

May 16, 2023

JOURNAL OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, PERRY COUNTY, MISSOURI.

The Board of Aldermen of the City of Perryville, Perry County, Missouri, met at City Hall in said City on the above date in regular session pursuant to adjournment. Present: Larry Riney, Mayor; Seth Amschler, Tom Guth, Douglas K. Martin, and David J. Schumer, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Art Pistorio, City Attorney. Absent: Alderman Clint Rice and Alderman Curt Buerck.

Mayor Riney opens the meeting with the Pledge of Allegiance and invocation.

Mayor Riney now asks for citizens' participation from the floor.

Gabriel Shrouf of 1029 Edgemont approaches the Board. Mr. Shrouf informs the Board that the City's Code Enforcement Officer told him he needs to move his trailer that is parked on the street because it measures over 16 feet from the tongue to the back and is a hazard. He tells the Board that the State of Missouri does not consider the tongue as part of the length of a trailer. Mr. Shrouf questions why trucks over 16 feet are allowed to park on the street but a trailer is not allowed. City Administrator Buerck tells Mr. Shrouf that trailers are harder for drivers to see at night since they do not have taillights. Mr. Shrouf also tells the Board that he sees two trailers parked on Park Street that appear to be over 16 feet as well.

After discussion, City Administrator Buerck tells Mr. Shrouf that the Board will consider the matter. He also asks the Police Department to check on the report of trailers over the 16 foot limit on Park Street.

Mr. Shrouf also asks the Board if the alley behind his house at 1029 Edgemont has ever been vacated. City Administrator Buerck tells Mr. Shrouf that staff will check the city records regarding this question.

There being no one else coming forth, Mayor Riney closes the citizens' participation portion of the meeting.

At this time, Mayor Riney opens a public hearing for a request from SMS Investment Group to rezone property located at I-55 and West St. Joseph Street from R-5 (General Residential District) to C-2 (General Commercial District).

Dominic Stark of 1620 Mid America Street tells the Board that he is rezoning this property to C-2 to maximize its use. He tells the Board that he has no major plans at this time except for a large office and warehouse. He notes that the rezoning includes a buffer area recommended by the Planning & Zoning Commission.

Gary Duvall of 2113 West St. Joseph Street states that the current sewer main in the area goes through his yard as well as neighboring yards. He asks if the sewer system necessary for this property will use that line. City Engineer Baer states that the sewer will not get into Gary's yard. Dominic Stark states that a sewer line crosses his property.

Art Klein of 2215 West St. Joseph Street tells the Board that he would like the property to remain as farmland, noting that he likes it the way it is.

Bob Pecaut of 2211 West St. Joseph Street tells the Board that he is in favor of progress. He has a concern about the location of the entrance to the property, noting that he would like the entrance to be centered between the two properties so it isn't too close to his house. He also notes that he likes the buffer zone included in the rezoning. Dominic Stark states that the entrance is currently in the center and he intends to go down the middle. He also tells the audience that he hopes to keep the trees but may need to move a telephone pole.

There being no one else coming forth, Mayor Riney closes the public hearing for a request from SMS Investment Group to rezone property located at I-55 and West St. Joseph Street from R-5 (General Residential District) to C-2 (General Commercial District).

