



Brent Buerck

**AGENDA NOTES
REGULAR MEETING
6:30 P.M., TUESDAY, NOVEMBER 7, 2023**

City Hall Council Chambers • 215 North West Street • Perryville, MO 63775

1. Call to order by Mayor – Pledge of Allegiance to the Flag and Invocation.
2. Citizen’s participation from floor – limited to 3 minutes per speaker. Any person, resident, or non-resident, wishing to address the Board of Aldermen may approach the podium and state their name, address, and comments. Non-residents are invited to speak first, followed by residents of the city. Although we are readily available outside our formal meetings, this will be your only opportunity to offer your thoughts during this evening’s meeting as comments from the floor will not be taken during the regular meeting. Although certainly welcome, you are not required to stay for the remainder of the meeting and may exit the Council Chambers in a quiet and respectful manner.
3. Cancel public hearing for special use permit request from DGOGPerryvillemo 05312023 to construct a 10,640 square foot Dollar General Store at property located on the southeast side of Highway 61 and Sutterer Place.
This matter was tabled at the October 25th Planning & Zoning meeting but we expect a recommendation to follow at their next scheduled meeting. At that time, we will again reschedule this public hearing in front of the Aldermen.
4. Public hearing for a request from Mark Hager to rezone property located at 1208 West North Street from R-2 (Single Family Residential District) to R-4 (Two-Family Residential District). (copy)
Mark Hager with Hager Homes, LLC to rezone his property located at 1208 W. North Street from an R-2 to an R-4 to allow for construction of duplexes. The lot next door is already zoned R-4 and has duplexes on it.

CONSENT AGENDA ITEMS

5. Approve minutes from meeting of October 17, 2023. (copy)
6. Approve bills for October 2023. (copy)

7. Approve Pay Estimate 1 to Fronabarger Concreters, Inc., relative to Vincentian Way Extension Project - \$369,690.46. (copy)
This project will extend the street currently known as Progress Drive from its current termination point behind Stonie's and connect it to the street currently known as Alma located behind Frank's Produce.
8. Approve Pay Estimate 1011 (Final) to Allegiance Industrial Coatings relative to PPC Lower Level Painting Project - \$7,555.72. (copy)
The final piece of the Perry Park Center's remodel was to paint the lower level walls. This work has been completed and Staff has recommended full payment.
9. Approve request for payment to Alec Ernst and Matthew VanGennip d/b/a EVenture Investments, LLC, relative to completion of Downtown Façade Improvement Grant for property located at 15 North West Street - \$10,000.00. (copy)
Work has been completed and accepted. The building is far more attractive in its current state and full payment is recommended.
10. Accept bids received for the Climbing Rock Safety Surface Refurbishment project and award to Forever Lawn of the Ozarks per recommendation of Parks & Recreation Director Cadwell and approve 50% down payment to order materials - \$14,973.60. (copy)
This particular playground sees more vandalism than seemingly all others combined. We are unsure why this is the case but have researched an alternative surface. This new surface is made of a similar material to what is used on turf playing fields (i.e. football & soccer). Our research has indicated it is commonly used on playgrounds as well and should provide a safe and durable surface going forward. NOTE: The acceptance of this bid will require a 50% down payment. The rest of the total will be paid upon successful completion of the work.
11. Accept bids received for the 2023 Public Works Generator project and award to Koch Electric, Inc., per the recommendation of City Engineer Baer - \$73,359.89. (copy)
This is a budgeted project to place an emergency generator at the Public Works department. This generator is not sufficient to power the entire campus but will ensure critical infrastructure, such as the filling station, is operational during a prolonged electrical outage.
12. Reject bids received for City Park Basketball Court Redevelopment project per recommendation of City Administrator Buerck. (copy)
Although not originally a part of this year's budget, this project was previously discussed with the board as part of the pickleball court painting when the new pickleball courts were placed on previously existing basketball courts. This project would have replaced the lost basketball court with a full-size, half court for the city park. At this time, staff believes the small size of the project resulted in higher than expected bids.

Instead of proceeding with this time, staff would like to bundle this project with a couple other small projects that are expected to be part of next year's budget, including the sidewalk extending from the area of the pickleball courts to the

bathroom and an ADA parking spot near the Big Pavilion (#10). Staff believes combining the three smaller concrete projects will result in a better bid price overall.

-3-

13. Approve Preliminary Plat of MS Estates. (copy)
Matt Schuessler requested approval of a preliminary plat for MS Estates. This was originally approved back in May of 2020 but has now been sold to a new owner. This would create a 90-lot single family residential development off North Main Street and Wichern Road.
14. Acknowledge Planning & Zoning Commission's acceptance of Missouri National Veteran Memorial's application for Certification of a 2-Lot Subdivision. (copy)
The Missouri National Veterans Memorial requests to separate their property into two lots to allow for a future cemetery, a long-planned but major step forward for MNVM.
15. Acknowledge receipt of Perryville Development Corporation Resolution relative to reorganization of the PDC. (copy)
As part of the industrial park sale, the PDC has proposed a resolution to memorialize their commitments to recreate the organization for continued service to the community well into the future. For the most part, we are asking the Board to accept it as part of our agenda to ensure a good record of the resolution for future review.
16. Acknowledge Award of Missouri Department of Health and Senior Services Grant relative to Detection and Mitigation of COVID-19 in Confinement Facilities Project. (copy)
This Department of Public Safety opportunity was first brought to our attention by the Perry County Sheriff's Department and will help purchase needed equipment and supplies for the new justice center. The sheriff's department also received a similar grant and are helping direct our efforts to ensure we are not duplicating equipment and supplies.
17. Acknowledge receipt of 2023 COPS Hiring Program Grant from the Office of Community Oriented Policing Services. (copy)
City support for this opportunity was presented by the Perry County School District as they were not an eligible applicant without a law enforcement partner. This grant will provide a School Resource Officer (SRO) to District #32 for three years at which time the position would be transferred to District #32's payroll.
18. Acknowledge receipt of MoDot's Notice of Award re 2023 Transportation Alternatives Program – sidewalk from Miget Park Pavilion to Edgemont Boulevard. (copy)
Staff had proposed the City submit two different applications for the upcoming Transportation Alternative Program which is designed as a partnership with MoDOT to help develop non-vehicular transportation projects throughout the State. The maps provide details of the proposed projects, one of which would extend the greenway to Edgemont and the second which would extend sidewalks along Star Street as the Board has previously requested. Staff worked closely with MoDOT representatives on these projects and are excited to see them move forward.

NOTE: The dirt pile from the excavation of Fire Station #2 remains in the soccer park as it will be needed for dirt work associated with the Star Street project.

19. Acknowledge receipt of MoDot's Notice of Award re 2023 Transportation Alternatives Program – Star Street sidewalk. (copy)
See Item 18 above.
20. Authorize staff to apply for a Land and Water Conservation Fund Grant (LWCF) to assist with construction of a 10' wide hike and bike trail around Viola Blechle Park. (copy)
This program is designed to help develop park infrastructure in communities throughout Missouri. We have been a successful applicant multiple times in the past and this year's proposed project was first identified in our parks master plan. The project's goal will better connect Viola Blechle to the soccer park and the sidewalk infrastructure running along Bruce Street. Additionally, it will add a perimeter trail around Viola Blechle Park to better serve the neighborhood there.
21. Approve removal of "Mega Industrial Customer" from the Natural Gas Rate Schedule.
This was previously discussed with the Board and will simply remove an existing category of customer from the gas rate schedule that hasn't seen a qualified customer for many years and is unlikely to see anyone qualify in the near future.
22. Approve Option 2 proposed by Vern Bauman Contracting relative to repairs to Hidden Valley Lane. (copy)
The construction of the City's Wastewater Treatment Plant caused some damage to the hard surfaces of Hidden Valley Lane. Given the increased traffic and heavy trucks, staff knew this was likely but expected the damage to honestly be much worse. Staff recently inspected the road with the City Engineer and identified locations that most needed repair. This information was presented to the County's contractor for paving and staff proposes we again "piggyback" off their contract as was done with Moore Drive. Staff suggests accepting Option #2 as it will provide a better overall product for a relatively small increase in total price. The hope is to have this work completed yet this year before the asphalt plants close for the season.
23. Approve creation of Police Department Captain positions and job descriptions. (copy)
This was previously discussed with the Board of Aldermen as it will eliminate the former positions of Major and Lieutenant from the City's pay plan, instead replacing them with two Captain positions. Although both positions are "equal" on the pay plan, one Captain will carry the designation of being the #2 person at the police department. Police Administration felt this was important as it would designate a clear line of authority in the Chief's absence.
24. Acknowledge receipt of Legal Opinion relative to Conflict of Interest for Planning and Zoning Commission Votes. (copy)
At the previous meeting, the Board directed City Attorney Pistorio to provide clear and concise direction to the P&Z Board as to what constitutes a conflict of interest and what steps should be taken when such a situation exists. That opinion is simply presented here for the Board's information, although it also provides a good reminder for the Board of Aldermen when a similar situation presents itself.

25. Authorize the Police Department to review a request for a streetlight at the intersection of Tricia and Sycamore Road.
This situation arose between meetings and since there was an extra week, Aldermen Martin passed it directly to staff. It is presented here for Board awareness and to create a better record.
26. Approve Police Department Recommendation relative to traffic study for the intersection of Spring Street and South Street. (copy)
Based on their review of traffic accidents and observations of the area, the Police Department did not find modifications were necessary at this time.
27. Approve Police Department Recommendation relative to speed limit sign for Dogwood Court. (copy)
This report provides recommendations for additional signage.
28. Approve Police Department Recommendation relative to speed limit signs for French Lane. (copy)
This report provides recommendations for additional signage.
29. Approve Mayor's appointments for:
Airport Advisory Board
Dennis House - appointment to replace Greg Taul (term expires July 2024)

END OF CONSENT AGENDA

30. Decision regarding a request from Mark Hager to rezone property located at 1208 West North Street from R-2 (Single Family Residential District) to R-4 (Two-Family Residential District).
See Item 4 above.
31. Resolution 2023-18 – Entering into a Financial Assistance Agreement with Missouri Department of Natural Resources relative to a Land Water and Conservation Fund (LWCF) Grant for Lucas and Friends Backyard Adventure Phase 2. (copy)
This grant application requires a City sponsor and will help the Fun for All committee complete Phase 2 of their project.
32. Resolution 2023-19 – Entering into an agreement with Jackson Street Brew Co., d/b/a J Street Eats! relative to use of right of way for outdoor dining (parklet). (copy)
J Street Eats! would like to request the ability to leave the small parklet outside their building for dining year-round. Staff believes this activity enhances the visitor experiences in downtown Perryville and wishes we had more outside dining options throughout the community. If approved, staff would suggest doing this on an annual basis so we can occasionally reconsider its impact downtown and ensure it remains functional and in good repair.

33. Bill No. 6477 for Ordinance No. 6693 – Amending Section 9.04.110 of the Code of Ordinances relative to possession of marijuana or drug paraphernalia - second reading and final passage. (copy)
This will update the City’s ordinances to reflect constitutional changes that legalized marijuana by removing marijuana references from “drug paraphernalia.”
34. Bill No. 6478 for Ordinance No. 6694 – Adding Section 9.04.115 to the Code of Ordinances relative to marijuana - second reading and final passage. (copy)
Similar to above, this will update the City’s ordinances to reflect constitutional changes that legalized marijuana by addressing things such as “minor in possession” and “public consumption.”
35. Bill No. 6479 for Expedite Ordinance No. 6695 - Approving request from Mark Hager to rezone property located at 1208 West North Street from R-2 (Single Family Residential District) to R-4 (Two-Family Residential District) - first and second reading and final passage. (copy enclosed - may be read by title only)
See Item 4 above.
36. Bill No. 6480 for Expedite Ordinance No. 6696 – Approving Final Plat of Valleyview Subdivision - first and second reading and final passage. (copy enclosed - may be read by title only)
This is a request from Gary Schumer with Jackson, LLC for approval of a final plat for Valleyview Subdivision. This is replating a portion of old Harvest Acres to make more lots that are compliant with current ordinances and to arrange for a land swap between adjoining properties.
37. Bill No. 6481 for Emergency Ordinance No. 6697 – Entering into an Amended and Restated Performance Agreement with TG Missouri Corporation relative to taxable industrial revenue bonds - first and second reading and final passage. (copy enclosed - may be read by title only)
Normally, the City adopts contracts by resolution at a single meeting. This contract uses previous language calling for an ordinance, which generally takes two meetings. Staff proposes adopting the ordinance at a single meeting by having multiple readings and acknowledge future such contracts will be written as a resolution for the Board’s consideration as directed.
38. Bill No. 6482 for Ordinance – Calling for General Election – first reading. (copy enclosed –may be read by title only)
This annual process sets the stage for April’s municipal elections which will include three aldermanic seats: Ward 1 – Tom Guth; Ward 2 – Curt Buerck; and Ward 3 – Clint Rice. Note that this year’s filing period begins on December 5 and concludes on December 26.
39. Bill No. 6483 for Ordinance – Amending Section 16.28.020 of the Code of Ordinances relative to Group Developments - first reading. (copy enclosed - may be read by title only)
The Board asked staff to draft a potential ordinance that would allow for higher density residential development but only if certain criteria are met. It is represented here, with previous suggestions incorporated, for the Board’s consideration and approval.

40. Bill No. 6484 for Ordinance – Accepting easement deeds for Phase 3 of the Northeast Outfall Sewer Replacement Project - first reading. (copy enclosed - may be read by title only)
Although more easements will follow, this first tranche of easements is presented tonight for Board approval and will allow for the construction of the new sewer main for the City of Perryville, connecting to the trunk line running to the WWTP which is currently out for bid.
41. Committee Reports: Public Works, Public Safety, Finance, Liaison, Sidewalk, and Economic Development.
42. Report by City Administrator:
 - Missouri KIDS COUNT (copy)
 - Updated ISO Rating (copy)
 - Safe Haven Baby Box
 - Don Welge Memorial Bridge (copy)
 - Vincentian Way Sidewalk – Nov 8 @ 3pm
 - Retired PD car transfer to PCSD 32
 - Humanitarian Dinner – Nov 9 @ 5:30pm (copy)
 - Holidays Trash Collection Schedule (copy)
 - St. Francois Opportunity Memorandum – Aug 9 (copy)
 - Perry County Tourism Commission Appointments
 - L.O.V. our Veterans Event – Mar 9 (copy)
 - MoDot Traffic Impact Study for proposed Dollar General Site (copy)
43. Report by City Engineer.
44. Report by City Attorney.
45. Report by Chief of Police.
46. Board concerns and comments and any other non-action items.
47. 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.
48. Adjourn.

Additional Information:

- Baer Engineering Invoice (copy)
- Parks & Rec Report (copy)
- Comprehensive Plan Updated Schedule (copy)
- Thank You Notes to Fire Department (copy)
- Roundabouts Article (copy)