

October 5, 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: 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. Absent: Mayor Ken Baer.

Board President Riney opens the meeting with the Pledge of Allegiance and invocation.

Board President Riney now asks for citizens' participation from the floor.

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

CONSENT AGENDA ITEMS

3. Approve minutes from meeting of September 21, 2021.

4. Approve bills for September 2021.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of September 2021, vendor checks numbered 119843 - 120106; 16 ACH transfers; payroll checks numbered: 658934 - 658939.

The following bills are presented to be paid for the month of September, 2021. Board finds that \$234834.86 is chargeable to and payable out of the General Revenue Account; \$31,780.32 is out of Airport; \$28,471.28 is out of Transportation Trust; \$77,777.86 is out of Perry Park Center; \$502.90 is out of Veterans Memorial Field; \$562,692.44 is out of Capital Improvement Sales Tax; \$2,436.50 is out of Economic Development; \$12,165.00 is out of TIF #2; \$699.25 is out of TIF #3; \$7,383.51 is out of Street Improvement; \$24,145.63 is out of Refuse; \$197,108.93 is out of CWSS; \$175,896.34 is out of Gas Operation; and \$9,914.78 is out of WWTP Project. The Board, upon investigation, found the sum to be \$1,365,809.60.

5. Approve Pay Estimate 1 from Kluesner Construction, Inc., relative to McDonald's Drive Street Improvement Project - \$44,925.92.

6. Approve Invoice S202485394 to Cape Electrical Supply relative to Perry Park Center Electrical Service Upgrades Project - \$84,301.93.

7. Approve Invoice 100 to Unlimited Play relative to concrete for Lucas and Friends playground - \$29,330.86.

8. Approve Invoice 3421 to Dille Pollard Architecture relative to Impound Building - \$8,268.75.

9. Approve Invoice 3423 to Dille Pollard Architecture relative to Fire Station - \$6,375.00.

10. Approve Invoice 1047 (Final) to The Slide Experts relative to Water Slide and Support Refinishing/Restoration Project - \$15,900.00.

11. Approve 2021 Downtown Façade Improvement Grant reimbursement payment to SMS Investment Group for property at 23, 25 and 27 West St. Joseph St - \$10,000.00.

12. Accept bids received for the Northeast Outfall Sewer Replacement – Phase 2 Project and award to Lappe Cement Finishing, Inc., per recommendation from City Engineer Baer - \$1,202,737.60.

Name of Bidder	Lappe Cement Finishing, Inc	Ryan Construction Company, LLC
Address	2710 County Road 413 Friedheim, MO 63747	1495 Old US Hwy 40, Ste C Columbia, MO 65202
Total Bid	\$1,202,737.60	\$1,546,856.00

Name of Bidder	CE Contracting, Inc.
Address	10411 Kimmel Lake Road Ste. Genevieve, MO 63670
Total bid	\$1,872,820.80

13. Accept proposal from JEMA relative to architectural and owner's representative services for technical education center.
14. Approve quotes received for water line pipe for the North Parkview water line installation and award to Core & Main per recommendation of Public Works Director Layton - \$17,950.00.
15. Approve recommendation from Planning & Zoning Commission relative to time limits for completion of projects approved by Board of Adjustment.
16. Approve recommendation from Planning & Zoning Commission relative to shipping containers.
17. Approve request from St. Vincent Alumni President, Clint Brown, to shoot fireworks at their homecoming celebration on October 22, to provide police assistance with the annual homecoming parade, and allow them to use the city park to line up for the parade.
18. Approve request from Perryville Sportsman's Club to plant trees in Miget Park near the Lucas & Friends Playground.

END OF CONSENT AGENDA

At this time, Board President Riney asks if anyone wishes to remove anything from the Consent Agenda.

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

City Administrator Buerck informs the Board that staff is preparing the Capital Improvement Plan and asks them for their input. He notes that the skate park and North Moulton Street are already part of the plan. Alderman Guth, as Chairman of the Sidewalk Committee, suggests that the Committee would like to know where people want sidewalks. Alderman Hudson states that there are some sidewalks that need repair and questions when SEMO Regional Planning will have the sidewalk research ready for the Board's review. City Administrator Buerck tells the Board that the report is expected soon.

SECOND READINGS AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 6215, 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. Bill No. 6215 is read a second time on motion by Alderman Buerck, seconded by Alderman Martin. 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 bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6433 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6215

ORDINANCE NO. 6433

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.

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

Section 1. That Title 13, Chapter 13.16, Article 1, Section 13.16.040, Subsection A, Paragraph 3, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

"13.16.040 Connection fees; inspection fees; procedure.

A. Sewer Connection Fee.

* * *

3. Sewer connection fees for new facilities will be based on the size of the water tap serving such facility as follows:

Water Tap Size	Amount
¾-Inch Water Service	\$ 890.00
1-Inch Water Service	\$ 1,333.00
1½-Inch Water Service	\$ 2,460.00
2-Inch Water Service	\$ 3,812.00
3-Inch Water Service	\$ 6,959.00
4-Inch or Larger Water Service	\$13,700.00

Section 2. It is the intent of the Mayor and Board of Aldermen of the City of Perryville, Missouri, 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 21, 2021.

SECOND READING: October 5, 2021.

PASSED AND APPROVED this 5th day of October, 2021, 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, Board President

Now, at this time, the Board proceeds to approve Bill No. 6216, 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. Bill No. 6216 is read a second time on motion by Alderman Guth, seconded by Alderman Martin. Thereupon on motion by Alderman Guth, 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 bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6434 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6216

ORDINANCE NO. 6434

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.

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 3, Section 2.88.300, Subsection B, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“2.88.300 Residence.

* * *

B. The residency requirement for the city marshal or chief of police shall be controlled by Chapter 2.40 of the Code of Ordinances of the City of Perryville. Police officers and communications officers within the City of Perryville Police Department shall not have a residency requirement.”

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 21, 2021.

SECOND READING: October 5, 2021.

PASSED AND APPROVED this 5th day of October, 2021, 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, Board President

Now, at this time, the Board proceeds to approve Bill No. 6217, 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. Bill No. 6217 is read a second time on motion by Alderman Martin, seconded by Alderman Buerck. Thereupon on motion by Alderman Martin, 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 bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6435 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6217

ORDINANCE NO. 6435

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.

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

Section 1. That Title 5, Chapter 5.12, Section 5.12.170, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“5.12.170 Fees.

A separate license is required for each place of business, and the following license fees shall be paid annually:

- A. **Retail Liquor by the Drink (RBD).** Retailers selling intoxicating liquors with an alcoholic content of more than five percent by weight for consumption on the premises where sold, three hundred dollars (\$300.00). The license issued under this subsection includes the right of sale in original package, provided such original package shall not be opened and the contents thereof consumed on the premises where sold and shall include the right to sell beer with an alcoholic content of five percent or less by weight, by the drink or in the original package.
- B. **Sunday by Drink (SBD).** A retailer, in addition to other licenses permitted by this chapter, may secure a license to sell intoxicating liquor between the hours of 6:00 a.m. on Sundays and 1:30 a.m. on Mondays by paying, in addition to all other fees required by law of such retailer, an additional fee of two hundred dollars (\$200.00) per year payable at the same time and in the same manner as its other license fees.
- C. **Sunday Original Package (SOP).** Retailers selling intoxicating liquor in the original package, not to be consumed upon the premises where sold, in addition to other licenses permitted by this chapter, may secure a license to sell intoxicating liquor between the hours of 6:00 a.m. on Sundays and 1:30 a.m. on Mondays by paying, in addition to all other fees required by law of such retailers, an additional fee of two hundred dollars (\$200.00) per year, payable at the same time and in the same manner as its other license fees.

- D. **Original Package Liquor (OPL).** Retailers selling intoxicating liquors containing alcohol in excess of five percent by weight, in the original package, not to be opened or consumed on the premises where sold, one hundred dollars (\$100.00).
- E. **Original Package Tasting (OPT).** Retailers conducting wine, malt beverage, beer and distilled spirit tastings of the product in its original package on the licensed premises, twenty-five dollars (\$25.00).
- F. **Retail Liquor by Drink—Exempt (RBDE).** Any charitable, fraternal, religious, service or veterans' organization which has obtained an exemption from the payment of federal income taxes as provided in section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19) or 501(d) of the United States Internal Revenue Code of 1954, as amended, selling intoxicating liquors with an alcoholic content of more than five percent by weight for consumption on the premises where sold, three hundred dollars (\$300.00). The license issued under this subsection includes the right of sale in original package, provided such original package shall not be opened and the contents thereof consumed on the premises where sold and shall include the right to sell beer with an alcoholic content of five percent or less by weight, by the drink or in the original package.
- G. **Retail Liquor by Drink—Picnic (RBDP).** Any person selling intoxicating liquor or beer by the drink at a temporary location for a picnic or gathering conducted by any charitable, fraternal, religious, service or veterans' organization, twenty-five dollars (\$25.00) for each stand for which the permit is issued.
- H. **Retail Liquor by Drink—Caterers (RBDC).** Any person with an appropriate liquor license at a permanent location providing intoxicating liquor or beer by the drink at a temporary location at which the food and drinks are catered, ten dollars (\$10.00) for each calendar day, or fraction thereof, for which the permit is issued.
- I. **Five Percent Beer by Drink-Wine—No Sunday - (5BDW).** Retailers selling beer containing not in excess of five percent of alcohol by weight and wines containing not in excess of fourteen percent of alcohol by weight by the drink for consumption on the premises where sold, fifty dollars (\$50.00).
- J. **Five Percent Sunday by Drink (5SBD).** A retailer, in addition to other licenses permitted by this chapter, may secure a license to sell beer containing not in excess of five percent of alcohol by weight and wines containing not in excess of fourteen percent of alcohol by weight between the hours of 6:00 a.m. on Sundays and 1:30 a.m. on Mondays by paying, in addition to all other fees required by law of such retailer, an additional fee of two hundred dollars (\$200.00) per year payable at the same time and in the same manner as its other license fees.
- K. **Five Percent Beer by Drink - Includes Sunday (5BD).** Retailers selling beer in the original package or for consumption on the premises, fifty dollars (\$50.00). This license includes the sale of beer between the hours of 6:00 a.m. on Sundays and 1:30 a.m. on Mondays.
- L. **Original Package Five Percent Beer - Includes Sunday (5OP).** Grocers and other merchants selling beer containing not in excess of five percent of alcohol by weight in the original package direct to customers not for consumption on the premises where sold Monday through Saturday, and from 6:00 a.m. on Sundays and 1:30 a.m. on Mondays, fifty dollars (\$50.00).

- M. **Consumption of Intoxicating Liquor (COL).** Persons who permit consumption of intoxicating liquor or beer on premises, commonly known as 'set-up' places, sixty dollars (\$60.00).
- N. **Wholesalers and Distributors of Liquors (LWS).** Wholesalers or distributors of intoxicating liquors containing alcohol in excess of five percent by weight, five hundred dollars (\$500.00)
- O. **Wholesalers and Distributors of Beer (5WS).** Wholesalers or distributors of beer containing not more than five percent of alcohol by weight, one hundred dollars (\$100.00).
- P. **Distillers and Manufacturers of Liquors (LMS).** Distillers or manufacturers of intoxicating liquors containing alcohol in excess of five percent by weight, four hundred fifty dollars (\$450.00).
- Q. **Manufacturers of Beer (5MS).** Manufacturers of beer containing not more than five percent of alcohol by weight, two hundred fifty dollars (\$250.00). The license provided in this subsection shall entitle the manufacturer to distribute such beer as a wholesaler but shall not include the right to sell as a retailer.
- R. **Microbrewery (MICB).** Manufacturers of beer in quantities not to exceed ten thousand barrels per annum, five dollars (\$5.00) for each one hundred barrels up to a maximum fee of two hundred fifty dollars (\$250.00).
- S. **Other Categories.** In the event that any place of business receives a state liquor license for any category not specifically set forth herein, then that place of business shall also pay a city license fee in an amount equal to the state license fee."

Section 2. It is the intent of the Mayor and Board of Aldermen of the City of Perryville, Missouri, 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 21, 2021.

SECOND READING: October 5, 2021.

PASSED AND APPROVED this 5th day of October, 2021, 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, Board President

Now, at this time, the Board proceeds to approve Bill No. 6218, AN ORDINANCE AUTHORIZING THE PRESIDENT OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, TO

EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **GARY WHITNER** RELATIVE TO **RENTAL OF T-HANGAR SPACE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE PRESIDENT OF THE BOARD OF ALDERMEN. Bill No. 6218 is read a second time on motion by Alderman Buerck, seconded by Alderman Martin. 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: 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 bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6436 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6218

ORDINANCE NO. 6436

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

WHEREAS, the Board of Aldermen has heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Board of Aldermen of the City of Perryville, Missouri, deems it advisable to enter into said contract;

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

1. That the Board of Aldermen of the City of Perryville approves the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Gary Whitener**. It is the belief of the 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 President of the Board of Aldermen 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 President of the Board of Aldermen 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 21, 2021.

SECOND READING: October 5, 2021

PASSED AND APPROVED this 5th day of October, 2021, 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, Board President

FIRST AND SECOND READING AND FINAL PASSAGE:

Now, at this time, Bill No. 6219, AN ORDINANCE AUTHORIZING THE PRESIDENT OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **MISSOURI DEPARTMENT OF SOCIAL SERVICES** RELATIVE TO **LOW INCOME ENERGY ASSISTANCE PROGRAM FOR WATER AND WASTEWATER**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE PRESIDENT OF THE BOARD OF ALDERMEN, is read with an emergency clause for the first time upon motion by Alderman Buerck, seconded by Alderman Riney. On motion by Alderman Buerck, seconded by Alderman Riney, and on vote carried, Bill No. 6219 is read for the second time. 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 showing the aye and nay vote showed as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6437 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6219

ORDINANCE NO. 6437

AN ORDINANCE AUTHORIZING THE PRESIDENT OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **MISSOURI DEPARTMENT OF SOCIAL SERVICES** RELATIVE TO **LOW INCOME ENERGY ASSISTANCE PROGRAM FOR WATER AND WASTEWATER**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE PRESIDENT OF THE BOARD OF ALDERMEN.

WHEREAS, the Board of Aldermen has heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Board of Aldermen of the City of Perryville, Missouri, deems it advisable to enter into said contract;

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

1. That the Board of Aldermen of the City of Perryville approves the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Missouri Department of Social Services**. It is the belief of the 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 President of the Board of Aldermen 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 President of the Board of Aldermen 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: October 5, 2021.

SECOND READING: October 5, 2021

PASSED AND APPROVED this 5th day of October, 2021, 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, Board President

Now, at this time, Bill No. 6220, AN ORDINANCE AUTHORIZING THE PRESIDENT OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **JEMA ARCHITECT FIRM** RELATIVE TO **ARCHITECTURAL SERVICES RELATIVE TO TECHNICAL EDUCATION FACILITY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE PRESIDENT OF THE BOARD OF ALDERMEN, is read with an emergency clause for the first time upon motion by Alderman Martin, seconded by Alderman Buerck. On motion by Alderman Martin, seconded by Alderman Schumer, and on vote carried, Bill No. 6220 is read for the second time. 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 showing the aye and nay vote showed as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6438 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6220

ORDINANCE NO. 6438

AN ORDINANCE AUTHORIZING THE PRESIDENT OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **JEMA ARCHITECT FIRM** RELATIVE TO **ARCHITECTURAL SERVICES RELATIVE TO TECHNICAL EDUCATION FACILITY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE PRESIDENT OF THE BOARD OF ALDERMEN.

WHEREAS, the Board of Aldermen has heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Board of Aldermen of the City of Perryville, Missouri, deems it advisable to enter into said contract;

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

1. That the Board of Aldermen of the City of Perryville approves the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **JEMA ARCHITECT FIRM**. It is the belief of the 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 President of the Board of Aldermen 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 President of the Board of Aldermen 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: October 5, 2021.

SECOND READING: October 5, 2021

PASSED AND APPROVED this 5th day of October, 2021, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Larry Riney, Board President

ATTEST:

Tracy Prost, City Clerk

Now, at this time, Bill No. 6221, AN ORDINANCE AUTHORIZING THE PRESIDENT OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CBIZ COMPENSATION CONSULTING** RELATIVE TO **2021 COMPENSATION STUDY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE PRESIDENT OF THE BOARD OF ALDERMEN, is read with an emergency clause for the first time upon motion by Alderman Buerck, seconded by Alderman Martin. On motion by Alderman Buerck, seconded by Alderman Martin, and on vote carried, Bill No. 6221 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: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6439 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6221

ORDINANCE NO. 6439

AN ORDINANCE AUTHORIZING THE PRESIDENT OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CBIZ COMPENSATION CONSULTING** RELATIVE TO **2021 COMPENSATION STUDY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE PRESIDENT OF THE BOARD OF ALDERMEN.

WHEREAS, the Board of Aldermen has heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Board of Aldermen of the City of Perryville, Missouri, deems it advisable to enter into said contract;

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

1. That the Board of Aldermen of the City of Perryville approves the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal

corporation, and **CBIZ Compensation Consulting**. It is the belief of the 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 President of the Board of Aldermen 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 President of the Board of Aldermen 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: October 5, 2021.

SECOND READING: October 5, 2021

PASSED AND APPROVED this 5th day of October, 2021, 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, Board President

FIRST READINGS:

Alderman Guth presents motion, seconded by Alderman Hudson, and on vote carried Bill No. 6222, entering into an agreement with Lappe Cement Finishing, Inc., relative to Northeast Outfall Sewer Replacement, 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 **LAPPE CEMENT FINISHING, INC.**, RELATIVE TO **NORTHEAST OUTFALL SEWER REPLACEMENT - PHASE II PROJECT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6223, entering into Amendment 1 to the Missouri Highways and Transportation Commission Amendment to State Block Grant Agreement 20-063A-1 relative to Airport Layout Plan Update, 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 STATE BLOCK GRANT AGREEMENT BY AND BETWEEN THE CITY AND **MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION** RELATIVE TO **AMENDMENT 1 TO STATE BLOCK AGREEMENT 20-063A-1 FOR RUNWAY RECONSTRUCTION JUSTIFICATION STUDY AT THE PERRYVILLE MUNICIPAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Guth presents motion, seconded by Alderman Martin, and on vote carried Bill No. 6224, entering into an Aviation Project Consultant Supplemental Agreement No. 1 Construction Services with Crawford, Murphy & Tilly, Inc., relative to Airport Layout Plan, Airport GIS, and FAA Planning Deliverables, 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 **CRAWFORD, MURPHY AND TILLY, INC.** RELATIVE TO **SUPPLEMENTAL AGREEMENT NO. 1 RELATIVE TO MODOT PROJECT 20-063A-1 RUNWAY RECONSTRUCTION AND JUSTIFICATION STUDY AT PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Board President Riney asks for Committee Reports.

Alderman Schumer, as Chairman of the Public Works Committee, asks Public Works Director Layton if he has any information for the Board. PW Director Layton tells the Board that the fall cleanup begins on Monday, October 11th.

City Administrator Report:

- **Grotto Sculpin 5-Year Review** - The FWS is completing its 5-year review of the Grotto Sculpin's endangered listing. We expect nothing to really change during this process. Although progress is being made, it is still too soon for documented progress.
- **Park Cannon Update** - This was a hot topic several months ago. The Perry County Historical Society recently came across this article that explains the chain of ownership. We will keep a good record should this ever come up again.
- **SRF Loan Information** - Our loan has closed and we locked in at .76% interest.
- **Bredall Street Closure** - The street project has begun and the street is currently closed for water line work.
- **Justice Center Update** - The County Commission has selected an Owner's Representative, Navigate Building Solutions out of St. Louis. This firm brings an exceptional reputation and long history of completing such projects, including most recently the Cape County Courthouse.
- **Anthem Virtual Visits** - Our insurance now offers "free" virtual doctor visits. This is a great option for minor sicknesses and conditions that would otherwise require a doctor's visit to get a prescription.
- **Natural Gas Risk Management** - The City currently has 50% of its gas requirements locked in through winter 23/24. It is time to consider adding additional load for near years and some level of hedging for later years. We are working with our advisors at IMGGA and hope to bring a plan back to the Board at the next meeting.
- **Animal Shelter Temporary Housing** - Blasting work will begin on October 18 and is expected to continue through December 17. During that time, we will need an alternate plan for our dog pound. Bill Buerck has done a phenomenal job of setting up a plan to meet our needs and it is presented here for the Board's awareness. There may be some additional cost in seeing this through during the time we are misplaced.
- **PC Health Department Flu Clinic – Oct 22 from 9am to noon** - We have scheduled a flu clinic for city employees as we have long done. The mayor and board are invited to attend if they have interest.

- **Mobility Kick-off Event – October 22 at 9am** – These are the tentative 19 stops the bus will make: City Parking Lot; Rozier’s Food Center; Health Dept./CCC; Perry Park Center; Probation/Parole; United Enterprises; Dollar General; TG; Perryville Market; Perry Plaza; PCMH/Gilster; City Hall; Sycamore Village; Meadows of Perryville; Perryville Family Care Clinic; Walmart; Creekwood Apt; Cross Trails; and Hillcrest Apt.

- **Lucas Playground Grand Opening – Oct 30 at 10:00am** - This event has been rescheduled for Saturday, October 30.

- **Humanitarian of the Year Banquet – Nov 4** - As in year’s past, we have purchased a city table for this event assuming the aldermen would be interested in going again. If you intend to bring a guest, Tracy can help coordinate the purchase of those tickets.

- **Letter Received from Vietnam Group Reunion** – Mayor Baer received a letter from the group of Vietnam Veterans who recently held their group reunion in Perryville. They were very complimentary to the reception they received from the Mayor and City staff as well as the businesses in the City.

- **Budget Reserves Update** – Staff plans to bring a recommendation to the Board at the next meeting that we adjust our required reserve amount to 25%.

City Engineer Report:

- **NE Outfall Sewer Project** – The contractor should start this project within the month.
- **McDonald’s Drive** – This project is progressing nicely. The barricades will be moved next week as they begin the second phase. The soil was tested and the bad soil was removed. It appears the new design was the correct decision.

- **Bredall Water** – Traffic is closed in this area for a couple of weeks. The barricades will be moved as the project progresses. It will be a few weeks before the concrete portion of the project begins.

- **Ball Fields 2 and 3 Concrete** – This project should begin around the 18th of October.

Parks & Recreation Director Cadwell reports that the pool has reopened and the slide repairs and cleaning look very good; the electric changeout has been postponed; staff is traveling to look at skate parks; the 5K Fall Frenzy will take place at Perry County Lake.

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

Alderman Riney asks about the cleaning process the park staff uses at the splash pad. Parks & Recreation Director Cadwell explains to the Board that splash pad is cleaned and maintained with the same type of chemicals used for the swimming pool.

Alderman Martin asks about the fire hydrant at the intersection of Jenkins and Waters Street. He was informed that the hydrant is inactive and he would like to know if the other hydrant in the area would supply sufficient water if there was a fire in the area. Assistant Fire Chief Jones informs the Board that the Fire Department is working with Public Works to determine if the hydrant is needed.

Alderman Martin tells the Board that a WWTP employee expressed his concerns regarding overruns and items he feels are being omitted in the construction of the new WWTP. Alderman Martin notes that he asked the employee for a list of items. City Administrator Buerck asks that he be copied on the list.

Alderman Guth tells the Board that a Public Works employee expressed his concerns about using the new trash trucks for the disposal of the grit/screening debris at the WWTP. Public Works Director Layton states that using the trash truck is more efficient, noting that the truck runs to the landfill most days and that by using the new trash trucks no one has to touch anything. After discussion, staff will schedule a date for any interested alderman to join them at the WWTP during a pickup so they can view the process.

Now, at this time, upon motion by Alderman Schumer, seconded by Alderman Hudson, it is ordered that the Board now convene into closed session to discuss 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 Hudson, seconded by Alderman Buerck, 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.

Alderman Riney expresses his concerns about obscene signs that he has noticed placed in various areas around the City. After discussion, it is the consensus of the Board that City Attorney Ludwig prepare an ordinance protecting free speech and prohibiting the display of certain words.

There being no further business, it is upon motion by Alderman Schumer, second by Alderman Riney, and on vote carried, ordered that the Board now adjourn until Tuesday, October 19, 2021, at 6:30 p.m., the regular meeting in course.

BOARD OF ALDERMEN PRESIDENT

ATTEST:

CITY CLERK