

October 19, 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 Frick
- Alderman Stotler

Also present:

- Administrator Roth
- Attorney Jones
- Chief Melies
- Collector Kelley
- Public Works Commissioner Brueggemann
- Community Development Director Myers
- City Clerk Barfield

Acting President of the Board Adams stated Alderman Rahn was absent this evening, due to business.

Pledge of Allegiance

The Pledge of Allegiance was given.

Prayer

Ministerial Alliance offered prayer this evening.

Approve Agenda

Board of Aldermen 10-19-2021

Motion made by Alderman Nemeth, seconded by Alderman Frick 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 October 5, 2021.

Motion made by Alderman Eversmeyer, seconded by Alderman Stotler to approve the minutes of the regular meeting on October 5, 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 October 5, 2021

Motion made by Alderman Stotler, seconded by Alderman Nemeth to approve the minutes of the executive meeting on October 5, 2021. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

Public Hearing – none.

Public Participation

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

Debbie Kelley, 1809 Hwy N, Pacific, MO stated there was a new Bill No. 5111 on the agenda this evening. She asked the Board to consider tabling this as she was not in favor of some if the items included in the bill. She saw this on Thursday, and feels like she should have had some input from the beginning. She believes there are things we can talk about and look at and this is not the right way to do this. She asked that this be tabled and sent to a committee for more discussion.

Presentations

Presentation from Navigate, Katie Aholt on Red Cedar, shared a PowerPoint. She stated the overall project is on schedule with a Notice to Proceed that was issued on June 28, 2021. According to contract they have 365 days to complete, which would be June 28, 2022. To date they are through the permitting process, interior demo and structural changes. The staircase to the basement has new framing, the old foundations are removed, full removal of the ceiling, flooring was worked on, and basement stabilized. There was sandstone that was removed outside and they are doing the concrete work. There are submittals that are being processed for the mechanical and HVAC system. The asphalt roof was approved. They are holding bi-weekly meetings. The original contract was \$ 2,164,890 and with change order 1 & 2 it was brought to \$ 2,192,251.16. There are more change orders tonight that result, if approved, in a new contract figure of \$ 2,193,251.16. The pending change orders are for foundation wall repairs, front porch posts, and the mechanical yard. They are being very cost conscious as they go through this. Alderman Nemeth stated the Administration Committee reviewed the change orders and have approved them; they feel like this is going very well. President of the Board Adams stated the public engaged in this project, and he asked if the presentation could be put on the website.

Board members agreed this is a good idea. Acting President of the Board Adams also wanted the video updated as progress is made. Community Development Director Myers stated of course this could be done with an I-phone, but for a good quality video it will cost. He will put some prices together for this. Alderman Stotler volunteered to narrate for it if needed. Alderman Nemeth asked about the status of the sign. Community Development Director Myers stated the Design Approval will be to them in two weeks.

Proposed Aurora Estates apartment complex; Ring Property Company LLC, Robert Ring, 14611 Schoettler Manor Court, Chesterfield, MO 63017, stated he is proposing an apartment complex at Indian Warpath and Lisa Lane. Tonight, he is seeking approval of a Resolution of support which would be turned into the Housing Commission. A power point was viewed. This is a 2.19-acre site that is being proposed with a linear building with parking in the front for 69 cars. This apartment complex is for 46 units. Each unit is two-bedroom, one bath and 825 square foot. This is for seniors over 55 who meet income requirements. There will be various levels of income and rent would range from \$ 430 to \$ 730 per month. He continued that many seniors don't drive. Seven of the units are for special needs requirements. This is an 11.2-million-dollar project, and they will be asking for tax credits. He continued that every project has a 1 in 4 chance of being approved, and each project is judged on points. A Resolution of Support would help us be competitive. The demand in Pacific is great. Alderman Eversmeyer thought this was a good plan, Alderman Stotler agreed. Acting President of the Board Adams stated this was on the agenda and asked if they wanted to jump to the Resolution. Board members agreed.

Resolution No. 2021-55 A Resolution expressing support for a Tax Credit Application by Ring Property Company, LLC to the Missouri Housing Development Commission for the development of vacant property located at the southeast corner of Lisa Lane and Indian Warpath Drive, to be known as Aurora Estates.

City Clerk Barfield read Resolution No. 2021-55 by title only into the record. Acting President of the Board Adams asked for any discussion or amendments. **Motion made by Alderman Frick, seconded by Alderman Stotler to approve Resolution No. 2021-55. A voice vote was taken with an affirmative result.**

New Bills

Acting President of the Board Adams stated:

- Bill No. 5111 – Alderman Eversmeyer would sponsor.
- Bill No. 5112 – Alderman Stotler would sponsor.
- Bill No. 5113 – Alderman Nemeth would sponsor.
- Bill No. 5114 – Alderman Nemeth would sponsor.

A. Bill No. 5111 An Ordinance authorizing and adopting an amendment to the Personnel Manual pertaining to the elected City Marshal and City Collector positions. (1st reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5111 by title only for the first reading. Alderman Nemeth asked that Attorney Jones walk them through the changes and he wanted to be sure there was no conflicting ordinances or election law regarding this bill. Attorney Jones stated this recognizes the marshal and collector are elected officials, and are also employees with benefits that are

governed by the City of Pacific. The one difference is even though the City Administrator is the Personnel Officer he does not have the ability to remove these officials from office as specified by State Statute. This is not changing that relationship. He also went to the City of St. Ann and spoke with them, and they also have an elected marshal that is subject to the same benefits. Acting President of the Board Adams asked for any more comments from the Board. Seeing none, this will be scheduled for the second reading at the next meeting.

B. Bill No. 5112 An Ordinance to authorize the Mayor to execute a Computer Assisted Report Entry Service Agreement between the City of Pacific, Missouri and St. Louis County, Missouri. (1st reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5112 by title only for the first reading. Acting President of the Board Adams asked for any discussion, questions, debate or referred to a committee. Chief Melies stated this is a reporting system offered for free and helps with crime reporting, etc. There being no additional comments, this will be scheduled for the second reading at the next meeting.

C. Bill No. 5113 An Ordinance repealing Ordinance 3093-A and Ordinance No. 3103 of the City of Pacific, Missouri in regards to the Beautification Committee. (1st reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5113 by title only for the first reading. Acting President of the Board Adams asked for any discussion, questions, debate, or referred to a committee. There being no additional comments, this will be scheduled for the second reading at the next meeting.

D. Bill No. 5114 An Ordinance repealing Chapter 135, Article III: Cemetery Committee. (1st reading)

As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5114 by title only for the first reading. Acting President of the Board Adams asked for any discussion, questions, debate, or referred to a committee. There being no additional comments, this will be scheduled for the second reading at the next meeting.

Consideration of Bills Previously Introduced

Bill No. 5108 An Ordinance authorizing a Conditional Use Permit for property located at 2009 W. Osage Street, Franklin County Parcel ID: 19-1-11.0-2-099-014.000, in the City of Pacific (2nd reading)

Motion made by Alderman Nemeth, seconded by Alderman Eversmeyer to read Bill No. 5108. A voice vote was taken with an affirmative result. As posted pursuant to the ordinance, City Clerk Barfield read Bill No. 5108 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 Eversmeyer, seconded by Alderman Nemeth to approve Bill No. 5108. A roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Adams, Alderman Frick, Alderman Stotler, Alderman Eversmeyer. Nays: none. Whereupon, Acting President of the Board Adams declared Bill No. 5108 becomes Ordinance No. 3291.**

Bill No. 5109 An Ordinance providing for the approval of a Final Plat and Performance Surety for Hogan Heights Subdivision, a tract of land zoned "C-2" Arterial Commercial District and located along

Hogan Road and a section of Thornton Road in the City of Pacific. (2nd reading)

Motion made by Alderman Nemeth, seconded by Alderman Stotler to read Bill No. 5109. Attorney Jones stated the City has not received a Performance Bond necessary and final plat approval should not be granted before we have this. **Motion made by Alderman Eversmeyer, seconded by Alderman Stotler to table Bill No. 5109. A voice vote was taken with an affirmative result.** Administrator Roth stated we have been in contact with the Developer and the plans have been approved by the PW Commissioner, but the bonding is not yet in place. The developer also asked that this be tabled. Alderman Frick asked if this was the property that owed taxes, Administrator Roth stated that was correct, and they had not been paid to his knowledge. Alderman Frick thought we made a decision not to approve this until the taxes were paid. Acting President of the Board Adams stated there was a question on if, in this particular matter, if the City could deny the process. Attorney Jones stated he reviewed the ordinance and it refers to permits and not considered into the zoning approval or the process, and not a requirement, but before a building permit could be issued the taxes would need caught up. Acting President of the Board Adams stated he thought the whole process was being referred to the Operations Committee.

Unfinished Business

A. Amended Bill No. 5110 An Ordinance amending the Regulations and Standards for Accessory Structures, building and uses. (2nd reading)

Motion made by Alderman Nemeth, seconded by Alderman Eversmeyer to read Bill No. 5110. A voice vote was taken with an affirmative result. As posted pursuant to the ordinance, City Clerk Barfield read Amended Bill No. 5110 by title only. A voice vote was taken with an affirmative result. **Motion made by Alderman Nemeth, seconded by Alderman Eversmeyer to approve. A roll call vote was taken with the following results: Ayes: Alderman Frick, Alderman Eversmeyer, Alderman Stolter, Alderman Nemeth, Alderman Adams. Nays: none. Whereupon, Acting President of the Board Adams declared Amended Bill No. 5110 becomes Ordinance No. 3293.**

New Business

Resolution No. 2021-56 A Resolution authorizing certain Insurance Plans offered to eligible employees of the City of Pacific, and authorizing the execution of documents thereto.

City Clerk Barfield read Resolution No. 2021-56 by title only into the record. Acting President of the Board Adams asked for any discussion. **Motion made by Alderman Eversmeyer, seconded by Alderman Frick to approve. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.**

Resolution No. 2021-57 A Resolution authorizing and directing the Mayor to execute a Contract Agreement for Demolition of certain structures in the City's Voluntary Flood Buyout Program.

City Clerk Barfield read Resolution No. 2021-57 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 Nemeth to approve Resolution No. 2021-57. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.**

Resolution No. 2021-58 A Resolution to authorize the Transfer of Funds from the City's General Fund to the FEMA Flood Buyout Fund to pay certain expenses related to the City of Pacific Voluntary Flood Buyout Program.

City Clerk Barfield read Resolution No. 2021-58 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 Stotler, seconded by Alderman Eversmeyer to approve Resolution No. 2021-58. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.**

Mayor's Report – none.

City Administrator Report

a. Change Order 2 Jokerst Paving, W. St. Louis and Phelan Street asphalt paving

Administrator Roth stated this is for the pricing asphalt resurfacing for the water main repair. This is an addition of \$ 71,923. This does require the work be done during the week of October 25th and is very important. These prices were taken straight from the contract for the PPMP project. Motion made by Alderman Eversmeyer, seconded by Alderman Frick to approve. A voice vote was taken with an affirmative result.

Chief of Police

No report.

Public Works Commissioner Brueggemann

Public Works Commissioner Brueggemann thanked them for approving the change order. The water will be off tomorrow at Hogan's Subdivision to do work and residents already know. The Bulk Trash is completed. We received a fluoride grant for \$ 3,000 that he applied for and was awarded.

Community Development Director Myers

Director Myers stated the activity in this office since October 6th has been 19 permits issued, 6 residential occupancy's, 1 commercial occ, 4 building permit and 2 deck permits, along with others. Rodeo financials, he has the revenue but not the expenses. The gate was \$20,381 and Event Brite was \$11,783 with a total of \$32,156 of sales with sponsorships of \$14,700 for a total of \$46,865, which is tremendous. The expenses he hopes to have a good number in two weeks. He also met with the new Fire Marshal and he toured the Red Cedar building, and invited him to the construction team meeting. He looked into options of updating the digital sign, worked with building department on several stop work orders that came into compliance. Also, made progress in the selection process for firms to help with accessioning of museum collections and design of exhibits, provided support for a multitude of calls for questions to this department. Yesterday, City workers assisted the Route 66 Association of the removal and storage of the letters from the Gardenway Motel and also the Old Diamond Inn at the Gray Summit overpass. These items were donated to the City by LB Eckelkamp for eventual incorporation into

the Red Cedar Park project. The Route 66 Park will work towards restoration of these signs to bring them back to working order and work on fund raising efforts. He reminded the Board in 1935 a portion of what was then the US Hwy 66 was dedicated as the Henry Shaw Gardenway. Due to an effort Mr. Greensfelder (Greensfelder Park) the new section of US 66 from the St. Louis City Limits to the entrance of Shaws Garden was dedicated at the Henry Shaw Gardenway. The City of Pacific stretch is completely in this Gardenway. This is an important piece of our heritage and thanked them for helping to save these significant and historical structures. To help in any way you can reach out to the Route 66 Association at www.missouri66.org.

City Attorney Report

Attorney Jones stated he has nothing for open meeting, but had two litigation topics for closed session, including a legal matter and real estate.

City Collector

Collector Kelley stated after her request to go to committee it saddens her to be an elected official, that you couldn't consider my thoughts. She asked if Attorney Jones tried reaching out to a Franklin County city, who has a collector. She passed out a handout. She is not sure what the rush is, she is elected by the people for the people and I believe I don't answer to your city administrator. This is why I asked to go to committee. There's been numerous times that there are things we don't agree on, I come to the Board of President of Board and I voice my opinion. I feel like you should show me that respect, and I uphold every ordinance set in front of me. I take an oath to be elected and support the ordinances, not to find a loophole or look the other way. This saddens me tonight that this is what you have done.

Operations Committee

Alderman Eversmeyer stated they met on the 8th and discussed the mural, and went over items submitted to the State. He spoke to the artist that did the mural on the Brew Haus, he stated to do this whole block would be months of work and would need one lane blocked off for 5' from the wall to the road. There are also vegetation problems at the top of the wall. Nancy Omer stated she was obtaining letters of support for this, and he asked her to submit those to the Board of Aldermen. They also discussed the maintenance facility and we recommend obtaining RFQ's for engineering services to assist in planning this expansion. Administrator Roth suggested bringing Navigate in to assist with the RFQ process. **Motion made by Alderman Eversmeyer, seconded by Alderman Nemeth to allow staff to bring Navigate in on this process. A voice vote was taken with an affirmative result.**

Administration Committee

Approve Change Orders 6,7, & 8 for Red Cedar Improvements – Alderman Nemeth stated we are requesting approval of these change orders. Motion made by Alderman Frick, seconded by Alderman Eversmeyer to approve Change Orders 6, 7 and 8. A voice vote was taken with an affirmative result.

Miscellaneous

a. Approve Pay Application # 1 for Jokerst Paving & Contracting for the Street Resurfacing Program Project 2021 in the amount of \$ 92,649.75.

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Motion made by Alderman Nemeth, seconded by Alderman Frick to approve Pay Application # 1 to Jokerest Paving. A voice vote was taken with an affirmative result, and Acting President of the Board Adams declared the motion carried.

b. Approve the list of bills.

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

c. Approve invoice from Cochran Engineering in the amount of \$ 1,395.38 to be paid from West Osage CID.

Motion made by Alderman Nemeth, seconded by Alderman Frick to approve the invoice from Cochran Engineering in the amount of \$ 1,395.38. 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 – No report.

Alderman Frick – stated the Park Board talked about replacing the pool, and considering a feasibility study to see if a Community Center would make sense? This would give us information that we need. He spoke with Administrator Roth about this and he recommended bringing Navigate in on this. He is making a recommendation we give staff the ability to move forward with a feasibility study. Administrator Roth stated he viewed this as a two-prong study; what is the real cost of building a new pool and what is the feasibility of a community center with an indoor pool but also other uses. The Comprehensive Plan makes reference to this. Alderman Stotler thought this was a good idea. Alderman Eversmeyer stated when he ran for election this was talked about going door to door, and they were in favor of a whole facility. Alderman Nemeth stated the school district also lacks a pool, and he thought ensuring that we partner with them in this project would be helpful. He would think they would want to be involved with this, and adding them to this to making them stakeholders combined he believes we could get this project done. Alderman Frick thought this could include, yoga, exercise classes, etc. for the older people, bringing the community together. **Motion made by Alderman Frick, seconded by Alderman Stotler to move forward and allow staff to obtain a feasibility study and working with Navigate. Acting President of the Board Adams asked for any more discussion. A voice vote was taken with an affirmative result.** Acting President of the Board Adams stated the active participant in this is the voters, they have to understand the importance of the role that they must take a part in it. It's important to use Navigate if we can, and do a little study on the existing pool and explain the problems. They've enjoyed the pool in all the years that it was here, many families, and there will be a terrible void if we don't have a pool. We are close to having to close the pool, we are past patching. Board members agreed.

Alderman Eversmeyer – No report.

Alderman Stotler – No report.

Executive Session RSMO 610.021(1)(2)

Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public government body or its representatives and its attorneys.

Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor.

Acting President of the Board Adams stated this is for two legal matters and two real estate items. **Motion made by Alderman Nemeth, seconded by Alderman Stotler to move to executive session under RSMO 610.021 (1)(2). A roll call vote was taken with the following results: Ayes: Alderman Nemeth, Alderman Adams, Alderman Frick, Alderman Eversmeyer, Alderman Stotler. Nays: none. Whereupon, Acting President of the Board Adams declared the motion carried**

The Board went into executive session at 8:16 p.m.

The board reconvened at 8:45 p.m.

President at roll call: Acting President of the Board Adams, Alderman Nemeth, Alderman Frick, Alderman Eversmeyer, Alderman Stotler.

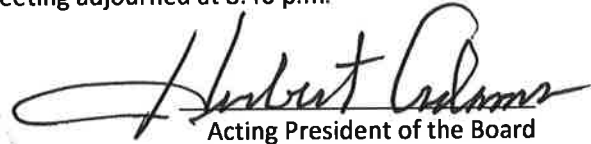
Adjournment

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 8:46 p.m.

ATTEST:


City Clerk




Acting President of the Board

Herbert C. Adams

