



**AGENDA NOTES
REGULAR MEETING
6:30 P.M., TUESDAY, NOVEMBER 15, 2016**

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.**

CONSENT AGENDA ITEMS

3. **Approve minutes from meeting of November 1, 2016. (copy)**
4. **Approve Financial Report for October, 2016. (copy)**
5. **Approve declaration of 2014 Residential Surplus Funds in the amount of \$9,718.62 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. This amount dates to 2014 and, although the money was never collected, we would like to have record of its being declared surplus by the Board of Aldermen.
6. **Authorize Mayor Baer to execute an assignment to the Missouri Municipal League to assign 5% of the past tax payment expected in the Tracfone Wireless, Inc., class action lawsuit. (copy)**
The City has historically shared 5% of such settlements with MML for their legal support fund. Staff believes this is again appropriate as MML initiated court action on this matter and would ask the Board to authorize such disbursement. It is estimated the City’s portion of this settlement is estimated to slightly over \$20,000.

7. **Authorize Mayor Baer to execute a Certificate of Donation regarding the strip of land donated by Eagle Bank and Trust Company to be included in the Downtown Plaza. (copy)**

Eagle Bank has offered a 20' strip of property behind the proposed pavilion to further enhance the Downtown Plaza project. A simple concept is made more difficult since the City is in a "lease to own" arrangement with the Hoeckeles so the donated property must be first given to Hoeckeles and then incorporated into our purchase contract. This certificate will allow Eagle Bank to receive the proper tax benefits for their donation.

8. **Approve Perryville Police Department Operations Manual Revision GO-98-0801. (copy) This is a revision of the policy to reflect current standards.**
9. **Review and approve recommendation from Police Department to add a stop sign at the northwest corner of Harvest Circle and Crestview Lane and to remove two stop signs on Harvest Circle at its intersection with Forest Avenue and authorize staff to update the stop sign ordinance accordingly. (copy)**

Alderman Hudson reviewed this matter with the Police Department who found this location to be potentially dangerous. Along with adding traffic control to this intersection, the PD believes it appropriate to remove stop signs from others in that area. If the Board approves this recommendation, staff will locate the new stop signs immediately while the ordinance is later approved by the Board through the traditional process.

END OF CONSENT AGENDA

10. **Approve Pay Estimate 1 to Earth First Contractors, LLC., relative to Water Main Relocation at Liberty and Jefferson Street Project - \$81,108.45. (copy)**

This project is to relocate a city main along Liberty Street.
11. **Discussion regarding Perry Park Center concession stand. (copy)**

Staff has tried to take a "big picture" approach to the CTS renovations, hoping to ensure a quality project unfolds for both now and the future. As such, staff would ask the Board's permission to modify the project to include concession stand renovations. The problems with the current concession stand are well-documented and the undersized concession stand is a point of frustration for our customers and staff. By simply moving the current stand across the hallway, we could better serve patrons on both sides (theater and gymnasium). It would relieve us of the need to set up temporary stands to support larger events in the gym as we could simply open up that side of the new stand and serve customers. It would also allow us to create a hallway providing direct access to the pool (instead of having to walk through the bathroom/changing room). Proceeding at this point would require a change order and will increase the project's budget.
12. **Discussion regarding Landlord Association proposal re rental inspections. (copy)**

The Perry County Landlord Association has now met several times and proposes the attached process to improve rental stock in Perryville. They ask for, at minimum, one year to implement this process and see if they can successfully self-police rental property in Perryville. In short, complaints would be filtered to the Landlord Association who would then work with the property owner to correct deficiencies or help the tenant seek alternative housing. Of note, the Landlord Association is willing to commit to several minimum standards for all units, including: smoke detectors, functioning windows and doors, plumbing in good working order, no evidence of insects, electrical in good working order and structurally sound and in good repair.

- 13. Discussion regarding issuance of liquor licenses.**
Staff has come to understand issuing liquor licenses is more of a "ministerial act" than a true decision point for the Board of Aldermen. In other words, if the applicant meets the definition of the ordinance, the license should be approved. Many of our neighbors, including Cape Girardeau, Farmington, Dexter, and Poplar Bluff do not present liquor licenses to the Board of Aldermen for approval. Instead, staff issues the license based on the rules established by the Board of Aldermen. Our assigned Liquor Agent advised that "The city can decide how they want to approve liquor licenses" and that "there is no requirement by statute." Previously the Board has asked that we look for ways to streamline city operations in the quest to be faster and more efficient. With Board approval, staff would like to rewrite ordinances to modify our process of issuing liquor licenses to reflect the above course of action.
- 14. Discussion regarding city landscaping.**
City Administration would like to discuss options for us to better maintain the City's smaller landscaped areas (e.g. flower beds around city hall, roses in the roundabout, city parking lot roses, etc) as these are some of the first things we are judged by when visitors come. Although some can be done by staff, other things exceed our skill and ability. Staff will discuss ideas for a better way.
- 15. Approve Resolution 2016-06 – Electronic Communications Retention Policy. (copy)**
City Administration would like to have a policy that provides direction for electronic record retention. Staff has done necessary research and City Attorney Ludwig has approved the proposed policy, after first considering Sunshine Law requirements. An included component here is annual training for staff to help ensure we get this right.
- 16. Bill No. 5594 for Ordinance No. 5817 – Amending Title 6, Chapter 6.04, Section 6.04.060, and Chapter 6.16, Section 6.16.020 of the Code of Ordinances relative to regulating chickens within the city – second reading and final passage. (copy)**
At a prior meeting, staff was instructed to work in committee with Aldermen Riney to finalize a chicken ordinance for the Board's consideration. Staff proposes utilizing a complaint-driven enforcement process in accordance with the submitted ordinance. In summary, the number of chickens ranges from 8-20 depending on the size of one's lot. A single rooster would be allowed on lots larger than 10 acres and only then if there is not a nuisance noise complaint filed.
- 17. Bill No. 5595 for Ordinance No. 5818 – Entering into an agreement with Remote Systems Integration, d/b/a RISNet re services to deliver AWOS data to the FAA's National Airspace Data Interchange Network – second reading and final passage. (copy)**
This contract is required to "push" the AWOS information out to the public through the FAA. We were aware of two possible companies and selected the lowest priced provider. It was also the preference of AWOS maintenance contractor, Ron Rollins.
- 18. Bill No. 5597 for Ordinance No. 5819– Entering into an agreement with Southeast Missouri Regional Planning Commission relative to preparation of Greenway Master Plan – second reading and final passage. (copy)**
One of the major initiatives presented in the Park's Master Plan was a city-wide greenway. This greenway would follow a yet-undetermined route around the City of Perryville and allow for a nature trail for hiking and biking. Staff believes there could be nearby opportunities to start parts of the project with local partners and perhaps even donated land. In order to do so, staff would like to first map the preferred route for the entire trail. This was originally going to be proposed as part of next year's

budget. However, SEMO RPC has capacity available now to develop the route and the winter months will provide a better time to walk through the woods and survey potential terrain. The Board's approval to proceed was given at a previous meeting.

19. Bill No. 5598 for Ordinance – Vacating an easement from Victor and Carol Klaus relative to sinkhole maintenance – first reading. (copy enclosed – may be read by title only)
The City accepted an easement from the Klaus's in 2013 for several undeveloped sinkholes that exist on their property. The original easement provided access to the entire property so improvements could be made. Now that the work is done, we are vacating the original easement and the permanent easement is pared down to only what is necessary for ongoing access and maintenance. (Item #20 below)
20. Bill No. 5599 for Ordinance – Accepting an easement deed from Victor and Carol Klaus – first reading. (copy enclosed – may be read by title only)
See #19 above.
21. Bill No. 5600 for Ordinance – Vacating an easement from Perryville Development Corporation relative to sinkhole maintenance – first reading. (copy enclosed – may be read by title only)
Similar to the situation with the Klaus property, the City accepted an easement from the Perryville Development Corporation in 2014 for several undeveloped sinkholes that exist on their property. The original easement provided access to the entire property so improvements could be made. Now that the work is done, we are vacating the original easement and the permanent easement is pared down to only what is necessary for ongoing access and maintenance. (Item #22 below)
22. Bill No. 5601 for Ordinance – Accepting an easement plat from Perryville Development Corporation relative to sinkhole maintenance for eight sinkholes – first reading. (copy enclosed – may be read by title only)
See #21 above. Because there are a total of 8 sinkhole easements on this property, staff proposes accepting them by an Easement Plat.
23. Bill No. 5602 for Ordinance – Entering into a Memorandum of Agreement with Aeronautical Services of the Federal Aviation Administration relative to NOTAM Manager System – first reading. (copy enclosed – may be read by title only)
Airport Manager Larry Dauer proposes we update our NOTAM system to comply with the FAA's next generation system. This new NOTAM system will connect directly into the system and posted NOTAMs will immediately be available to pilots.
24. Bill No. 5603 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.
25. Bill No. 5604 for Ordinance – Accepting Addendum to Agreement for Lease and Option to Purchase with Joseph C. Hoeckele, et al. – first reading. (copy enclosed – may be read by title only)
See #7 above.
26. Bill No. 5605 for Ordinance – Amending Title 13, Chapter 13.08, Section 13.08.020 and Title 8, Chapter 8.16, Section 8.16.100 of the Code of Ordinances relative to Master Metering Mobile Home Parks and Trash Collection therein – first reading. (copy enclosed – may be read by title)
At one time in our history, we believe master meters were required for mobile home parks. For whatever reason, it was lost in time. The end result is an odd

situation where we have city meters located on private lines. If, or when, those lines leak, the lost water is unmetered and the City cannot take measures to fix the leak. This arrangement is something we have worked hard to avoid in all other situations (duplexes, commercial development, apartments, etc.). Staff would propose doing the same for these outliers (9 known locations). It is important to note, the proposed change is actually required by state statute (RSMo 250.140.1 #3) so, regardless of how we got here, it is important to correct it now.

In addition, since refuse service is billed along with water, the property owner of a mobile home park will receive a combined bill for refuse service as well (based on an 80% occupancy rate).

27. **Bill No. 5606 for Ordinance – Amending Title 13, Chapter 13.16, Article 1 of the Code of Ordinances relative to Private Sewer Mains Prohibited – first reading. (copy enclosed – may be read by title only)**
Another unique and unusual arrangement is the location of several private sewer mains within the City of Perryville. Such mains are prohibited by ordinance but exist for assorted and various reasons. The City does not have an official policy or ordinance directing how these matters should be dealt with and addressed. Some are of particular concern because they periodically require the attention of City staff when we are called out to clear the line in an emergency or sewage makes it way to the surface. The lines are also thought to be a source of potential Inflow & Infiltration as they are seldom properly maintained. Staff has worked together to propose the guidelines you find here.
28. **Bill No. 5607 for Ordinance – Accepting an easement deed from Justin and Cari Barnes – first reading. (copy enclosed – may be read by title only)**
This is a cost share project relating to storm water concerns the Barnes have shared with the City. The work will be completed by Joe Guile utilizing a 50/50 cost share approach. The project will install and cover storm water piping to help control water coming from a nearby street.
29. **Committee Reports: Public Works, Public Safety, Finance, Liaison, and Economic Development.**
30. **Report by City Administrator:**
 - [Business In Focus Magazine](#)
 - **January 2017 Meeting Dates (copy)**
 - **Chamber Membership**
 - **EMAC Luncheon (copy)**
 - **Airport Operations**
 - **Greenway Planning Meeting – November 30th**
 - **Website Redesign – Live on November 17th**
 - **Real Estate and Personal Property Tax Bills (copy)**
31. **Report by City Engineer.**
32. **Report by City Attorney.**
33. **Board concerns and comments and any other non-action items.**

34. **Closed Session to discuss real estate matters in accordance with Section 610.021(2) RSMo and contractual matters in accordance with Section 610.021(9) RSMo.**
35. **Adjourn.**