CONSENT AGENDA ITEMS

4. Approve minutes from meeting of May 2, 2023.
5. Approve financial reports for April 2023.

CITY OF PERRYVILLE STATEMENT OF CASH POSITION APRIL, 2023									
		April 1, 2023	REVENUE	EXPENSE	NET INCOME	CURRENT	ACCOUNTS	CURRENT	CURRENT
FUND NAME	Fund Balance	Y-T-D	Y-T-D	Y-T-D	Y-T-D	FUND BALANCE	RECEIVABLE	LIABILITIES	CASH BALANCE
101	Gen Rev	\$ 3,187,081.95	\$ 294,370.09	\$ (488,825.51)	\$ (194,455.42)	\$ 2,992,626.53	\$ (89,303.50)	\$ (85,670.03)	\$ 2,996,260.00
105	FSA Administration	\$ 9,928.53	\$ 37.23	\$ -	\$ 37.23	\$ 9,965.76		\$ -	\$ 9,965.76
106	Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99		\$ -	\$ 53.99
204	Airport	\$ (267,237.05)	\$ 235,017.31	\$ (66,101.73)	\$ 168,915.58	\$ (98,321.47)	\$ (595.00)	\$ 6,511.05	\$ (91,215.42)
206	Trans Trust	\$ 450,981.47	\$ 95,294.07	\$ (53,164.92)	\$ 42,129.15	\$ 493,110.62	\$ (106,233.07)	\$ 2,548.03	\$ 601,891.72
207	Perry Park Ctr.	\$ 609,074.66	\$ 126,888.73	\$ (156,085.49)	\$ (29,196.76)	\$ 579,877.90	\$ (35,071.34)	\$ (26,736.65)	\$ 588,212.59
211	Veterans Field	\$ 10,542.49	\$ 1,044.24	\$ -	\$ 1,044.24	\$ 11,586.73		\$ -	\$ 11,586.73
213	Field Improvement	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
307	Debt Service	\$ 182,551.01	\$ 3,569.25	\$ (158.69)	\$ 3,410.56	\$ 185,961.57	\$ 111,679.58	\$ 111,187.01	\$ 185,469.00
308	Cap Imp Sls Tax Rev	\$ 1,232,550.34	\$ 74,183.79	\$ -	\$ 74,183.79	\$ 1,306,734.13	\$ -	\$ -	\$ 1,306,734.13
409	Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
414	TIF 1-Hwy 51/61	\$ 337,390.13	\$ 1,757.97	\$ -	\$ 1,757.97	\$ 339,148.10	\$ -	\$ -	\$ 339,148.10
415	Economic Develop	\$ 384,113.51	\$ 1,684.00	\$ (478,150.99)	\$ (476,466.99)	\$ (92,353.48)	\$ -	\$ (230.00)	\$ (92,583.48)
416	TIF 2-Downtown	\$ 183,910.52	\$ 958.27	\$ -	\$ 958.27	\$ 184,868.79	\$ -	\$ -	\$ 184,868.79
417	TIF 3-I55/HWY 51	\$ 569,659.38	\$ 1,868.55	\$ (118,464.20)	\$ (116,595.65)	\$ 453,063.73	\$ -	\$ -	\$ 453,063.73
513	Street Imp	\$ 363,391.03	\$ 36,901.89	\$ (432,425.87)	\$ (395,523.98)	\$ (32,132.95)	\$ (124,816.53)	\$ -	\$ 92,683.58
612	Refuse	\$ 363,306.63	\$ 78,582.79	\$ (70,371.14)	\$ 8,211.65	\$ 371,518.28	\$ 114,657.05	\$ 2,724.81	\$ 259,586.04
614	CWSS Op	\$ 3,743,882.51	\$ 482,991.70	\$ (240,484.70)	\$ 242,507.00	\$ 3,986,389.51	\$ 664,465.71	\$ 125,047.18	\$ 3,446,970.98
641	WWTP Improvements	\$ 146,967.26	\$ -	\$ (418,318.28)	\$ (418,318.28)	\$ (271,351.02)	\$ -	\$ -	\$ (271,351.02)
619	Gas Op	\$ 4,242,111.31	\$ 712,740.25	\$ (372,297.81)	\$ 340,442.44	\$ 4,582,553.75	\$ 473,099.49	\$ 250,337.99	\$ 4,359,792.25
	TOTAL	\$ 15,750,259.67	\$ 2,147,890.13	\$ (2,894,849.33)	\$ (746,959.20)	\$ 15,003,300.47	\$ 1,007,882.39	\$ 385,719.39	\$ 14,381,137.47

6. Approve Pay Application 2 to Kiefner Bros. Inc. relative to Perry Park Center Interior Improvements - \$16,033.15.
7. Approve Pay Application 9 from Zoellner Construction Co., Inc. relative to Fire Department Project - \$46,365.68.
8. Approve Change Order 4 to Zoellner Construction Co., Inc., relative to Fire Department Project - \$6,307.56 increase.
9. Approve plans and specifications for Soccer Park Parking Lot project.
10. Approve Request for Proposals regarding Chair Lift for the Perry Park Center.
11. Approve Project Information Form from Gotto Investments, LLC, relative to Financial Reimbursement for New Construction to Builder/Homeowner Program (803 Crestview Lane).
12. Approve amendment to Residential Development Reimbursement Program by removing requirement for attached or covered parking for multi-family dwellings.
13. Approve request from Lawrence Stortz, Jr., representing Pedal the Cause, to hold a boot drive on the Square on May 27, 2023, to raise funding for cancer research.
14. Approve request from West Star Aviation to remove an unnecessary fence at the Perryville Regional Airport.

15. Confirmation of C.O.P.S. Grant submittal on behalf of Perry County School District No. 32.

END OF CONSENT AGENDA

At this time, Mayor Riney asks if anyone wishes to remove anything from the Consent Agenda.

Alderman Guth makes a motion to approve the Consent Agenda. Alderman Martin seconds the motion, and on vote the motion carries.

After discussion regarding the request from SMS Investment Group to rezone property located at I-55 and West St. Joseph Street from R-5 (General Residential District) to C-2 (General Commercial District) Alderman Schumer makes a motion to approve the request. Alderman Schumer seconds the motion, and on vote the motion carries.

SECOND AND FINAL READINGS:

Now, at this time, the Board proceeds to approve Bill No. 6419, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **PUTZ CONSTRUCTION, LLC** RELATIVE TO **2023 SUNSET DRIVE IMPROVEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6419 is read a second time on motion by Alderman Guth, seconded by Alderman Schumer. Thereupon on motion by Alderman Guth, seconded by Alderman Schumer, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Seth Amschler, aye; Curt Buerck, absent; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, absent; David J. Schumer, aye. Totals: aye, four; nay, none; absent, two. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6636 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6419

ORDINANCE NO. 6636

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **PUTZ CONSTRUCTION, LLC** RELATIVE TO **2023 SUNSET DRIVE IMPROVEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, deem it advisable to enter into said contract;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

1. That the Mayor and Board of Aldermen of the City of Perryville approve the contract in its substantial form, marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Putz Construction, LLC**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

2. That the Mayor be and he is hereby authorized and directed to execute said contract for and on behalf of the City of Perryville, Missouri.

3. That the City Clerk of the City of Perryville is hereby authorized and directed to attest the signature of the Mayor on the attached contract.

4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

5. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: May 2, 2023.

SECOND READING: May 16, 2023.

PASSED AND APPROVED this 16th day of May, 2023, by a vote of 4 ayes, 0 nays, 0 abstentions, and 2 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6420, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEED. Bill No. 6420 is read a second time on motion by Alderman Schumer, seconded by Alderman Martin. Thereupon on motion by Alderman Schumer, seconded by Alderman Amschler, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Seth Amschler, aye; Curt Buerck, absent; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, absent; David J. Schumer, aye. Totals: aye, four; nay, none; absent, two. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6637 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6420

ORDINANCE NO. 6637

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEED.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. The Mayor and Board of Aldermen of the City of Perryville, Missouri, do hereby accept the Easement Deed from **Judith A. King**, which is attached hereto, subject to all of the terms and conditions therein expressed.

Section 2. The Mayor and City Clerk of the City of Perryville be, and they are, hereby authorized to do all acts and execute all instruments appropriate or necessary to accept the Easement Deed.

Section 3. The City Clerk is hereby directed to file a copy of the Easement Deed with the Recorder of Deeds of Perry County, Missouri.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: May 2, 2023.

SECOND READING: May 16, 2023.

PASSED AND APPROVED this 16th day of May, 2023, by a vote of 4 ayes, 0 nays, 0 abstentions, and 2 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Larry Riney, Mayor

FIRST AND SECOND READING AND FINAL PASSAGE:

Now, at this time, Bill No. 6421, AN ORDINANCE AMENDING THE "OFFICIAL ZONING DISTRICT MAP" OF THE CITY OF PERRYVILLE, MISSOURI, AS ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, ON THE 20TH DAY OF FEBRUARY, 1978; SAID AMENDMENT IS IN ORDER TO RECLASSIFY A CERTAIN DESCRIBED AREA OF THE CITY OF PERRYVILLE, MISSOURI, FROM R-5 TO C-2, ALL IN ACCORDANCE WITH THE AUTHORITY GRANTED TO THE BOARD OF ALDERMEN BY VIRTUE OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, is read for the first time with an expedite clause for matters related to zoning as found in Title 17 of the Code of Ordinances upon motion by Alderman Martin, seconded by Alderman Guth. On motion by Alderman Martin, seconded by Alderman Guth, and on vote carried, Bill No. 6421 is read for the second time. Thereupon on motion by Alderman Martin, seconded by Alderman Guth, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, absent; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, absent; David J. Schumer, aye. Totals: aye, 4; nay, 0; absent, 2. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6638 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6421

ORDINANCE NO. 6638

AN ORDINANCE AMENDING THE "OFFICIAL ZONING DISTRICT MAP" OF THE CITY OF PERRYVILLE, MISSOURI, AS ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, ON THE 20TH DAY OF FEBRUARY, 1978; SAID AMENDMENT IS IN ORDER TO RECLASSIFY A CERTAIN DESCRIBED AREA OF THE CITY OF PERRYVILLE, MISSOURI, FROM R-5 TO C-2, ALL IN ACCORDANCE WITH THE AUTHORITY GRANTED TO THE BOARD OF ALDERMEN BY VIRTUE OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI.

WHEREAS, SMS Investment Group, owner of a certain tract of land herein referred to, has heretofore submitted to the City Planning and Zoning Commission for its consideration the rezoning of certain territories located in the City of Perryville, Missouri, said properties being described as follows:

PART OF UNITED STATES SURVEY 840, TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE FIFTH PRINCIPAL MERIDIAN AND BEING PART OF A TRACT OF LAND CONVEYED TO GLENDA L. QUINN, ET AL, BY DEED RECORDED AS DOCUMENT #2004R01509 IN THE PERRY COUNTY, MISSOURI LAND RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM MONUMENT AT THE MOST SOUTHERN CORNER OF AFORESAID UNITED STATES SURVEY 840; THENCE NORTH 38 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE SOUTHEAST LINE OF SAID UNITED STATES SURVEY 840 A DISTANCE OF 2,372.44 FEET TO AN IRON PIN AT THE INTERSECTION OF SAID SOUTHEAST LINE WITH THE NORTHEAST RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 55, SAID IRON PIN BEING THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE ALONG AND WITH SAID RIGHT-OF-WAY LINE AS FOLLOWS: NORTH 28 DEGREES 08 MINUTES 08 SECONDS WEST A DISTANCE OF 447.37 FEET TO A POINT; NORTH 21

DEGREES 10 MINUTES 49 SECONDS WEST A DISTANCE OF 600.00 FEET TO A POINT; NORTH 09 DEGREES 52 MINUTES 13 SECONDS WEST A DISTANCE OF 101.98 FEET TO A POINT; NORTH 21 DEGREES 10 MINUTES 49 SECONDS WEST A DISTANCE OF 326.91 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST OR MOST SOUTHERN CORNER OF A TRACT OF LAND CONVEYED TO PAUL D. UNTERREINER, A SINGLE PERSON, BY DEED RECORDED IN BOOK 358, PAGE 833 IN THE PERRY COUNTY, MISSOURI LAND RECORDS AND FROM WHICH POINT AN IRON PIPE BEARS SOUTH 38 DEGREES 23 MINUTES 40 SECONDS WEST A DISTANCE OF 0.50 FOOT; THENCE LEAVING SAID RIGHT-OF-WAY LINE NORTH 38 DEGREES 23 MINUTES 40 SECONDS EAST ALONG THE SOUTHERN BOUNDARY LINE OF SAID UNTERREINER TRACT A DISTANCE OF 128.31 FEET TO AN IRON PIPE; THENCE CONTINUING ALONG SAID SOUTHERN BOUNDARY LINE SOUTH 79 DEGREES 46 MINUTES 33 SECONDS EAST A DISTANCE OF 482.00 FEET TO AN IRON PIN AT THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO RICHARD L. LAROSE, A SINGLE PERSON, AND GAIL A. HEBERLIE, A SINGLE PERSON, BY DEED RECORDED IN BOOK 284, PAGE 136 IN THE PERRY COUNTY, MISSOURI LAND RECORDS; THENCE NORTH 38 DEGREES 09 MINUTES 26 SECONDS EAST ALONG THE SOUTHEAST LINE OF SAID LAROSE/HEBERLIE TRACT A DISTANCE OF 337.26 FEET TO AN IRON PIN ON THE SOUTH LINE OF A 1.60 ACRE TRACT OF LAND CONVEYED TO RICHARD L. LAROSE AND GAIL A. LAROSE, HIS WIFE, BY DEED RECORDED IN BOOK 364, PAGE 24 IN THE PERRY COUNTY, MISSOURI LAND RECORDS; THENCE SOUTH 52 DEGREES 42 MINUTES 54 SECONDS EAST ALONG SAID SOUTH LINE OF SAID 1.60 ACRE TRACT A DISTANCE OF 136.62 FEET TO AN IRON PIN AT THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 79 DEGREES 28 MINUTES 34 SECONDS EAST A DISTANCE OF 653.70 FEET TO AN IRON PIN THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO DIANE S. CLIFTON, TRUSTEE OF THE DIANE S. CLIFTON REVOCABLE TRUST, PURSUANT TO POWERS GRANTED HER IN THE MEMORANDUM OF TRUST, DATED JULY 19, 2004, BY DEED RECORDED AS DOCUMENT #2004R02890 IN THE PERRY COUNTY, MISSOURI LAND RECORDS; THENCE SOUTH 67 DEGREES 22 MINUTES 11 SECONDS EAST ALONG THE SOUTH LINE OF SAID CLIFTON TRACT A DISTANCE OF 140.96 FEET TO AN IRON PIN AT INTERSECTION OF SAID SOUTH LINE WITH THE AFORESAID EAST LINE OF UNITED STATES SURVEY 840; THENCE SOUTH 38 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID EAST LINE A DISTANCE OF 1,755.15 FEET TO THE POINT OF BEGINNING CONTAINING 30.36 ACRES.

and,

WHEREAS, the City Planning and Zoning Commission has heretofore reported to the Board of Aldermen that it approved the requested zoning change; and,

WHEREAS, the City Planning and Zoning Commission and the Board of Aldermen have heretofore complied with all of the provisions of the Code of Ordinances of the City of Perryville, Missouri; and,

WHEREAS, the Board of Aldermen believes it is in the best interest of the citizens of the City of Perryville, Missouri, to rezone the aforesaid area as requested by the applicant.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

Section 1. That Ordinance No. 1492, adopted February 20, 1978, and the accompanying "Official Zoning District Map" of the City of Perryville, Missouri, are hereby amended insofar as they relate to the property described on Exhibit A which is attached hereto and incorporated herein as if fully set forth; that said property is hereby rezoned from R-5 General Residential District to C-2 General Commercial District.

Section 2. That the application for rezoning as submitted by the owner is attached hereto, marked Exhibit A and incorporated herein as if fully set forth.

Section 3. That the City Clerk of the City of Perryville, Missouri, shall and is hereby directed to amend the "Official Zoning District Map" of the City of Perryville, Missouri, and to certify same and to keep said map on file in the office of the City Clerk and an updated copy shall be placed at City Hall, City of Perryville, Missouri.

Section 4. That if any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. That the Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be a matter related to zoning as found in Title 17 of this Code which has previously been reviewed and approved by the City Planning and Zoning Commission and for that reason this ordinance may be acted on in one meeting.

Section 6. That this ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: May 16, 2023.

SECOND READING: May 16, 2023.

PASSED AND APPROVED this 16th day of May, 2023, by a vote of 4 ayes, 0 nays, 0 abstentions, and 2 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Larry Riney, Mayor

FIRST READINGS:

Alderman Guth presents motion, seconded by Alderman Schumer, and on vote carried Bill No. 6422, entering into an agreement with Ollis/Ackers/Arney Insurance and Business Advisors relative to insurance brokerage services, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **OLLIS/AKERS/ARNEY** RELATIVE TO **BROKER AND RISK MANAGEMENT SERVICES**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Schumer presents motion, seconded by Alderman Amschler, and on vote carried Bill No. 6423, entering into a cyber security agreement with Forward Slash, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **FORWARD SLASH TECHNOLOGY** RELATIVE TO **CYBER SECURITY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Martin presents motion, seconded by Alderman Amschler, and on vote carried Bill No. 6424, entering into a Financial Reimbursement Agreement with Gotto Investments, LLC, relative to new construction to builder/homeowner (803 Crestview Lane), is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **JEFFREY P. GOTTO, d/b/a GOTTO INVESTMENTS, LLC**, RELATIVE TO **FINANCIAL REIMBURSEMENT FOR NEW CONSTRUCTION PROGRAM**

(803 CRESTVIEW LANE); FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

FIRST AND SECOND READING AND FINAL PASSAGE:

Now, at this time, Bill No. 6425, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ARMY AVIATION HERITAGE FOUNDATION** RELATIVE TO **2023 PERRYVILLE REGIONAL AIRPORT FLY-IN PERFORMANCE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR, is read with an emergency clause for the first time upon motion by Alderman Schumer, seconded by Alderman Guth. On motion by Alderman Schumer, seconded by Alderman Guth, and on vote carried, Bill No. 6425 is read for the second time. Thereupon on motion by Alderman Schumer, seconded by Alderman Guth, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, absent; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, absent; David J. Schumer, aye. Totals: aye, 4; nay, 0; absent 2. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6639 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6425

ORDINANCE NO. 6639

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ARMY AVIATION HERITAGE FOUNDATION** RELATIVE TO **2023 PERRYVILLE REGIONAL AIRPORT FLY-IN PERFORMANCE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, have heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, deem it advisable to enter into said contract;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:

1. That the Mayor and Board of Aldermen of the City of Perryville, Missouri, approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, Missouri, a municipal corporation, and **Army Aviation Heritage Foundation**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, Missouri, that the City enter into said contract.

2. That the Mayor of the City of Perryville, Missouri, be and he is hereby authorized and directed to execute said contract for and on behalf of the City of Perryville, Missouri.

3. That the City Clerk of the City of Perryville, Missouri, is hereby authorized and directed to attest the signature of the Mayor on the attached contract.

4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville, and for that reason, this ordinance may be acted on in one meeting.

6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: May 16, 2023.

SECOND READING: May 16, 2023.

PASSED AND APPROVED this 16th day of May, 2023, by a vote of 4 ayes, 0 nays, 0 abstentions, and 2 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Larry Riney, Mayor

Mayor Riney asks for Committee Reports.

EDA Director Report:

- **Economic Outlook of Southeast Missouri** - In collaboration with SEMO Redi and the Sikeston Regional Chamber, the Perry County EDA will host Jeff Pinkerton with the Missouri Department of Economic Development at a luncheon on June 7th at the Robinson Event Center. Jeff will share data and information about the economic conditions of the region. It will begin at 11:30 and should end by 1 pm. Lunch will be provided. Please RSVP to me.
- **City of Perryville Leakage Report** - Using a data subscription service we now have access to, we can prepare reports like this one. The leakage report shows dollars that are being spent outside of our community to shop and dine in places that Perryville doesn't have.
- **Rail Terminal Analysis** - Contractors Short, Elliott, Hendrickson will be in Perryville May 31st and June 1st to meet with various stakeholders and conduct site visits.

City Administrator Report:

- **Most-Streamed New Song Releases on Spotify** - A couple weeks ago two of the most downloaded artists on Spotify were both from Perryville and Perry County. Another local, Jacob Yount, was on American Idol recently. We seem to be coming a music haven of sorts.
- **Fire Station Ribbon Cutting Ceremony – May 17 at 12:15 pm** - We left the Chamber's ribbon cutting as was already scheduled as there was significant coordination around that date and time already. As an idea, if the Board would like, we could schedule a separate event for fire fighters and their families and bring pizza in one evening. If the Board likes that idea, let me know and we will set something up.
- **Airport Runway Bids** - We opened bids two weeks ago and were very happy with the bids. Our engineers were suggesting bids upwards of \$15 million were possible. We had two bidders and the lowest was actually under \$11 million. The main driver of the low bid appears to be \$72 concrete. This project is scheduled to begin in August of 2024.
- **Ranken Grand Opening** - The governor's office has suggested we proceed without him. We have reached out to Ranken and asked them to consider dates and times they would like to come to town for the ribbon cutting. We will keep the Board and community advised as this unfolds.
- **Perry Park Center Leagues Supervisor** - We are happy to let the Board know that Kaelin Casasola has returned to our team here in Perryville. We are excited to welcome her back and know she will hit the ground running.

- **Progress Drive Extension PS&E Submittal** - By May 31, City Engineer Baer's office will need to submit the Plans, Specifications, and Estimates to MoDOT in order to continue to keep our project moving along according to established deadlines. We are working diligently towards a summer bid.

- **Crevice Cave Bridge** - The caving community has approached and requested to upgrade the existing bridge they built decades ago. We have given them the green light on this project and expect the work to occur in upcoming months.

- **ARPA Funds Expended** - We have fully expended our \$1.7 million in ARPA funds on the WWTP. This was previously discussed and approved by the Board of Aldermen but I wanted to let you know it has occurred. This was necessary to help close the gap we experienced as material prices increased dramatically.

- **45th Old Timers Day – May 20-21** - Just a reminder this event is fast approaching. We have shared a copy of the event schedule for Board convenience.

- **National Guard Deployment Ceremony – May 26 at 11 am** - This event has been scheduled for later this month at the park center. We wanted to make the Board and community aware in case anyone wanted to attend.

- **Downtown Plaza Picnic Tables** - Some time ago, the Board asked that we remove the tables from the Plaza to eliminate some loitering challenges we were seeing. It may make sense to move them back now with the coffee shop opening nearby but we wanted to check the Board's pulse before doing so. As an alternative, the new fire department would welcome a couple of tables for their new outside patio.

After discussion, it is the consensus of the Board to place two picnic tables at the Downtown Plaza and two at the new fire station.

- **Industrial Site Development Grant Denial** - We were not selected for our recent state application designed to help develop industrial parks. The next best opportunity will come from a new company adding new jobs. With this, we will be scheduling our closing with the PDC for that industrial park property.

- **Bulk Water Station Activated** - The Board identified a bulk water filler as a budget priority. That equipment has been installed and the malfunctioning board replaced. It is now ready for use and sells water at 2¢/gallon.

- **ISO Ratings** - The City has been notified we will need to upgrade our building costs, lest we our ISO rating increase dramatically (4 to a 9). I have reached out twice to them unsuccessfully but we will be working on this over the next several months. Note that the process of updating the building codes is typically a year-long process.

- **Be Well Community Movement** - Our "Be Well Bell" is installed in the park as was approved by the Board of Aldermen. This pamphlet does a nice job explaining the significance of the bell.

- **Transient Shelter Ordinance** - Hoping to get ahead of a future situation, staff has been working with our attorneys on a governing ordinance for homeless shelters. It is important to note that no one is actively pursuing this option but we wanted to have rules in place if ever it would occur. In a similar fashion, we are also working on an ordinance for substance abuse treatment centers.

- **WWTP Pump House** - We have been down to only two pumps with VFD's (#2 and #3) for several months. This was intentional as the new plant was coming online in the very near future. Then, #4 VFD went out several months ago and we chose not to fix it due to the new plant starting in February (which is now June). Early Friday morning, we lost the VFD on pump #3, which also caused us to bypass most of our treatment for several hrs. As a result, DNR is coming to do an inspection today to check out causes and collect samples. We are down to two 100hp pumps #3 and #4 and one 40hp pump #1 (which isn't much) to handle

the load in float mode only. We are working with RiHC to determine the expected time to open the plant (note that we asked for an extension earlier in this meeting). To buy a new VFD would probably be several thousand dollars or more, if we could even get one. That is a lot of money to waste when we only have several weeks till the new plant is online. We may have to spend some money, but I wanted the Board to be aware of our situation in the meantime.

Alderman Guth asks if Progress Drive will be extended to McDonald's Drive. City Administrator Buerck informs the Board that Progress Drive will connect to Alma Avenue, which also connects to McDonald's Drive.

City Engineer Report:

- **Trail** – Lappe began this project this week.
- **Sunset Drive** – The contract for this project was approved this evening. Construction should begin in early June.
- **Soccer Parking Lot** – This project is expected to begin in July and move quickly.

City Administrator Buerck notes that sidewalks and trails improve quality of life and attracts younger adults to the area. He notes that the Shared Use Path will eventually allow someone to walk from the splash pad to the football field in the City Park. He compares this to the \$250 billion greenway project in St. Louis, which connects Forest Park to the Arch.

City Attorney Report:

City Attorney Pistorio tells the Board that the money has been received regarding calling the Mike Light bond on the shared use path project.

Chief of Police Report: Assistant Chief Bill Jones gives the following report:

- **Personnel** - Patrol Office Morgan Hines scored highest across-the-board in her class. Devin Smith is being hired to fulfill the Code Enforcement Officer position. He will be attending the Academy and performing these duties at the same time. We are getting closer to returning to full staff in the Police Department.
- **Trailer Parks** – We have been experiencing some disturbances in the trailer parks lately
- **Motorbike on Trail** – We have been successful in apprehending the individual who has been riding the motorbike on the park trails.
- **Grants** – We are looking for grant possibilities.

Alderman Martin thanks the Public Works Department on their work on the Jenkins water issue.

Alderman Guth asks if the streetlights have sold on Purple Wave. Public Works Director Layton will check and advise the Board.

Alderman Amschler asks if the water break on Thursday was the same water main that recently had an issue. Public Works Director Layton told the Board that this was not the same line.

Now, at this time, upon motion by Alderman Guth, seconded by Alderman Schumer, it is ordered that the Board now convene into closed session to discuss real estate matters in accordance with Section 610.021(2) RSMo; personnel matters in accordance with Section 610.021(3) RSMo; contractual matters in accordance with Section 610.021(9) RSMo; and litigation matters in accordance with Section 610.021(12)

RSMo. Roll call showed the aye and nay votes as follows: Seth Amschler, aye; Curt Buerck, absent; Tom Guth, aye; Douglas K. Martin, absent; Clint Rice, absent; David J. Schumer, aye. Totals: aye, four; nay, none; absent, two.

Following discussion and review, it is upon motion by Alderman Guth, seconded by Alderman Martin, that the Board now reconvenes into regular session for any business that might come forth. Roll call showed the aye and nay votes as follows: Seth Amschler, aye; Curt Buerck, absent; Tom Guth, aye; Douglas K. Martin, absent; Clinton Rice, absent; David J. Schumer, aye. Totals: aye, four; nay, none; absent, two.

Alderman Guth notes that there was a recent leak at the water fountain at the splash pad. He expresses his initial concerns about the use of PVC pipes under the concrete when the splash pad was being built; noting that poly pipes would have been a better choice. He cautions staff and the Board against accepting bids because they are less expensive if another bid would produce a better product.

There being no further business, it is upon motion by Alderman Guth, second by Alderman Amschler, and on vote carried, ordered that the Board now adjourn until Tuesday, June 6, 2023, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK