



## AGENDA NOTES

### REGULAR MEETING 6:30 P.M., TUESDAY, APRIL 5, 2016

**PERRYVILLE POLICE STATION • 120 North Jackson 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. Introduction of newly-hired Police Officer Bryan White.  
**Officer White, who is former US military, will be introduced by Police Administration at the meeting.**

#### CONSENT AGENDA ITEMS

4. Approve minutes from meeting of March 15, 2016. (copy)
5. Approve bills for March, 2016. (copy)
6. Approve Collector's Report for March, 2016; Supplement No. 5 for 2015; and Supplement No. 16 for 2014; and Supplement No. 25 for 2013. (copy)
7. Approve Annual Report of City Collector – April 1, 2015, to March 31, 2016. (copy)
8. Approve declaration of 2014 and 2015 Residential Surplus Funds in the amount of \$14,355.64 relative to I55/Hwy 51 TIF and acknowledge that said funds were never collected by the TIF but were disbursed to the taxing entities by the County of Perry. (copy)

**In accordance with our Tax Increment Financing (TIF) plans and agreements, residential property taxes are declared as surplus and distributed to the taxing entities.**

9. Approve Pay Estimate 5 to CE Contracting, Inc. relative to St. Joseph and French Lane Water Main Project - \$8,518.44 (copy)  
**This relates to the water study improvements being made along French Lane and St. Joseph Streets.**
10. Approve Pay Estimate 6 to CE Contracting, Inc. relative to St. Joseph and French Lane Water Main Project - \$88,975.29. (copy)  
**This relates to the water study improvements being made along French Lane and St. Joseph Streets.**
11. Approve Pay Estimate 4 from Mike Light Cement Finishing, Inc., for the 2015 Sidewalk Improvement Project - \$8,718.75. (copy)  
**This relates to the remaining work on the sidewalk project expansion projects on Schindler Road, Main Street and Edgemont.**
12. Approve quote from Eastern Missouri Industries for boring 3" gas main for Moore Drive Extension - \$72,000.00. (copy)  
**This PO was previously shared with the Board of Aldermen via email as the work was scheduled to begin prior to the April 5 meeting. This purchase exceeds staff limits for purchasing and thus will have to be approved by the Board. Staff contacted several bidders but only one responded. It is the same company used to install gas lines to Rambling Hills.**
13. Approve bids received for Animal Control Truck and award to Don Brown Chevrolet per recommendation of Chief Hunt - \$26,862.00. (copy)  
**This item is part of next year's budget and, given the mechanical condition of the truck, was prioritized for an early purchase in the fiscal year.**
14. Approve amendment to contract with Donohue & Associates for a mixing study to determine viability of discharging from the SE Waste Water Treatment Plant to the Mississippi River – not to exceed \$34,500.00. (copy)  
**This study will help further evaluate the viability of delivering our wastewater effluent directly to the Mississippi River as opposed to discharging into Cinque Hommes Creek. An alternative discharge point could really help reduce the challenges of upcoming permit limits. This study will evaluate river conditions and mixing potential in an effort to determine what our limits would be at the Mississippi River.**
15. Approve Petition to include the City-owned property of French Lane Park in the possible creation of the Perryville Veterans Plaza Community Improvement District (CID) and authorize Mayor Baer to execute the petition. (copy)  
**There are still efforts underway by some in the community to create a CID to support the development of a Veterans Plaza in French Lane Park. The proposed plaza would include a Perry County Military History Museum, office space for the EDA, public meeting space, and a proposed replica of the Vietnam Memorial Wall in Washington D.C. Since the City owns property within the proposed district, we have been asked to sign a legal petition as part of the process to start the CID. Please note: This petition does not, in and of itself, establish the CID. A majority of affected business owners within the proposed district must submit a similar petition. If that occurs, there is a legal process that must then unfold that includes a public hearing by the Board of Aldermen.**

16. Review and approve Farmers Market Application and Agreement from Orschlen Farm and Home. (copy enclosed)  
**Similar to the last couple years, Orschlen's would like to host a 2016 seasonal Farmer's Market on Mondays between the hours of 3 and 6 pm.**
17. Approve request from Jerry Davis relative to Old Timers Day at the Seminary Picnic grounds on May 28-29, 2016.  
**This is an annual event occurring over Memorial Day weekend that we have traditionally supported with trash service and police traffic control during the parade. Staff has expressed no concerns with continuing this endeavor.**
18. Approve request from Lee Ann Lowes, on behalf of American Legion Post 133, for a Retail Liquor by Drink-Caterers (RBDC) license for Old Timers Day at the Seminary Picnic grounds on May 28-29, 2016. (copy enclosed)  
**As part of #17 above, staff again recommends approval of this yearly request.**
19. Approve request from PHS Student Council for a Relay for Life fundraiser to be held on April 8-9, 2016, at the four corners of the Downtown Square.  
**This is a youth-initiated, annual project that has occurred for many years. We have shared a copy of this request with the Police Department and they have not voiced any concerns with the project continuing. It is scheduled to occur April 8<sup>th</sup> from 4pm to 7pm and April 9<sup>th</sup> from 8am to 11am.**
20. Approve request from St. Vincent Alumni to sell hamburgers at St. Vincent's sporting events in the City Park. (copy)  
**Due to their schedule, this information was previously shared with the Board of Aldermen via email. Staff supports this request as the customer volume is insufficient to justify a full-service concession stand. In their case, volunteers from the SV Alumni Association will grill hamburgers from a donated beef as a fund-raiser.**
21. Approve proposed 2016 EDA Budget. (copy)  
**This budget has been previously reviewed and approved by the Board of Aldermen. That presentation originally occurred prior to the City determining its COLA increase for the annual Pay Plan. This revised budget simply includes a 2% COLA to match the City (as opposed to the 1% originally assumed).**
22. Approve Perryville Police Department Operations Manual Update G0-16-0401. (copy)  
**This is a new policy to our Department as we had never adopted an official Special Response Team (SRT) policy. This team is similar to what other jurisdictions may refer to as their SWAT team (Special Weapons and Tactics).**
23. Set public hearing for a special use permit request from John Milfelt to continue to operate a knife grinding business under new ownership at 801 Feltz Street, R-5 (General Residential) – April 19, 2016, at 6:30 p.m.  
**This company has been located at this address for nearly 40 years but recently changed ownership. A special use permit is specific to the individual and not the property so Mr. Milfelt must apply for a special use permit to continue his operations.**

This hearing had been previously scheduled for April 5 but had to be cancelled due to an administrative error in which City staff did not provide proper notice within the time frames required by statute. City Administrator Buerck apologizes for this oversight.

### **END OF CONSENT AGENDA**

24. Approve bids received for 2016 Water System Improvements – Grand Avenue and Progress Center/Dogwood Court and award to Earth First Contractors, LLC per recommendation of City Engineer's office - \$51,446.20. (copy)  
**This bid items consists of two smaller, separate water projects. The first of which relates to correcting a water hammer problem in Progress Center/Dogwood Court, and the second project will replace the water line under Grand Avenue at its intersection with Perryville Boulevard.**
25. Review traffic study regarding stop sign on corner of North Jackson Street and Grand Avenue. (copy)  
**City Administrator Buerck received comments from a resident who is a frequent walker who reported having several "near misses" in front of Baer Engineering. She said she often walks up Grand Avenue from Main Street. She doesn't believe the Jackson Street drivers coming around the corner at Baer Engineering are able to see her because the office obscures their view. She suggested we consider adding a stop sign there. After completing a thorough review, the Police Department does not recommend adding a stop sign to that intersection (noting there is already one at Grand Avenue). As is customary, we would ask the Board for an official decision.**
26. Discussion regarding proposed amendment to park curfew hours. (copy)  
**The Board of Aldermen previously directed staff to adjust the park hours to an 11pm closing. This matter was discussed at length with the Park Board and a summative memo is attached here. Mr. Steve Keller and others spoke at the last meeting and asked the Board to reconsider this decision. Staff will be seeking direction from the Board of Aldermen as to how to proceed. Potential options for the Board to consider for City Park include:**
- 1. Continue with the direction to close at 11pm**
  - 2. Compromise with a closing time of 12 midnight**
  - 3. Return to the original closing time of 1am**
27. Decision regarding request for Soccer Camp proposal from Matt Tarrillion. (copy)  
**Mr. Tarrillion has long had a passion for soccer and grew up playing here in Perryville. He regularly referees matches throughout the region and recently started his own Non-Profit Organization (NPO). He was responsible for the Futsal leagues this winter and has previously presented his idea of his hosting a soccer camp and 3-on-3 league this coming year.**

**After much review and consideration, staff recommends continuing to allow the Optimist Club to organize and direct soccer activities for our community. It is this organization that originally worked to introduce organized soccer to Perryville, later developed the Bank of Missouri Soccer complex with over \$1.1 million in private monies, administers the local soccer leagues and tournaments and continues to invest a great deal of money and resources in maintaining and developing the soccer park. In this case, Mr. Tarrillion was offered a position on the Optimist Board which would have allowed the proposed activities to proceed under the Optimist umbrella but he subsequently declined.**

28. Discussion regarding Planning & Zoning Commission's recommendation regarding street frontage requirement modifications. (copy)  
**One of the key takeaways from the housing study was the difficulty some people experience in developing nonconforming lots (e.g. flag lots). There are vacant tracts, in some cases sizeable, which do not have the required 75' of street frontage. Staff suggested lifting that requirement with the understanding these would be private drives and not receive city maintenance. The attachment here offered several parameters that could possibly help ensure private development occurred but still tried to preserve our ability to later improve to city street standards. This matter has been presented to the Planning and Zoning commission and it is their recommendation NOT to proceed with the private drives proposed here. They believe the long-term risks far outweigh the possible benefits of "softening" the standards that have been a hallmark of Perryville.**
29. Discussion regarding Planning & Zoning Commission's recommendation regarding proposed R-3 Modified Two-Family Residential District. (copy)  
**This continues a conversation previously started with the Board of Aldermen and, if approved, such changes would allow non-conforming mobile home parks to be seamlessly converted to new, multi-family developments. To accomplish this, staff proposes establishing a "+ 1" standard, where the developer could add one more unit than the existing number of mobile homes (allowing for duplex and multi-family development).**  
**This proposal received the unanimous support of the Planning and Zoning Commission. If approved, staff will return to the Board with ordinances for adoption.**
30. Resolution 2016-02 – Maintaining French Lane as a Two-Way Street. (copy)  
**At one of the meetings discussing the development possibilities for French Lane Park, someone mentioned the idea of turning French Lane into a one-way street. Although the comment was not made by city staff, it was concerning to the businesses on that street. As discussed previously with the Board, those businesses have asked for a resolution clarifying this matter.**
31. Bill No. 5514 for Ordinance No. 5741 – Accepting a General Warranty Deed from Rozier Mercantile Company for the East Ste. Marie Street Parking Lot – second reading and final passage. (copy)  
**Rozier Mercantile Company has offered to donate their parking lot on the south side of East Ste. Marie Street to the City of Perryville.**
32. Bill No. 5515 for Ordinance No. 5742 – Accepting easement deeds from Heartland Farm & Land, LP and Robert Dean Realty Co., Inc., relative to construction of a natural gas line – second reading and final passage.  
**As part of this agreement, the City agreed to tear down the structure at 17 South Main. This work has been done and accepted by the Dean Family. Boring on the Moore Drive Gas Line Extension Project is expected to begin on April 4.**  
**Please note, before the project can be completed fully, several other easements must still be obtained between the Public Water Supply District #1 and Sycamore Road.**
33. Bill No. 5516 for Emergency Ordinance No. 5743 – Entering into an agreement with ELB Lawncare, LLC relative to mowing neighborhood mini-parks and three neighborhood lots – first and second reading and final passage. (copy enclosed – may be read by title only)  
**Staff continues to believe contractual mowing of neighborhood parks to be a cost-effective and practical approach to this work. In addition to parks, this year's request for bids includes several city-owned properties between Edgemont and**

**Main Street. Mr. Johnson withdrew his low bid due to time constraints which has resulted in the second lowest bidder, ELB Lawncare, being selected. It is presented here as an emergency ordinance to "catch" us back up and allow mowing to begin ASAP.**

34. Bill No. 5517 for Ordinance – Amending Title 2, Chapter 2.78 of the Code of Ordinances relative to Airport Board – first reading. (copy enclosed – may be read by title only)  
**Several years ago, the Board established the City's first Airport Advisory Board. With newly available fuel, AWOS and now FBO building, this same Board has offered to become an Airport Commission and manage the operations of the airport as opposed to simply advising the city of the same. These changes were reviewed and approved by the Airport Board and are presented here for the Board of Aldermen's consideration.**
35. Bill No. 5518 for Ordinance – Entering into a Development Agreement with Midwest Lodging, LLC – first reading. (copy enclosed – may be read by title only)  
**This agreement is required by the TIF statutes and has been thoroughly discussed and approved by the Board of Aldermen.**
36. Bill No. 5519 for Ordinance – Entering into a Real Estate Contract with Sam and Madhu, LLC – first reading. (copy enclosed – may be read by title only)  
**This will provide the location for the new Water Tower #4, better serving properties from Wal-Mart to Walgreens. This is part of the Board-approved water study improvements.**
37. Bill No. 5520 for Ordinance – Entering into an Agreement for Rental of T-Hangar Space with Leon Basler – first reading. (copy enclosed – may be read by title only)  
**Mr. Basler would like to rent our vacant T-Hangar and has plans to provide flying lessons at the airport in Perryville, something that hasn't been done for many years.**
38. Bill No. 5521 for Ordinance – Amending Titles 1, 2, 3, 5, 6, 8 and 12 of the Code of Ordinances relative to eliminating all references to City Collector as a result of the election held on November 3, 2015 – first reading. (copy enclosed – may be read by title only)  
**Staff has worked to "clean up" the existing ordinances to better reflect operations going forward since we will now utilize the County Collector (as approved by Perryville voters).**
39. Bill No. 5522 for Ordinance – Entering into a contract with Earth First Contractors, LLC relative to 2016 Water System Improvements – Grand Avenue and Progress Center/Dogwood Court – first reading. (copy enclosed – may be read by title only)  
**See #24 above.**
40. Bill No. 5523 for Ordinance – Accepting an easement deed from David and Mary K. Sauer – first reading. (copy enclosed – may be read by title only)  
**This easement is needed for the extension of the natural gas line to Moore Drive.**
41. Bill No. 5524 for Ordinance – Entering into an Agreement for Engineering Services with Baer Engineering, LLC – first reading. (copy enclosed – may be read by title only)  
**The Baer Engineering contract is renewed annually. This contract includes a 3% increase across the board to rates and services. It should be noted, there was no increase in last year's contract.**

42. Committee Reports: Public Works, Public Safety, Finance, Liaison, and Economic Development.
43. Report by City Administrator:
  - City Hall Electric Pole
  - Painting the Midwest Art Exhibit April 21-24 (copy)
  - ISO Rating (copy)
  - Gas Line Extension to Moore Drive (copy)
  - Tourism (copy)
  - Natural Gas Vehicle Meeting – April 27<sup>th</sup> from 11am to 1 pm (copy)
  - LED Street Light Update
  - April Spring Clean up - 2<sup>nd</sup> Week of April
44. Report by City Engineer.
45. Report by City Attorney.
46. Board concerns and comments and any other non-action items.
47. Closed Session to discuss contractual matter in accordance with Section 610.021(9) RSMo.
48. Adjourn.