

**May 7, 2024**

**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, Deanna Kline, Douglas K. Martin, Clint Rice, and David J. Schumer, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Art Pistorio, City Attorney.

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

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

Gwen Schweiss of 130 Jordan Lane, Perryville, Missouri, asks that a public comment section be added to the end of the upcoming Comprehensive Plan presentation.

Betty Phillips of 402 Dowling tells the Board of Aldermen that she was under the impression that the Planning & Zoning Commission made the final decision to approve the Comprehensive Plan. She expresses her concern that some industries would be allowed in the city limits. City Administrator Buerck explains that the Comprehensive Plan does not set zoning. He also notes that the Comprehensive Plan is a 'plan' and that it is not expected that all parts of the plan will get done.

Mayor Riney states that the Comprehensive Plan is a plan; a framework in place if we need it.

Gene Klund of 408 Dowling, Perryville, tells the Board that he would like a brief discussion after the Comprehensive Plan presentation.

After review, it is agreed that the Board will entertain questions after the Comprehensive Plan presentation.

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

Introduction of new city employee:

**Benjamin Kight**, Maintenance Technician for Water/Wastewater Plants

At this time, Mayor Riney opens a public hearing for a special use permit request from Rinehart Properties, LLC to build self-storage units on Lots 17 and 18 of Colonial Plaza and Lot 2 of Sides Minor Subdivision.

City Administrator Buerck notes that this property is located in a prime area for restaurants and retail stores. He expresses his concern that storage sheds may not be the best use for the community and that there may be other more viable locations for storage sheds.

There being no one else coming forth, Mayor Riney closes the public hearing for a special use permit request from Rinehart Properties, LLC to build self-storage units on Lots 17 and 18 of Colonial Plaza and Lot 2 of Sides Minor Subdivision.

Cristen Hardin of PGAV Planners presents the proposed Comprehensive Plan. She notes that the Planning & Zoning Commission has approved the plan on their level and now it is time for the Board of Aldermen to accept the Plan. She reviews the many avenues provided for City residents to provide their feedback over the last year as this plan has been developed. She notes that a common comment received from residents was to provide a safe way for people to walk/bike safely in town. She comments that the Future Land Use Map shows where commercial areas are recommended; however, most of the map has remained as is. She also notes that the City will be looking at reviewing the current zoning ordinance.

Overall comments from the Board of Aldermen state much planning went into the process of creating the Comprehensive Plan; however, the plan does not dictate that everything in it must be completed. City Attorney Pistorio notes that a Comprehensive Plan remains flexible and is not a binding document; but a guide for city use. Mayor Riney, recognizing that members of the audience are concerned that the plan will not allow the use of automobiles, assures them that he does not foresee Perryville becoming a community that only allows walking and biking.

Mayor Riney asks if anyone in the audience would like to ask questions regarding Comprehensive Plan.

Damon Dillard of 713 Apple Creek Lane, Perryville, asks what the Comprehensive Plan study cost and if there will be an on-going cost for the study. He also asks if the plan includes any water regulations. He also asks if PGAV has any connections with the World Economic Forum, Global Shapers, or UN Environmental Program Mississippi Rivers Cities and Towns Initiative. City Administrator Buerck tells Mr. Dillard that the cost of the Comprehensive Plan is approximately \$90,000, with an additional \$30,000 for the upcoming zoning review. He states that there are no ongoing costs. He also tells him that there are no water regulations in the plan.

Cristen Harden tells Mr. Dillard that to her knowledge, PGAV is not associated with the organizations he has asked about.

#### **CONSENT AGENDA ITEMS**

6. Approve minutes from meeting of April 16, 2024.

7. Approve bills for April 2024.

At this time Alderman Rice, Chairman of the Finance Committee, presents the following bills and invoices for the month of April 2024, vendor checks numbered 127966 - 128258; 22 ACH transfers; payroll checks numbered: 659585 - 659626.

The following bills are presented to be paid for the month of April 2024. Board finds that \$722,348.36 is chargeable to and payable out of the General Revenue Account; \$138,256.93 is out of Airport; \$94,481.21 is out of Transportation Trust; \$509,262.60 is out of Perry Park Center; \$895.26 is out of Veterans Memorial; \$25,000.00 is out of Tech Ed Building; \$5,300.26 is out of TIF 2; \$26,330.46 is out of Street Improvement; \$65,513.53 is out of Refuse; \$360,840.69 is out of CWSS; \$405,669.64 is out of Gas Operation; and \$5,924.50 is out of WWTP Project. The Board, upon investigation, found the sum to be \$2,359,823.44.

8. Approve Mayor's 2024-25 appointment to Public Works Committee (to include sidewalks).

9. Approve Change Order 2 from Zoellner Construction relative to the School Street Lift Station Project - \$27,861.22 addition.

10. Approve request for Soda Vending Machine quotes for the Parks & Recreation Department and authorize staff to seek quotes.

11. Approve RFQs received for Airport Engineering and Planning Consultant Services and award to Crawford, Murphy & Tilly per recommendation of City Administrator Buerck.

12. Accept quotes for sidewalks in Kolbe Subdivision and award to Fronabarger Concreters, Inc., per recommendation of City Engineer Baer - \$27,275.00.

13. Accept quotes received for Fire Station 1 Roof Replacement project and award to Geringer Construction per recommendation of Emergency Services Manager Mantz - \$25,000.00.

14. Accept quotes received for a travel van and award to Keller Motors per recommendation of Public Works Director Layton - \$39,955.00.
15. Accept quote received for the City Parks Tree Removal project and award to Bohnert Landscaping and Tree Service per recommendation from Parks & Recreation Director Cadwell - \$10,500.00.
16. Accept bid received for the Parks & Recreation Department 2024 Lawnmower request and award to Davis Farm Supply per recommendation of Parks & Recreation Director Cadwell - \$16,302.00.

| Company   | Base Bid    | Trade In | Total Price |
|---|-------------|----------|-------------|
| Davis Farm Supply<br>1200 N Main St<br>Perryville, MO 63775 | \$25,302.00 | \$9,000  | \$16,302.00 |

17. Approve request from Centermark Construction for first 25% payment relative to Vincentian Way Lift Station project - \$6,300.00.
18. Accept Metropolitan Area Network (MAN) Proposal in conjunction with Perry County Commission and award to Forward Slash Technology per recommendation of City Administrator Buerck.
19. Acknowledge submittal of TAP Grants to MoDot: 1) Vincentian Way from Edgemont to Rt T ; 2) Alma Avenue from McDonald's Drive to Hwy 51; and 3) Edgemont Blvd from Hwy 51 to Vincentian Way.
20. Approve specifications for PPC Bathroom Renovation and authorize staff to advertise for bids.
21. Approve Request for Qualifications relative to architectural services for Airport Hangar Renovations.
22. Approve Police Department recommendation regarding placement of "No Truck Through" sign on Lucy Street.
23. Approve request from Community Counseling Center Foundation to promote Mental Health Awareness Month on the Downtown Plaza screen during the month of May.

**END OF CONSENT AGENDA**

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

Item 22 – Alderman Rice questions where the sign will be placed. Captain Worthington tells the Board that the sign will be placed on the north side of Lucy Street.

Item 13 – Alderman Buerck questions why there was only one bid on the fire department roof. City Administrator Buerck tells the Board that the information was sent to 10 businesses.

Item 15 – Mayor Riney questions why there was only one bid on the tree removal project in the park. Alderman Martin notes that most businesses do not want to pay for insurance.

Alderman Schumer makes a motion to approve the consent agenda. Alderman Rice seconds the motion, and on vote the motion carries.

At this time, the Board of Aldermen reviews the 2024-25 fee schedule presented by Baer Engineering. City Administrator Buerck notes that it was decided last year that rather than present this by

resolution each year, Baer Engineering would raise their rates in accordance with the City's cost of living raises for city employees. Alderman Rice notes that the increase presented includes an additional 1%. After discussion, it was decided that City Engineer Baer would adjust this bill to exactly reflect the 3.6% increase. City Administrator Buerck tells the Board that this will be an automatic adjustment each year.

Alderman Amschler makes a motion to table the approval of the Baer Engineering fee schedule. Alderman Kline seconds the motion, and on vote the motion carries.

At this time, the Board discusses the special use permit request from Rinehart Properties, LLC to build self-storage units on Lots 17 and 18 of Colonial Plaza and Lot 2 of Sides Minor Subdivision. It is agreed that they will hold first reading of the ordinance later in the meeting.

Alderman Rice makes a motion to approve the proposed revision to Residential Sidewalk Installation Program Application relative to an increase from \$25.00 to \$35.00 per linear foot for a 4-foot sidewalk, plus an additional \$6.00 per linear foot for each additional one foot of sidewalk width. Alderman Buerck seconds the motion, and on vote the motion carries.

## **RESOLUTIONS:**

After discussion and review, Alderman Schumer makes a motion to adopt an amendment to the City of Perryville Street Policy relative to width of sidewalk. Motion is seconded by Alderman Buerck, and on vote carried. Said Resolution is as follows:

### **RESOLUTION NO. 2024-29**

#### **A RESOLUTION AMENDING THE STREET POLICY**

**WHEREAS**, the Board of Aldermen has directed the city administrator and city staff to prepare an amendment to the 9th Revision of the City of Perryville's Street Policy, which said amendment is approved by the Board of Aldermen; and

**WHEREAS**, it is the intent of the City of Perryville to formalize this amendment to the City of Perryville's Street Policy by the adoption of a resolution to allow the city administration and staff to administer the Street Policy with the inclusion of the amendment.

#### **BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:**

That the Mayor and Board of Aldermen of the City of Perryville, Missouri, after consideration of the needs of the City, approve and adopt the following amendment to Section 14(6) of the 9th Revision of the Street Policy:

##### **"Section 14 – Sidewalks**

6. **Standard Design** - Concrete sidewalks shall be 5 feet wide unless the City Engineer recommends and the Board of Aldermen approves a different width due to specific site conditions or terrain. All sidewalks must also meet ADA compliance standards. When constructing designated hiking and biking trails, the City may increase the width to up to 10'. As part of this policy, the City Clerk shall maintain minimum design standards for sidewalks."

That the Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby rename the Street Policy as the "10<sup>th</sup> Revision to the City of Perryville's Street Policy."

PASSED AND APPROVED this 7<sup>th</sup> day of May, 2024, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

ATTEST:  
Tracy Prost, City Clerk

By: Larry Riney, Mayor

After discussion and review, Alderman Buerck makes a motion to enter into an agreement with PlayPower LT Farmington, Inc., relative to Phase 2 of the Lucas and Friends Backyard Adventure Playground. Motion is seconded by Alderman Martin, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2024-30

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **PLAYPOWER LT FARMINGTON, INC.**, RELATIVE TO **PHASE 2 OF THE LUCAS AND FRIENDS BACKYARD ADVENTURE PLAYGROUND**; 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 **PlayPower LT Farmington, Inc.** 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 7<sup>th</sup> day of May, 2024, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

After discussion and review, Alderman Buerck makes a motion to enter into a Rental of Hangar Space agreement with Jon Shaddock, d/b/a Fund Flight Aviation. Motion is seconded by Alderman Amschler, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2024-31

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **JON SHADDUCK, D/B/A FUND FLIGHT AVIATION** RELATIVE TO **T-HANGAR #3 RENTAL AGREEMENT**; 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 **Jon Shadduck, d/b/a Fund Flight Aviation**. 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 7<sup>th</sup> day of May, 2024, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

After discussion and review, Alderman Amschler makes a motion to enter into Mural Agreements with EJ Warren Enterprises, LLC, HB Property Management, M & P Trades, LLC, SMS Investment Group, Southeast Missouri Regional Planning Commission, and VG Enterprises, LLC. Motion is seconded by Alderman Rice, and on vote carried. Alderman Martin abstains. Said Resolution is as follows:

#### RESOLUTION NO. 2024-32

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACTS BY AND BETWEEN THE CITY AND **EJ WARREN ENTERPRISES, LLC; HB PROPERTY MANAGEMENT; M & P TRADES, LLC; SMS INVESTMENT GROUP; SOUTHEAST MISSOURI REGIONAL PLANNING COMMISSION; AND VG ENTERPRISES, LLC**, RELATIVE TO **MURAL AGREEMENTS**; 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 contracts 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 contracts;

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 contracts in their substantial form and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **EJ Warren Enterprises, LLC, HB Property Management, M & P Trades, LLC, SMS Investment Group, Southeast Missouri Regional Planning Commission, and VG Enterprises, 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 contracts.

2. That the Mayor be and he is hereby authorized and directed to execute said contracts 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 contracts.

PASSED AND APPROVED this 7<sup>th</sup> day of May, 2024, by a vote of 5 ayes, 0 nays, 1 abstention, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

After discussion and review, Alderman Schumer makes a motion to enter into an Agreement for Professional Services with KimHec Environmental Consulting relative to Pretreatment and NPDES Program Assistance. Motion is seconded by Alderman Kline, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2024-33

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **KIMHEC ENVIRONMENTAL CONSULTING** RELATIVE TO **PRETREATMENT AND NPDES PROGRAM ASSISTANCE SERVICES**; 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 **KIMHEC Environmental Consulting**. 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 7<sup>th</sup> day of May, 2024, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

After discussion and review, Alderman Buerck makes a motion to enter into an agreement for professional services with Horner & Shifrin relative to FY2024 Miscellaneous Water Model Evaluations throughout the City. Motion is seconded by Alderman Rice, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2024-34

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **HORNER & SHIFRIN, INC.**, RELATIVE TO **FY2024 MISCELLANEOUS WATER MODEL EVALUATIONS**; 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 **Horner & Shirin, Inc.** 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 7<sup>th</sup> day of May, 2024, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

After discussion and review, Alderman Martin makes a motion to into an agreement with Forward Slash Technology and Perry County, Missouri, relative to Metropolitan Area Network. Motion is seconded by Alderman Rice, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2024-35

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY, **FORWARD SLASH TECHNOLOGY, LLC, AND PERRY COUNTY, MISSOURI**, RELATIVE TO **METROPOLITAN AREA NETWORK**; 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, **Forward Slash Technology, LLC., and Perry County, Missouri.** 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 7<sup>th</sup> day of May, 2024, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

**ORDINANCES:**

**SECOND READING AND FINAL PASSAGE:**

Now, at this time, the Board proceeds to approve Bill No. 6501, AN ORDINANCE AMENDING TITLE 2 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO REPEAL OF CHAPTER 2.78 – AIRPORT BOARD; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH. Bill No. 6501 is read a second time on motion by Alderman Buerck, seconded by Alderman Amschler. Thereupon on motion by Alderman Buerck, seconded by Alderman Martin, 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, aye; Deanna Kline, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6716 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6501

ORDINANCE NO. 6716

AN ORDINANCE AMENDING TITLE 2 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO REPEAL OF CHAPTER 2.78 – AIRPORT BOARD; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

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

Section 1. That Title 2, Chapter 2.78 (and all sections and subsections thereof), of the Code of Ordinances of the City of Perryville, Missouri, is hereby DELETED IN ITS ENTIRETY.

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

Section 3. 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 4. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: April 16, 2024.

SECOND READING: May 7, 2024.

PASSED AND APPROVED this 7<sup>th</sup> day of May, 2024, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 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. 6502, AN ORDINANCE ACCEPTING THE FINAL PLAT OF BMW HOLDINGS SUBDIVISION II, A MINOR SUBDIVISION; ACCEPTING DEDICATION OF EASEMENTS, STREETS AND PROPERTIES DESCRIBED; ACCEPTING RESTRICTIONS, IF ANY, FILED THEREWITH; AUTHORIZING THE RECORDING OF SAID PLAT; ACCEPTING IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED AND INDICATED ON SAID PLAT; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, 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 Buerck, seconded by Alderman Martin. On motion by Alderman Buerck, seconded by Alderman Rice, and on vote carried, Bill No. 6502 is read for the second time. Thereupon on motion by Alderman Buerck, seconded by Alderman Martin, 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, aye; Deanna Kline, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6717 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6502

ORDINANCE NO. 6717

AN ORDINANCE ACCEPTING THE FINAL PLAT OF BMW HOLDINGS SUBDIVISION II, A MINOR SUBDIVISION; ACCEPTING DEDICATION OF EASEMENTS, STREETS AND PROPERTIES DESCRIBED; ACCEPTING RESTRICTIONS, IF ANY, FILED THEREWITH; AUTHORIZING THE RECORDING OF SAID PLAT; ACCEPTING IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED AND INDICATED ON SAID PLAT; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, BMW Holdings, LLC, has platted the Final Plat of BMW Holdings Subdivision II, a minor subdivision, as located within the corporate limits of the City of Perryville, Missouri; and,

WHEREAS, the developer has installed required improvements; and,

WHEREAS, the developer has complied with all of the city ordinances and, in particular, Title 17 of the Code of Ordinances of the City of Perryville, Missouri.

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

Section 1. The Mayor and Board of Aldermen of the City of Perryville, Missouri, do hereby accept the Final Plat of BMW Holdings Subdivision II, a minor subdivision, which is attached hereto as Exhibit A, including all easements, right-of-way streets and improvements indicated thereon and subject to the terms and conditions expressed therein.

Section 2. The Mayor and City Clerk of the City of Perryville, Missouri, are hereby authorized to do all acts and execute all instruments appropriate and necessary to accept said plat.

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

Section 4. 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 5. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: May 7, 2024.

SECOND READING: May 7, 2024.

PASSED AND APPROVED this 7<sup>th</sup> day of May, 2024, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

**FIRST READING:**

Alderman Martin presents motion, seconded by Alderman Rice, and on vote carried Bill No. 6503, approving special use permit request from Rinehart Properties, LLC to build self-storage units on Lots 17 and 18 of Colonial Plaza and Lot 2 of Sides Minor Subdivision, is read for the first time by title only. The heading is as follows:

AN ORDINANCE APPROVING THE PROPOSED REZONING FOR A SPECIAL USE PERMIT FOR CERTAIN PROPERTY IN THE CITY OF PERRYVILLE, MISSOURI, DESCRIBED IN EXHIBIT A; SETTING FORTH THE AREA FOR SPECIAL USE AND THE CONDITIONS OF SPECIAL USE; ALL IN ACCORDANCE WITH THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI.

Alderman Buerck presents motion, seconded by Alderman Rice, and on vote carried Bill No. 6504, accepting a general warranty deed from Billy G. Bailey Revocable Living Trust, is read for the first time by title only. The heading is as follows:

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 GENERAL WARRANTY DEED.

Alderman Rice presents motion, seconded by Alderman Schumer, and on vote carried Bill No. 6505, approving and confirming the Comprehensive Plan for the City of Perryville, is read for the first time by title only. The heading is as follows:

AN ORDINANCE APPROVING AND CONFIRMING THE COMPREHENSIVE PLAN FOR THE CITY OF PERRYVILLE, MISSOURI, DEVELOPED PURSUANT TO SECTION 89.300 RSMO., ET SEQ.

Alderman Rice presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 6506, approving amendment to 2024-25 Pay Plan, is read for the first time by title only. The heading is as follows:

AN ORDINANCE APPROVING AN **AMENDMENT TO THE 2024-25 PAY PLAN** AS AMENDED, FOR THE CITY OF PERRYVILLE, MISSOURI, WHICH SHALL BECOME AND BE MADE A PART OF THE 2024-25 BUDGET AS MADE AND PROVIDED IN SECTION 67.010, ET SEQ., RSMO.

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

Alderman Amschler, a member of the Public Works Committee, asks why MoDot painted a yellow line down the middle of Main Street. Mayor Riney explains that there was a miscommunication between he and a MoDot employee. City Administrator Buerck will contact MoDot to determine if the stripes can be removed.

Alderman Kline, as a member of the Liaison Committee, tells the Board that she attended the Planning and Zoning Commission. She notes that P&Z approved the Rinehart special use permit, noting that the Commission was looking at the future land use map while making their decision.

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

- **Missouri Partnership Visit** - Representatives from Missouri Partnership were in Perryville yesterday touring the community. They toured the West Star facility and did a drive-by tour of the industrial and commercial sites in Perry County.

- **Housing Roundtable Discussion** - Friday, May 3<sup>rd</sup>, Derek Weber with the Northeast Missouri Regional Planning Commission was in Perryville providing a presentation on a program he has been doing to generate new home construction in his region. About 30 community members were in attendance. We discussed how the Perryville community could create a similar program to address housing shortages. We also discussed the possibility of updating the housing study that was completed in 2015 to get a better understanding of the most needed housing price points and to prepare us for possible grant funding that is being considered in the Missouri legislature.

- **Retail Strategies** - A press release has been created announcing our partnership with Retail Strategies and that should go out in the coming weeks. I've been sending them logos, photos, and contact information so they can begin creating our marketing materials.

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

City Administrator Report:

- **Article: Artificial Intelligence** - The city is not currently doing much in this space but other cities are. I personally attended a training session last week and realized there is a great deal of potential with this tool. Staff will continue to research and understand its capabilities and limitations and may eventually work to place something into existing City policies.

- **Article: NBC News re Eclipse** - Our community took a different approach to the business of the eclipse by not price gauging. Our hope was to provide a low-cost, high-quality event and give visitors a reason to come back in the future. This came very much to the surprise of national news media who picked this up as a unique story for the eclipse. Several of my colleagues reached out and shared the coverage, congratulating the City for our approach.

- **Article: Marijuana Tax Revenues Fall Short** - We are unsure what to expect from our coming store regarding their sales or our potential tax revenue. Recently, however, the courts have confirmed both the City and the County may apply our 3% sales tax as approved by voters last year. We are still not hearing of many in our community being excited by the coming store and we continue to explain that legalized marijuana is now enshrined in the Missouri Constitution and our biggest point of influence is the location.

- **Aviation Mural** - The newest mural is now complete. Staff is working with Trish to identify the plane silhouettes featured. The majority of the feedback thus far has been very positive and staff is happy to finally have the ability to recognize our aviation history and the talents of our many workers over the years.

- **Missouri Destination Cities** - We first opened our heritage tourism office in May of 2015. One year later the County joined us in this endeavor and in April 2019, we passed our first supporting tax. This year, for the first time, we cracked the threshold of statewide relevance as no less than 1% of all visitors to Missouri came to Perry County (and this didn't even include last month's eclipse numbers). Seemingly minor, this brings great state attention and monitoring.

- **Ham Radio Workshop – Jun 22** - Similar to last year, this club of amateur radio users will be in the soccer park outside of operating hours but have no intention of staying overnight this year.

- **Main Street Striping** - Some of you may have noticed the entirety of Main Street now has yellow center striping. This was a surprise to staff but followed an inquiry the Mayor made of MoDOT at the eclipse, wondering if it was possible and what it might cost. MoDOT staff went the extra mile and the street is already striped. We are working to confirm with MoDOT who will maintain this area going forward (largely, because we do not have the right equipment for this length of street or the double-striping format).

- **City Clerk Start Date – May 13** - Tracy's eventual replacement will join City Hall next Monday. We look forward to making her introduction at an upcoming meeting although she and her husband already have a May trip planned for Alaska so it might be the first meeting in June.

- **Eclipse Statistic** - Attached are the Placer AI statistics from our most recent eclipse, showing roughly 56,000 visitors from 48 states and 12 countries. Congratulations to Trish and our community for making this a great experience for our visitors. We understand anecdotally for several of our local businesses.

- **ACE News Release** - There was a groundbreaking ceremony at the new site of ACE hardware but city and county officials were unaware it had been scheduled and were unable to join the event. We have reached out to ACE hardware representatives for a future "meet and greet" lunch and hope to officially welcome them at that time.

- **The Small Bites Series** - This was an online workshop Crystal came across that presented alternate solutions to zoning codes, encouraging smaller lots and houses and increase development. It is based on a Durham North Carolina zoning reform that permits homes on 2000 SH lots, less than 1/3rd the traditional minimum lot size. Additionally, the houses built in those areas can be no larger than 1200sf. Local builders immediately shifted towards building these smaller, more affordable homes, in greater quantity. As a result, Durham has been one of the only cities in America to bend the affordability curve and re-start start home markets. The session will walk through the code reform, real world development examples, explain how the reform was done, and how cities can replicate this approach. Although staff is not convinced this is entirely the right approach for our community, it presents an opportunity to rethink zoning and learn more about what others are doing.

- **Fitness Training in the Weight Room at PPC** - Generally speaking, our city ordinances prohibit individuals from conducting business on City property without the opinion of the Board. The City has long lacked the capacity to full-on, personal train so we have allowed private trainers to work with individuals in the park, neither endorsing or officially condoning the activity. Occasionally, it has presented challenges like, for example, when someone wants to train multiple people at a single time, clogging machines and limiting their use to others. In this case, the trainer has become emboldened and actively criticizing the staff for asking him not to write training plans on our mirrors. These comments seem to be rallying support from customers and may be creating challenges that push us to take action so staff wanted to raise the issue with the Board before jumping in too deep.

- **Downtown Plaza Metal Signs** - The original plan was to remove the metal signs on either side of the plaza when we installed the new digital sign. The Chamber and other groups have been encouraged to use the digital sign for their advertising and staff is working with the downtown group to determine what and how best to use the old signs, including maps of the County identifying significant points

of interest. Trish's more recent suggestion including the idea of relocating these signs to the parks, further helping visitors navigate the community and our amenities. Before having this conversation, staff wanted to check the Board's pulse on the idea.

- **MPUA Rate Study** - This annual survey is shared with the Board as it helps give background for the City's water and sewer rates. The report is in Excel and can be manipulated many ways, but Perryville is presented here with similar sized communities.

- **Wichern Pit Study** - This map was put together by Josh Cooper and other members of the local cave grotto. We are proud of the relationship we have built with these groups and they have agreed to help explore new caves and sinkholes that may open up so we fully understand what we have.

City Engineer Report:

- **School Street Lift Station** – The floor was poured last week and crews will start on the walls when it dries up.

- **NE Phase 3 Trunk Line** – Materials for the roundabout should be arriving soon. Then the crews can do the bore.

- **Vincentian Way** – Fronabarger is making good progress on this project and will pour another section on Friday, which will leave only 500 feet left for completion. They will start on the trail next.

- **TAP Grant, Phase 3** – We have not received final approval back from MoDot. Once we do, we can place this project out for bid.

- **School Street Lift Force Main Project** – We have held the pre-construction meeting and hope to start this project in the next couple of weeks.

City Attorney Report: No Report.

Chief of Police Report: Has a personnel matter for closed session.

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

Alderman Rice tells the Board that he received a call from Troy Kiefer asking the Board to change the building codes to include a stipulation that all new houses built should include a garage. He says that Mr. Kiefer also would like a prohibition of on-street parking. In addition, he is concerned about water runoff from driveways.

Alderman Schumer asks Public Works to review the flume off of Reddick Street. He notes that it may need rip-rap.

Alderman Buerck asks that the Code Enforcement Officer be mindful of grass clippings on the streets and the placement of off-premise signs throughout the city. City Administrator Buerck asks Alderman Buerck to send him the addresses. He also tells him he can call the Code Enforcement Officer directly if he sees something that needs his attention.

Alderman Kline tells the Board that Betty Phillips also appeared at the Planning & Zoning Commission meeting with concerns about the types of businesses allowed in Perryville and requested that certain businesses never be allowed, such as strip clubs and bit coin mining.

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; Deanna Kline, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

Following discussion and review, it is upon motion by Alderman Rice, seconded by Alderman Amschler, 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; Deanna Kline, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

There being no further business, it is upon motion by Alderman Rice, second by Alderman Amschler, and on vote carried, ordered that the Board now adjourn until Tuesday, May 21, 2024, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK