

**December 19, 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, Curt Buerck, Tom Guth, Douglas K. Martin, and Clint Rice, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Art Pistorio, City Attorney. Absent: Alderman David J. Schumer.

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

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

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

At this time, Mayor Riney opens a public hearing for a 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.

Rusty Doss, from West Plains, Missouri, tells the Board that he represents the developer for Dollar General and is here to answer any questions the Board may have.

Betty Phillips, of 402 Dowling Drive, Perryville, tells the Board that she has attended the Planning & Zoning meetings regarding this matter and she believes that the six guidelines set forth for the Planning & Zoning Commission regarding whether or not a special use permit should be approved were not given due diligence. Regarding the first guideline, she believes that traffic will be affected in this area. Regarding guideline four, she contends that the additional Dollar General Store will have an adverse impact on the community in that it will not add anything new to the community and will not expand the tax base. In addition, regarding guideline two, she states that this special use permit will adversely affect the character of the neighborhood. She also expresses her concerns regarding the sixth guideline regarding the special use permit's adherence to the Comprehensive Plan. Ms. Phillips asks the Board to consider that any future development of this area be given thoughtful planning to fill a gap not currently in the community rather than duplicate existing services. She asks the Board to deny this special use permit request.

Jeff Sutterer, of 1600 Cherokee Court, Perryville, asks the Board of Aldermen to deny the special use permit request from Dollar General, noting that items 2, 4 and 6 on the Planning & Zoning Commission's guidelines give cause for denial. He is concerned about the decreased value of property to the adjoining property owners and the disruption of the lifestyle in the area. He tells the Board that an additional Dollar General Store will not bring a new service to the area.

Angela Swan, of 302 East Ste. Marie Street, Perryville, distributes a copy of the recent questionnaire regarding updates to the City of Perryville's Comprehensive Plan, noting that the proposed special use permit does not fit within the Plan; specifically the character, culture, and identity the residents hope to see in Perryville's future development. She also notes that housing is a key concern noted in the proposed Comprehensive Plan and that the property that the Dollar General Store hopes to build on is currently zoned for residential and she believes it should remain residential until the Board of Aldermen can determine the proper transition for the area. She suggests shopping areas that close early in the evenings and will complement the area would be a better consideration. She asks the Board to deny the special use permit request.

There being no one else coming forth, Mayor Riney closes the public hearing for a 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.

**CONSENT AGENDA ITEMS**

4. Approve minutes from meeting of December 5, 2023.
5. Approve Financial Reports for November 2023.

CITY OF PERRYVILLE STATEMENT OF CASH POSITION NOVEMBER, 2023									
		April 1, 2023	REVENUE	EXPENSE		CURRENT	ACCOUNTS	CURRENT	CURRENT
	FUND NAME	Fund Balance	Y-T-D	Y-T-D	NET INCOME	FUND BALANCE	RECEIVABLE	LIABILITIES	CASH BALANCE
101	Gen Rev	\$ 3,187,081.95	\$ 7,715,930.02	\$ (4,833,541.32)	\$ 2,882,388.70	\$ 6,069,470.65	\$ 526,672.24	\$ 569,782.48	\$ 6,112,580.89
105	FSA Administration	\$ 9,928.53	\$ 344.54	\$ -	\$ 344.54	\$ 10,273.07		\$ -	\$ 10,273.07
106	Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99		\$ -	\$ 53.99
204	Airport	\$ (267,237.05)	\$ 3,592,898.39	\$ (4,433,939.87)	\$ (841,041.48)	\$ (1,108,278.53)	\$ 2,019.50	\$ 7,980.12	\$ (1,102,317.91)
206	Trans Trust	\$ 557,214.54	\$ 809,459.24	\$ (605,105.68)	\$ 204,353.56	\$ 761,568.10		\$ 7,095.27	\$ 768,663.37
207	Perry Park Ctr.	\$ 609,074.66	\$ 1,968,982.13	\$ (2,460,520.52)	\$ (491,538.39)	\$ 117,536.27	\$ 223,857.85	\$ 244,594.33	\$ 138,272.75
211	Veterans Field	\$ 10,542.49	\$ 16,121.12	\$ (5,503.69)	\$ 10,617.43	\$ 21,159.92		\$ -	\$ 21,159.92
213	Field Improvement	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
307	Debt Service	\$ 182,551.01	\$ 16,600.89	\$ (147,937.62)	\$ (131,336.73)	\$ 51,214.28	\$ 436,858.18	\$ 436,365.61	\$ 50,721.71
308	Cap Imp Sls Tax Rev	\$ 1,232,550.34	\$ 635,620.39	\$ (266,638.21)	\$ 368,982.18	\$ 1,601,532.52		\$ -	\$ 1,601,532.52
409	Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
414	TIF 1-Hwy 51/61	\$ 337,390.13	\$ 10,870.30	\$ -	\$ 10,870.30	\$ 348,260.43		\$ -	\$ 348,260.43
415	Economic Develop	\$ 384,113.51	\$ 979,715.14	\$ (945,414.20)	\$ 34,300.94	\$ 418,414.45		\$ (230.00)	\$ 418,184.45
416	TIF 2-Downtown	\$ 183,910.52	\$ 4,188.11	\$ (102,520.64)	\$ (98,332.53)	\$ 85,577.99		\$ -	\$ 85,577.99
417	TIF 3-155/HWY 51	\$ 569,659.38	\$ 9,615.41	\$ (332,654.69)	\$ (323,039.28)	\$ 246,620.10		\$ -	\$ 246,620.10
513	Street Imp	\$ 488,207.56	\$ 1,053,202.25	\$ (1,392,361.18)	\$ (339,158.93)	\$ 149,048.63		\$ -	\$ 149,048.63
612	Refuse	\$ 363,306.63	\$ 661,514.66	\$ (785,554.48)	\$ (124,039.82)	\$ 239,266.81	\$ 118,774.69	\$ 4,486.37	\$ 124,978.49
614	CWSS Op	\$ 3,512,832.91	\$ 4,068,097.21	\$ (4,442,068.37)	\$ (373,971.16)	\$ 3,138,861.75	\$ 484,834.58	\$ 144,713.32	\$ 2,798,740.49
641	WWTP Improvements	\$ 146,967.26	\$ 4,231,772.37	\$ (3,427,666.83)	\$ 804,105.54	\$ 951,072.80		\$ -	\$ 951,072.80
619	Gas Op	\$ 4,242,111.31	\$ 2,939,289.69	\$ (4,563,638.11)	\$ (1,624,348.42)	\$ 2,617,762.89	\$ 359,469.34	\$ 259,759.70	\$ 2,518,053.25
	<b>TOTAL</b>	<b>\$ 15,750,259.67</b>	<b>\$ 28,714,221.86</b>	<b>\$ (28,745,065.41)</b>	<b>\$ (30,843.55)</b>	<b>\$ 15,719,416.12</b>	<b>\$ 2,152,486.38</b>	<b>\$ 1,674,547.20</b>	<b>\$ 15,241,476.94</b>

6. Approve principal and interest payment to UMB Bank re 2021A CWSS Revenue Bonds relative to WWTP Improvement Project - \$160,688.21.
7. Approve Invoice 28728 from Vern Bauman Contracting Company relative to Hidden Valley Lane asphalt repairs - \$65,244.79.
8. Approve bids received for the School Street Lift Station Improvements Project and award to Zoellner Construction Company, Inc. per the recommendation of City Engineer Baer - \$2,583,199.50.
9. Approve bid specifications for Mowing Neighborhood Mini-Parks and authorize staff to advertise for bids.

**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 Buerck seconds the motion, and on vote the motion carries.

**RESOLUTIONS:**

After discussion and review, Alderman Buerck makes a motion to enter into an agreement with the Perryville Development Corporation relative to contract addendum to Real Estate Purchase and Sale Agreement and Option to Purchase Real Estate Agreement dated February 21, 2023. Motion is seconded by Alderman Amschler, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2023-28

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **PERRYVILLE DEVELOPMENT CORPORATION** RELATIVE TO **ADDENDUM TO REAL ESTATE PURCHASE AND SALE AGREEMENT AND OPTION TO PURCHASE REAL ESTATE AGREEMENT DATED FEBRUARY 21, 2023**; FURTHER SAID RESOLUTION 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 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 RESOLVED 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 and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Perryville Development Corporation**. 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.

PASSED AND APPROVED this 19th day of December, 2023, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

After discussion and review, Alderman Rice makes a motion to enter into an agreement with the Missouri Department of Health and Senior Services relative to a grant for detection and mitigation of COVID-19 in confinement facilities. Motion is seconded by Alderman Amschler, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2023-29

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES** RELATIVE TO **GRANT FOR DETECTION AND MITIGATION OF COVID-19 IN CONFINED SPACES**; FURTHER SAID RESOLUTION 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 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 RESOLVED 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 and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Missouri Department of Health and Senior Services**. 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.

PASSED AND APPROVED this 19th day of December, 2023, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

### **Mayor Riney asks for Committee Reports.**

Alderman Martin, as Chairman of the Economic Development Committee, asks EDA Director Jones for an update on economic development matters.

EDA Director Report:

- **Placer Aldi Data** - For the month of November, Aldi had 36,000 visits according to our cell tracking data source Placer. The heat map shows the home residences of those visitors.

- **Perryville Area CEO Program** - This entrepreneurship skills training program at District 32 is moving forward. The CEO board will receive program training by Midland Institute on January 11<sup>th</sup>. From there, the District will begin reviewing curriculum, enrolling students, and receiving facilitator training. The program is still on track to begin in Fall 2024. We've had a lot of press around starting this program, most recently we were interviewed by Fox 23.

- **Innovate SOMO** - I've talked about this program before, but just a reminder that our local businesses have opportunities to receive start up assistance, and even assistance with scaling if they are an established business anticipating a growth phase. We have one local business in that growth phase who has been accepted into the Elevate program to help them scale. That begins after the first of the year.

### **Mayor Riney asks for Staff Reports:**

City Administrator Report:

- **Finance Committee Budget Meeting Scheduled – Jan 23, 2024 @ 5pm** - We wanted to confirm this date and time works for the Finance Committee. If so, we will coordinate a quick dinner that evening so we can get to reviewing the budget.

- **Menfro Missouri State Soil Article** - A lot of people may not know, the official dirt of Missouri is actually named Menfro Mud, which is kind of a cool fact for Christmas trivia with family.

- **Comprehensive Plan Process** - The last review of the Steering Committee is scheduled for next Wednesday. That same evening, it will be presented to the P&Z Board. PGAV will coordinate a public hearing and then ultimately present their final plan to the Board of Aldermen at the first meeting in February.
- **Perry County Creative Arts Pamphlet** - This group has officially received its not-for-profit incorporation. They have assembled a great core group, and I am very excited to see them get started.
- **Housing Policies Article** - I share this article as food for thought as we continue to move towards next year's reworking of the City's current zoning code.
- **Sinkhole Remediation Program through DNR** - We received word that MoDNR is looking for private landowners to partner with a grant to help clean out and remediate sinkholes that may have been a place for trash, tires, cars and other debris that was originally intended to help stop the sinkhole's growth.
- **MML Legislative Conference – February 20-21, 2024, in Jefferson City** - The Mayor, Alderman Schumer and I have all confirmed our intention to attend this meeting in Jefferson City. We are working to set up meetings with our elected officials, perhaps that evening or even during a day-time appointment, which would allow us to participate in the MML activities that evening.
- **Montenot Meadows** - We are very pleased to announce this project was one of 22 selected statewide, seven of which were in rural areas and only one in the entire state that included a home ownership component. This is an important element as it will help develop generational wealth for those who participate and sets the development up to eventually become a condo development after 15 years.
- **L.O.V. Event Attendance – March 9, 2024, in St. Louis** - We have reserved our typical table and would like confirmation from Board members who would like to attend. This will allow us to reserve rooms for everyone before they sell out.
- **BETA Technologies Charging Station Locations** - This was an interesting map, pulled from a Beta Technologies presentation, and shared with me by a local engineer I got to know through Linked In. It is neat to observe the build out locations and better understand the relevance this charging station lends to our own airport. Also included in the map are a list of some of Beta's partners.
- **Soccer Park Trail Lights** - We will be having a meeting with CEC and park staff to observe locations for Soccer Park lights. At this point, our plan is to proceed with overhead lines most likely as that development would be done for free but have also asked for an estimated cost for underground infrastructure. The Board should start considering its preference and estimated value of the underground infrastructure knowing it will come at an increased cost.

City Engineer Report:

- **Vincentian Way** – The contractor has been working on the base rock this week. The stormwater piping has been delivered and two-thirds of the gas main is installed.
- **Generator for Public Works** – Koch Electric built the pedestal and the material has been ordered. There is a 16 week lead time. We will be eliminating some overhead power lines.

Mayor Riney asks about the driveway for the proposed Dairy Queen. City Engineer Baer tells the Board that there are two access points for the area and that MoDot will allow the points to move to different locations. He notes that engineers are designing the site layout.

Alderman Rice asks about sewer for this property. City Engineer Baer tells the Board that the sewer location is still being determined.

City Attorney Report: City Attorney Pistorio tells the Board that the Barbero vs. City of Perryville case is expected to be dismissed in January.

Chief of Police Report: No Report.

Parks & Recreation Director Report:

- **Border Wars Shootout** – There was a good turnout for this event.
- **Holiday Food Drive** – This has been successful.
- **Streetlights** – Staff is meeting with Citizens Electric Corporation regarding streetlights at the Soccer Park and City Park. It is expected the installation of the streetlights will begin at the Soccer Park and then City Park.

**Mayor Riney asks for any Board concerns, comments, or other non-action items:**

There being no comments from the Board, Alderman Riney notes that the Mayor's Cup is scheduled for January 27<sup>th</sup> and he wonders if there should be an actual trophy for the event. After discussion, it was determined that Parks & Recreation Director Cadwell discuss the matter at the upcoming planning meeting scheduled with St. Vincent School and Perryville High School.

Now, at this time, upon motion by Alderman Buerck, seconded by Alderman Amschler, 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; and contractual matters in accordance with Section 610.021(9) RSMo. Roll call showed the aye and nay votes as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one.

Following discussion and review, it is upon motion by Alderman Martin, seconded by Alderman Rice, 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, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one.

There being no further business, it is upon motion by Alderman Rice, second by Alderman Buerck, and on vote carried, ordered that the Board now adjourn until Tuesday, January 2, 2024, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK