

September 21, 2021

**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: Ken Baer, Mayor; Curt Buerck, Tom Guth, Prince Hudson, Douglas K. Martin, Larry Riney, and David J. Schumer, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Thomas Ludwig, City Attorney.

Mayor Baer opens the meeting. Alderman Martin leads the Pledge of Allegiance and invocation.

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

Mr. Zach Ventura, of 597 Belle Drive, Jackson, Missouri, representing Perryville Senior Gardens, asked the Board of Aldermen for their support in their efforts to seek funds from Missouri Housing Development Commission for the rehabilitation of the Senior Garden Apartments at 1811 West Harvest Circle. He informs the Board that plans are underway to fully renovate the apartments and to add a space for East Missouri Action Agency and a food pantry. He also informs the Board that they will make the grounds accessible and two apartments will be fully accessible for disabled individuals.

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

**CONSENT AGENDA ITEMS**

3. Approve minutes from meeting of September 7, 2021.
4. Approve Financial Report for August, 2021.

CITY OF PERRYVILLE								
STATEMENT OF CASH POSITION								
August, 2021								
FUND NAME	April 1, 2021 Fund Balance	REVENUE Y-T-D	EXPENSE Y-T-D	NET INCOME	CURRENT FUND BALANCE	ACCOUNTS RECEIVABLE	CURRENT LIABILITIES	CURRENT CASH BALANCE
101 Gen Rev	\$ 1,733,339.30	\$ 1,379,665.98	\$ (2,513,455.04)	\$ (1,133,789.06)	\$ 599,550.24	\$ (7,937.52)	\$ 2,218.93	\$ 609,706.69
105 FSA Administration	\$ 9,149.60	\$ 45.83	\$ -	\$ 45.83	\$ 9,195.43		\$ -	\$ 9,195.43
106 Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99		\$ -	\$ 53.99
204 Airport	\$ (56,989.85)	\$ 443,298.63	\$ (264,235.71)	\$ 179,062.92	\$ 122,073.07	\$ 2,660.00	\$ 3,956.44	\$ 123,369.51
206 Trans Trust	\$ 214,122.04	\$ 454,466.21	\$ (342,866.35)	\$ 111,599.86	\$ 325,721.90		\$ 4,063.20	\$ 329,785.10
207 Perry Park Ctr.	\$ 133,325.26	\$ 893,021.94	\$ (963,631.95)	\$ (70,610.01)	\$ 62,715.25	\$ (1,474.66)	\$ 9,876.11	\$ 74,066.02
211 Veterans Field	\$ 20,945.43	\$ 13,591.87	\$ (6,573.79)	\$ 7,018.08	\$ 27,963.51		\$ -	\$ 27,963.51
213 Field Improvement	\$ 4,705.50	\$ 19.19	\$ -	\$ 19.19	\$ 4,724.69		\$ -	\$ 4,724.69
307 Debt Service	\$ 2,042.72	\$ 191.90	\$ -	\$ 191.90	\$ 2,234.62	\$ (25.20)	\$ (517.77)	\$ 1,742.05
308 Cap Imp Sls Tax Rev	\$ 615,562.30	\$ 342,912.93	\$ -	\$ 342,912.93	\$ 958,475.23		\$ -	\$ 958,475.23
409 Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
414 TIF 1-Hwy 51/61	\$ 141,241.67	\$ 604.61	\$ -	\$ 604.61	\$ 141,846.28		\$ -	\$ 141,846.28
415 Economic Develop	\$ 4,598.63	\$ 19.69	\$ -	\$ 19.69	\$ 4,618.32		\$ -	\$ 4,618.32
416 TIF 2-Downtown	\$ 132,925.26	\$ 525.20	\$ (20,398.06)	\$ (19,872.86)	\$ 113,052.40	\$ -	\$ -	\$ 113,052.40
417 TIF 3-155/HWY 51	\$ 1,010,699.12	\$ 4,262.10	\$ (30,820.00)	\$ (26,557.90)	\$ 984,141.22	\$ -	\$ -	\$ 984,141.22
513 Street Imp	\$ 351,045.34	\$ 156,721.73	\$ (18,860.41)	\$ 137,861.32	\$ 488,906.66	\$ -	\$ -	\$ 488,906.66
612 Refuse	\$ 513,852.93	\$ 388,062.99	\$ (263,792.78)	\$ 124,270.21	\$ 638,123.14	\$ 107,484.07	\$ 3,519.92	\$ 534,158.99
614 CWSS Op	\$ 4,187,177.84	\$ 2,257,897.67	\$ (2,170,616.64)	\$ 87,281.03	\$ 4,274,458.87	\$ 406,352.17	\$ 124,466.80	\$ 3,992,573.50
641 WWTP Improvements	\$ 15,010.72	\$ 930,498.50	\$ (1,194,351.50)	\$ (263,853.00)	\$ (248,842.28)	\$ -	\$ -	\$ (248,842.28)
619 Gas Op	\$ 3,668,479.27	\$ 1,740,907.92	\$ (970,317.95)	\$ 770,589.97	\$ 4,439,069.24	\$ 293,188.45	\$ 194,344.34	\$ 4,340,225.13
<b>TOTAL</b>	<b>\$ 12,701,287.07</b>	<b>\$ 9,006,714.89</b>	<b>\$ (8,759,920.18)</b>	<b>\$ 246,794.71</b>	<b>\$ 12,948,081.78</b>	<b>\$ 800,247.31</b>	<b>\$ 341,927.97</b>	<b>\$ 12,489,762.44</b>

5. Approve Pay Application 12 to Robinson Industrial and Heavy Contracting and HDR relative to Wastewater Treatment Facility Improvements Project – \$390,871.25.
6. Approve 2021 Downtown Façade Improvement Grant reimbursement payment to John LaRose, Sr., d/b/a AGWIKI - \$10,000.00.

7. Approve bid specifications for Airport Snow Removal and authorize city staff to advertise for bids.
8. Approve request from Perry County Commission to erect a Christmas tree at the Downtown Plaza.

### **END OF CONSENT AGENDA**

At this time, Mayor Baer asks if anyone wishes to remove anything from the Consent Agenda.

Alderman Hudson makes a motion to approve the Consent Agenda. Alderman Riney seconds the motion, and on vote the motion carries.

### **RESOLUTION**

After discussion and review, Alderman Buerck makes a motion to Support an application from Perryville Senior Garden Apartments for funding from the Missouri Housing Development Commission to rehabilitate their apartment complex at 1811 West Harvest Circle. Motion is seconded by Alderman Riney, and on vote carried. Said Resolution is as follows:

#### RESOLUTION NO. 2021-09

A RESOLUTION OF THE BOARD OF ALDERMEN OF PERRYVILLE, MISSOURI, OF SUPPORT FOR AN APPLICATION FROM PERRYVILLE SENIOR GARDEN APARTMENTS FOR FUNDING TO REHABILITATE THE APARTMENT COMPLEX LOCATED AT 1811 WEST HARVEST CIRCLE IN PERRYVILLE, MISSOURI.

**WHEREAS**, Perryville Senior Garden Apartments is proposing to rehabilitate the existing property consisting of 24 one-bedroom apartment units targeted for the elderly and disabled population and to add a small community building and leasing office on the property to house the office for the East Missouri Action Agency; and

**WHEREAS**, the City of Perryville, Missouri, recognizes the need for safe, affordable, quality housing; and

**WHEREAS**, the financing and tax credits available through the Missouri Housing Development Commission will provide the financial resources to rehabilitate the existing project to bring the apartments up to today's modernized standards and provide affordable rents; and

**WHEREAS**, the financing and tax credits available through the Missouri Housing Development Commission are limited and competitive resources.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:**

**SECTION 1.** That the City of Perryville hereby expresses its support for the proposal from Perryville Senior Garden Apartments for the 2021 MHDC Multi-Family Rental Production Program Notice of Funding Availability for the Perryville Senior Garden Apartments housing development.

**SECTION 2.** That the Mayor and City Administrator are hereby authorized to sign and send letters of support.

**PASSED AND APPROVED** this 21<sup>st</sup> day of September, 2021, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:

CITY OF PERRYVILLE, MISSOURI  
By: Ken Baer, Mayor

Tracy Prost, City Clerk

**SECOND READINGS AND FINAL PASSAGE:**

Now, at this time, the Board proceeds to approve Bill No. 6209, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **MIKE LIGHT CONCRETE FINISHING, INC.**, RELATIVE TO **FIELDS 2 AND 3 CONCRETE IMPROVEMENTS PROJECT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6209 is read a second time on motion by Alderman Guth, seconded by Alderman Riney. Thereupon on motion by Alderman Guth, seconded by Alderman Riney, 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: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, 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. 6427 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6209

ORDINANCE NO. 6427

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **MIKE LIGHT CONCRETE FINISHING, INC.**, RELATIVE TO **FIELDS 2 AND 3 CONCRETE IMPROVEMENTS PROJECT**; FURTHER SAID ORDINANCE 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, marked Exhibit A and 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 ORDAINED 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, marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Mike Light Cement Finishing, 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.

4. 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 portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

FIRST READING: September 7, 2021.

SECOND READING: September 21, 2021.

PASSED AND APPROVED this 21<sup>st</sup> day of September, 2021, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6210, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **HELICOPTER TRANSPORT SERVICES, LLC**, RELATIVE TO **EXTENSION AND AMENDMENT OF LEASE DATED JULY 19, 2017, RELATIVE TO HANGAR 2 AND ENGINE TEST CELL AT THE PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6210 is read a second time on motion by Alderman Riney, seconded by Alderman Buerck. Thereupon on motion by Alderman Riney, seconded by Alderman Buerck, 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: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, 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. 6248 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6210

ORDINANCE NO. 6428

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **HELICOPTER TRANSPORT SERVICES, LLC**, RELATIVE TO **EXTENSION AND AMENDMENT OF LEASE DATED JULY 19, 2017, RELATIVE TO HANGAR 2 AND ENGINE TEST CELL AT THE PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, have heretofore reviewed a contract, marked Exhibit A and 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 ORDAINED 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, Missouri, approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, Missouri, a municipal corporation, and **Helicopter Transport Services, 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, Missouri, that the City enter into said contract.

2. That the Mayor of the City of Perryville, Missouri, 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, Missouri, is hereby authorized and directed to attest the signature of the Mayor on the attached contract.

4. 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 portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville. and for that reason, this ordinance may be acted on in one meeting.

6. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: September 7, 2021.

SECOND READING: September 21, 2021.

PASSED AND APPROVED this 21<sup>st</sup> day of September, 2021, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6211, 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 EASEMENT DEED. Bill No. 6211 is read a second time on motion by Alderman Martin, seconded by Alderman Schumer. Thereupon on motion by Alderman Martin, seconded by Alderman Schumer, 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: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, 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. 6429 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6211

ORDINANCE NO. 6429

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 EASEMENT DEED.

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

Section 1. The Mayor and Board of Aldermen of the City of Perryville, Missouri, do hereby accept the Easement Deed from **R & S INVESTMENT PROPERTIES, LLC, SERIES A**, which is attached hereto, subject to all of the terms and conditions therein expressed.

Section 2. The Mayor and City Clerk of the City of Perryville be, and they are, hereby authorized to do all acts and execute all instruments appropriate or necessary to accept the Easement Deed.

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

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

FIRST READING: September 7, 2021.

SECOND READING: September 21, 2021.

PASSED AND APPROVED this 21<sup>st</sup> day of September, 2021, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6212, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CHARLES H. TRILLER AND DANA M. TRILLER** RELATIVE TO **MEMORANDUM OF UNDERSTANDING REGARDING ACQUISITION OF EASEMENTS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6212 is read a second time on motion by Alderman Riney, seconded by Alderman Guth. Thereupon on motion by Alderman Riney, seconded by Alderman Guth, 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: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, 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. 6430 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6212

ORDINANCE NO. 6430

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CHARLES H. TRILLER AND DANA M. TRILLER** RELATIVE TO **MEMORANDUM OF UNDERSTANDING REGARDING ACQUISITION OF EASEMENTS**; FURTHER SAID ORDINANCE 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, marked Exhibit A and 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 ORDAINED 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, marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Charles H. Triller and Dana M. Triller**. 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.

4. 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 portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

FIRST READING: September 7, 2021.

SECOND READING: September 21, 2021.

PASSED AND APPROVED this 21<sup>st</sup> day of September, 2021, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6213, 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 EASEMENT DEED. Bill No. 6213 is read a second time on motion by Alderman Buerck, seconded by Alderman Riney. Thereupon on motion by Alderman Buerck, seconded by Alderman Riney, 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: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, 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. 6431 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6213

ORDINANCE NO. 6431

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 EASEMENT DEED.

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

Section 1. The Mayor and Board of Aldermen of the City of Perryville, Missouri, do hereby accept the Easement Deed from **Charles H. Triller and Dana M. Triller**, which is attached hereto, subject to all of the terms and conditions therein expressed.

Section 2. The Mayor and City Clerk of the City of Perryville be, and they are, hereby authorized to do all acts and execute all instruments appropriate or necessary to accept the Easement Deed.

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

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

FIRST READING: September 7, 2021.

SECOND READING: September 21, 2021.

PASSED AND APPROVED this 21<sup>st</sup> day of September, 2021, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6214, AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.88, ARTICLE 2, SECTION 2.88.200, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO PERSONNEL RULES AND REGULATIONS REGARDING DEFINITION OF FAMILY IMMEDIATE; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH. Bill No. 6214 is read a second time on motion by Alderman Martin, seconded by Alderman Hudson. Thereupon on motion by Alderman Martin, seconded by Alderman Hudson, 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: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, 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. 6432 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6214

ORDINANCE NO. 6432

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.88, ARTICLE 2, SECTION 2.88.200, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO PERSONNEL RULES AND REGULATIONS REGARDING DEFINITION OF FAMILY IMMEDIATE; 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 2.88, Article 2, Section 2.88.200, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended **BY AMENDING THE FOLLOWING DEFINITION** to read as follows:

**“2.88.200 Definitions.**

\* \* \*

"Family immediate" means father, mother, brother, sister, spouse, son, daughter, grandfather, grandmother, grandchild, stepfather, stepmother, stepchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or any relative living in the same household."

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: September 7, 2021.

SECOND READING: September 21, 2021.



PASSED AND APPROVED this 21<sup>st</sup> day of September, 2021, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Ken Baer, Mayor

### FIRST READINGS:

Alderman Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 6215, amending Section 13.16.040 of the Code of Ordinances relative to Sewer Connection Fees, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 13, CHAPTER 13.16, ARTICLE 1, SECTION 13.16.040, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO SEWER CONNECTION FEES; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Buerck presents motion, seconded by Alderman Hudson, and on vote carried Bill No. 6216, amending Section 2.88.300 of the Code of Ordinances relative to Residency Requirements of the Police Department, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.88, ARTICLE 3, SECTION 2.88.300, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO RESIDENCY REQUIREMENTS OF THE POLICE DEPARTMENT; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6217, amending Section 5.12.170 of the Code of Ordinances relative to Alcoholic Beverages – Sunday Sales, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 5, CHAPTER 5.12, SECTION 5.12.170, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO ALCOHOLIC BEVERAGES—SUNDAY SALES; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Riney presents motion, seconded by Alderman Schumer, and on vote carried Bill No. 6218, entering into a t-hangar agreement with Gary Whitener, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **GARY WHITENER** RELATIVE TO **RENTAL OF T-HANGAR SPACE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Mayor Baer asks for Committee Reports.

Alderman Guth, as Chairman of the Economic Development Committee, asks Economic Development Director Sattler to update the Board on any economic activities. Director Sattler informs the Board that a coding class has started at the Catalyst Center. He also mentions that funds raised at the Bikers on the Square event will go to Camp Hope and the National Veterans Wall.

City Administrator Report:

- **Chester Bridge Update** - MoDOT recently voted to move the Chester Bridge up in their schedule. It is now expected to be done in 2025 (as opposed to started in 2026).

- **Covid Requirements for Large Employers** - It depends on the final rule and its interpretation but, at this time, OSHA regulations do not directly apply to municipal governments so it is unclear if this rule will directly apply to our employees.

- **WWTP Groundbreaking and Loan Closing** - We were able to hold our groundbreaking ceremony on September 13 @ 10am. Our loan closing is expected to occur this Friday. The index was at 2.50% last week and hasn't changed since early August. The SRF rate should be 0.75% (30% of the index). With the addition of 0.50% for the DNR admin fee, the overall the cost of funds will be 1.25%.

- **Changing Health Dept Guidelines re Quarantine at Schools** - Although still fluid, the Health Department recently relaxed their guidance for close contacts and will now allow those individuals to attend school as long as they are asymptomatic.

- **Census Update** - The recently released census data indicates Perryville is #98 in terms of city size in all of Missouri.

- **PPC Projector Update** - The current piece we have ordered won't even ship until October 1st. and then they will schedule a tech to come to repair it. It is not guaranteed that this part will be what we need to repair it. If it is not, we will return it and get our money back. However, if this part it, the next part they may need to order (PIB Board) may not arrive until March. There are a couple factors that come into play here.

- Reduced or delayed production during the last year because of the pandemic.
- Lack of staff to help with production.
- And this is probably the biggest factor; the PIB Board has one of those special computer chips in it that have delayed productions of vehicles, gaming systems, and more that utilize those types of chips.

- **Police Dodge Charger Totaled** - The wrecked police car Prince was found to be totaled and the City received \$16,819.25 for a 2015 model year.

- **Victims of Domestic Violence Leave** - State law now requires unpaid leave for victims of domestic abuse. Staff is looking at how to incorporate this law into existing ordinances and will bring back a solution at a future meeting.

- **Reimbursement for CSSP sample collection** - To help WWTFs continue participation in this important public health effort, the Department of Health and Senior Services (DHSS) has secured funding to reimburse facilities for sample collection. Participating facilities are now eligible for reimbursement of \$100 per sample (up to \$6,000 per WWTF per year per sampling location) for samples collected beginning June 28th, 2021. Normally, I would be interested in paying for this information, but wonder if we really want to charge to collect it? What does the Board want to do?

After discussion, it is the consensus of the Board that they do not want to participate.

- **Perry County Solid Waste** - Due to staffing challenges, the transfer station is adjusting hours to 8-4 pm, M-F and 8-11 on the 4<sup>th</sup> Saturday of each month. For now, the recycling center will continue their current hours of 7-4 M-F and 8-11 on Saturday.

- **Perryville Area Chamber of Commerce Quarterly Meeting – October 21, 2021** - More frequently than not, this annual meeting seems to coincide with an out-of-town conference for me. This meeting includes an election of Board members.

- **Moms vs. Sons Challenge Night** – We are excited about the efforts of our park staff. They continue to create new and innovative programs for the park system. This new event would be the counter to the Daddy/Daughter dance.

- **Sam Barber American Idol Audition** - Perryville's own Sam Barber will be auditioning on American Idol with the episode to air sometime in mid-November.
- **Donnie Daytona Netflix movie** - Gary Welch and Tonya Amberger's son is part of a new show on Netflix, How to Be a Cowboy.

City Engineer Report:

- **Parkview Street** – Lappe Cement will be installing the water line on Parkview next week and then begin the street construction.
- **McDonald's Drive** – The contractor started on the McDonald's Drive project on September 20<sup>th</sup>. It appears that the detour signs are working well. It was determined that bad soil below the existing concrete appeared to be the cause of the concrete crumbling. The installation of a geogrid will eliminate any future problems in that area.
- **Pipe for NE Outfall Sewer Project** – Bids for this project will be opened next week. All of the piping has been received and it was determined that it was a good idea to purchase early.

Mayor Baer asks the Board for any concerns, comments, or other non-action items they would like to present.

Alderman Buerck asks that the Police Department pay special attention to the Jake Brake problems along the By-Pass.

Now, at this time, upon motion by Alderman Schumer, seconded by Alderman Buerck, 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: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

Following discussion and review, it is upon motion by Alderman Buerck, seconded by Alderman Hudson, 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: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

There being no further business, it is upon motion by Alderman Martin, second by Alderman Schumer, and on vote carried, ordered that the Board now adjourn until Tuesday, October 5, 2021, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK