fine. Alderman Nemeth asked about Contingency and where the level set is for that. At some point, having too much probably isn't a good thing either. Where do we sit, are we where we should be? Administrator Roth stated with Denton Road Bridge being out to bid, the engineer has warned us that there could be a 20-30% increase but if we get hit with that type of number, we may have to use Contingency for a backup. He thought right now with big projects, we should keep doing what we are doing. We also have the water meter replacement project coming up. We may want to borrow from Contingency to fund it. Each month we put \$ 10,000 over to Contingency. Between Contingency and General Fund that is our operating fund. Together that is about \$ 2.5 million, which is good. In saying that, General Fund has tailed off a bit, but we have pushed the budget and done necessary things. Alderman Eversmeyer stated in 2008 when the economy crashed, the city was able to continue all our projects, we didn't lay off any employees and we did well. Having the Contingency Fund does help and gives that buffer. Alderman Nemeth stated to be clear, he was not suggesting we get rid of the Contingency Fund, and there needs to be a balance. **With that, motion made by Alderman Lesh that we get a quarterly financial statement distributed to all the aldermen.** He continued that we have not received any financial statements. Administrator Roth asked what he meant exactly. Aldermen Lesh stated a quarterly statement of how the revenues are for the first quarter of the fiscal year and our expenses and we can compare to the FY 23 budget. Administrator Roth stated we can do this on a monthly basis if you wish, but Alderman Lesh thought quarterly was fine if the other aldermen agree. Administrator Roth stated right now we do it on a monthly basis. City Clerk Barfield asked if he just wanted the report submitted quarterly, since the financial statement updates monthly. Aldermen Lesh agreed that was what he wanted. City Clerk Barfield thought it was the same report she does now, just given to them quarterly. Administrator Roth agreed yes, that could be done and it would be a year to date for that period. Alderman Lesh thought that would help them see where we were at on expenses, or help in discussions with slowing down on what is contributed to the contingency fund. **Mayor**

Filley stated to clarify it is for the year-to-date financial statement provided to the Board of Aldermen on a quarterly basis. Aldermen Lesh agreed. Aldermen Cleeve stated since this is already done on a monthly basis, he asked if it could just be included in the packets. City Clerk Barfield stated it could be sent out monthly, or quarterly, however they wished. Administrator Roth agreed and stated it was simple to do. Analysis is a little trickier; we can give you the raw data. Alderman Nemeth asked what we are supposed to do with this report, is he supposed to validate that everything is right, so we can compare. Alderman Nemeth stated he didn't have time for that, and that was why we employ this staff. Alderman Gendron thought it was just for personal review. Alderman Nemeth stated he was not a fan of just getting something to be getting it. If not, every alderman is going to dig through it, he is against it. Alderman Lesh stated they are already creating them, it's not for auditing it's for my basis when expenses are in front of me of where we're at. He would like to see the big picture. He's just asking for a motion so it don't have to be requested every month. City Clerk Barfield stated the report she prepares monthly shows what was budgeted for the year, you won't have to flip back to the original budget. Mayor Filley stated it is very similar to what Administrator Roth included in his report. Administrator Roth stated he takes her reports and puts them into his own spreadsheets to track, then brings to the board to keep them informed. It is simple to send out the reports on a monthly basis, crunching them down can get tedious. We can start, and if there are questions, we can talk budget. She does the semi-annual report that is published in the newspaper and then the final which is audited. City Clerk Barfield stated we are on accrual so everything is a month behind. Alderman Eversmeyer stated he agreed with Alderman Nemeth, he looks at big dollar items, but that is why we pay our staff. If Steve says were running low, that's when he looks at the numbers closer. Alderman Lesh stated he still has questions, he continued after he looks at it, he can see if it is something that he wants to keep having. He thought we could all benefit from it. **Motion was seconded by Alderman Cleeve.** A voice vote was taken with the following results: Opposed: Alderman Eversmeyer, Alderman Presley, Alderman Nemeth. City Clerk Barfield stated we have a tie. **Mayor Filley broke the tie with a "Nay" vote.** She felt that staff provides in their reports on a regular basis to keep us on track, it was at the privilege of the aldermen to ask for a financial report. **Mayor Filley declared the vote is 3-4 and the motion does not pass.**

Chief of Police Report

None

Director of Community Development

Director Myers stated we do not have a Building Department Clerk. The position has been posted and staff is doing a great job filling in the void. The rodeo was a huge success, the turnout was staggering largely due to the promotion skills of the Pacific Partnership. This is a good example when the City and Partnership work extremely well to make it happen. Bleachers is the most desired amenities that we need to focus on. There was a meeting Monday after the rodeo that was very productive. Revenues were strong and he will have a full report once all the expenses are in. He thanked them for their support.

Red Cedar Construction Update – Case work and cabinets are set in place. A three compartment sink will be installed to prepare for food preparation so we have that capability, painting being Board of Aldermen 10-4-2022

done, power to the building. MoDot has approved abandoning the old storm line along the north side of Rt. 66. He will send them all some pictures of the concrete work. Alderman Cleeve asked if the analysis of the rodeo could be shared. Director Myers stated yes that would be presented.

City Attorney Report

None

City Collector

Collector Kelley stated ADAMS Garden has a brick laying this Saturday, October 8th at 10:00 am.

Operations Committee Report

Alderman Eversmeyer stated they would be meeting Friday, October 21st. He thanked Mr. Love for his work on the vehicle count and Ms. Jones obtained another signature, so now we have 16 of the 17 regarding Candlewick.

Administrative Committee Report

Alderman Nemeth stated there is nothing to report at this time.

Miscellaneous

- a. Approve payment to Motorola Solutions in the amount of \$ 124,526.13 per Resolution NO. 2022-41.

Motion made by Alderman Cleeve, seconded by Alderman Presley to approve the payment. Mayor Filley asked for any discussion. A voice vote was taken with an affirmative result. Nays: none. Abstain: none. Motion carried.

Reports of City Officials

Alderman Nemeth – the rodeo was amazing. He was there both nights and he has never seen it busier. There are always things we can do better and think that will be every year. As a Board he thought we needed to consider buying as many bleachers as possible out of the budget and do our best with the money we have.

Alderman Cleeve – No report.

Alderman Gendron – No report.

Alderman Presley – Homecoming is this weekend. The parade is Friday and still going through downtown. There is an after party at the high school, with food trucks at 5:00 p.m.

Great time to get out and support the school, and thought it was very uniting. They moved it

to a Friday so some of the kids that are out of town are able to attend. He hopes this is a big success. Alderman Nemeth stated all sports teams have been able to participate, which is pretty awesome. Mayor Filley stated she was excited as she is a judge for the floats.

Alderman Eversmeyer – Bulk pickup is going well. He thanked the entrepreneurs that go around and pickup before the actual pickup.

Alderman Lesh – The Alt property – as we go to the next phase, he wanted people to know that there is more to be done to stay in the process. The next thing to come will be that the developer presents a preliminary plan for the development or site plans. We didn't have anything in our packet. Mr. Roth can say if we have heard from the developer any. This is not just a done thing. People need to keep providing their input. He asked what the Board was going to do as we talked about making sure the water is taken care of. What are we going to do. Mayor Filley stated first we need to see what is submitted as a site plan. We seen what was preliminary, but to her knowledge nothing else has been submitted. Depending on what is submitted, has to go to Planning & Zoning before it comes to us. In her opinion it is hard to say what we are going to do other than stay on top of it. Alderman Lesh stated some of these processes, depending on how the developer comes forward, can be handled without the Board of Aldermen's input. He felt that anything that is done, given how the public feels, he thought we needed to have it put before us and that is what he was wanting to discuss. Mayor Filley stated the city attorney would need to advise on what legally is following the zoning of the property. There are certain things that don't necessarily have to have additional approvals, and legally how can we force that issue. Alderman Nemeth repeated the comments he made at the last meeting regarding what his next steps were. When we get preliminary plans which he assumes would include stormwater, he will be requesting and he hopes the Board will support, two independent studies to validate that is a property stormwater plan. To hold people accountable if it fails, but assurances from two bodies that this is the right thing. Any developer, we will also be pushing to assist in the resolution of water conditions that exist in the Industrial Park. As we get these preliminary plans, the two verifications and good neighbors, which is what they said and resolving the stormwater issues that currently exist in the Industrial Park. That is what his next steps will be with the proposal. Alderman Lesh agreed but he is narrowing in on the site plans and if something changes and it's one big development or if the properties are sold and develop, they are going to do individual site plans. That would not come back before Planning & Zoning and Board of Aldermen. He felt that is a possible place where we could get in trouble. Mayor Filley stated if that situation arises, we still have specifications for building of anything that have to be followed. Alderman Lesh stated that is where we need to determine if a consultant engineer is going to take part in that process verses what we have been doing, which is staff taking control of it. Mayor Filley stated in her opinion, it is to early to tell. Alderman Lesh stated that is the discussion he wants to start. Alderman Presley stated he remains committed as they spoke before to ensure this is successful and hinders our citizens as little as possible. He thought we as aldermen have seen enough things that we have eyes on the project. Administrator Roth stated we have been through this before. There is a process. He can't imagine a scenario where the developer would not have to go through Planning & Zoning and the Board. If there were a situation, he would refer to the mayor. The Board can impose various types of requirements, the stormwater must be designed by code. A traffic impact study was talked about, we would like to see this, it is within our code

and we can do this. He is concerned, we have a process, we will follow it, but he felt like he was suggesting we do something else. Alderman Lesh stated the process he says take place, and this is not a jab at anyone, with the Manors of Brush Creek through the improvement plan process and the things changed, were not made known. That is what he wants the Board informed of. From preliminary development to final, those changes in between he wants the Board to be informed of the changes. Paying a consultant to take hold of that process on any preliminary plan when it comes before us, and then the individual site plans. Those plans are submitted to staff and approved, and he thought an engineer consultant taking this process on was what he was suggesting. Administrator Roth stated he thought the ordinance should be amended; the review process needs changed. Right now, if an individual site plan comes to us and it meets the requirements it can be approved administratively. If the Board don't like that then we can amend the code, but until the code is amended, we are going to go by the code. If we receive an individual site plan that meets requirements, he don't know that we have authority to say that we can't do it. Attorney Jones agreed. Administrator Roth stated if we go down this path, the code has to be amended. Alderman Lesh asked if the code allows for us to hire an engineer and take on that process, it is still the same process, reviewing plans. Administrator Roth stated we could and do, we used Consulting Engineers with Manor of Brush Creek, and any stormwater. When it comes to individual site plan reviews, we can, but not sure it is necessary. In general, it wouldn't be. If the Board feels that is important, then the code should be changed.

Adjournment

There being no further business, motion made by Alderman Presley, seconded by Alderman Eversmeyer to adjourn. A voice vote was taken with an affirmative result. Nays: none. Abstain: none. The meeting adjourned at 9:01 p.m.



 Mayor Filley

ATTEST:



 City Clerk

