

December 20, 2022

JOURNAL OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, PERRY COUNTY, MISSOURI.

The Board of Aldermen of the City of Perryville, Perry County, Missouri, met at City Hall in said City on the above date in regular session pursuant to adjournment. Present: Larry Riney, Mayor; Curt Buerck, Tom Guth, Dennis House, Douglas K. Martin, Clint Rice, and David J. Schumer, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Art Pistorio, City Attorney.

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

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

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

CONSENT AGENDA ITEMS

3. Approve minutes from meeting of December 6, 2022.
4. Approve Financial Reports for November 2022.

CITY OF PERRYVILLE STATEMENT OF CASH POSITION NOVEMBER, 2022									
		April 1, 2022	REVENUE	EXPENSE		CURRENT	ACCOUNTS	CURRENT	CURRENT
	FUND NAME	Fund Balance	Y-T-D	Y-T-D	NET INCOME	FUND BALANCE	RECEIVABLE	LIABILITIES	CASH BALANCE
101	Gen Rev	\$ 2,545,792.43	\$ 7,120,536.38	\$ (5,369,696.27)	\$ 1,750,840.11	\$ 4,296,632.54	\$ (710,152.42)	\$ (710,303.44)	\$ 4,296,481.52
105	FSA Administration	\$ 9,563.70	\$ 170.11	\$ -	\$ 170.11	\$ 9,733.81		\$ -	\$ 9,733.81
106	Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99		\$ -	\$ 53.99
204	Airport	\$ 55,945.55	\$ 840,624.98	\$ (886,189.08)	\$ (45,564.10)	\$ 10,381.45	\$ 1,175.00	\$ 6,138.66	\$ 15,345.11
206	Trans Trust	\$ 394,390.90	\$ 824,949.13	\$ (865,209.60)	\$ (40,260.47)	\$ 354,130.43	\$ -	\$ 2,753.64	\$ 356,884.07
207	Perry Park Ctr.	\$ 287,537.17	\$ 1,804,590.68	\$ (1,613,742.80)	\$ 190,847.88	\$ 478,385.05	\$ (290,581.47)	\$ (281,011.22)	\$ 487,955.30
211	Veterans Field	\$ 22,677.55	\$ 8,275.16	\$ (16,162.59)	\$ (7,887.43)	\$ 14,790.12		\$ -	\$ 14,790.12
213	Field Improvement	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
307	Debt Service	\$ 201,650.91	\$ 64,826.22	\$ (258,538.34)	\$ (193,712.12)	\$ 7,938.79	\$ (214,266.80)	\$ (214,759.37)	\$ 7,446.22
308	Cap Imp Sls Tax Rev	\$ 904,314.60	\$ 615,946.76	\$ (327,543.27)	\$ 288,403.49	\$ 1,192,718.09		\$ -	\$ 1,192,718.09
409	Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
414	TIF 1-Hwy 51/61	\$ 233,422.20	\$ 3,077.87	\$ -	\$ 3,077.87	\$ 236,500.07	\$ -	\$ -	\$ 236,500.07
415	Economic Develop	\$ (193,916.42)	\$ 4,623,791.75	\$ (4,434,934.71)	\$ 188,857.04	\$ (5,059.38)	\$ -	\$ (230.00)	\$ (5,289.38)
416	TIF 2-Downtown	\$ 85,475.46	\$ 188,336.80	\$ (139,152.27)	\$ 49,184.53	\$ 134,659.99	\$ -	\$ -	\$ 134,659.99
417	TIF 3-I55/HWY 51	\$ 1,127,129.99	\$ 6,897.98	\$ (857,607.02)	\$ (850,709.04)	\$ 276,420.95	\$ -	\$ -	\$ 276,420.95
513	Street Imp	\$ 322,450.22	\$ 297,934.35	\$ (140,009.49)	\$ 157,924.86	\$ 480,375.08	\$ -	\$ -	\$ 480,375.08
612	Refuse	\$ 524,049.70	\$ 628,527.97	\$ (882,274.92)	\$ (253,746.95)	\$ 270,302.75	\$ 112,204.50	\$ 2,765.69	\$ 160,863.94
614	CWSS Op	\$ 4,141,181.29	\$ 3,856,293.13	\$ (4,457,632.09)	\$ (601,338.96)	\$ 3,539,842.33	\$ 442,567.11	\$ 121,201.60	\$ 3,218,476.82
641	WWTP Improvements	\$ 370,895.85	\$ 11,642,282.36	\$ (11,548,507.53)	\$ 93,774.83	\$ 464,670.68	\$ -	\$ -	\$ 464,670.68
619	Gas Op	\$ 4,069,575.23	\$ 4,117,902.46	\$ (5,165,186.78)	\$ (1,047,284.32)	\$ 3,022,290.91	\$ 343,339.55	\$ 215,888.74	\$ 2,894,840.10
	TOTAL	\$ 15,102,190.32	\$ 36,644,964.09	\$ (36,962,386.76)	\$ (317,422.67)	\$ 14,784,767.65	\$ (315,714.53)	\$ (857,555.70)	\$ 14,242,926.48

5. Approve Pay Application 27 from Robinson Industrial and Heavy Contracting and HDR relative to the WWTP Facility Improvement Project - \$1,521,211.96.
6. Approve Pay Estimate 11 from Lappe Cement Finishing, Inc., relative to Northeast Outfall Sewer Replacement – Phase 2 - \$52,490.08.
7. Approve request for extension to Garrett and Lillian Prevallet d/b/a Petunia & Lilly's Flower Shop and Stephanie Stark, d/b/a SMS Investment Group, LLC, relative to completion of Downtown Façade Improvement Grants – March 1, 2023.
8. Approve recommendation from Parks & Recreation Director Cadwell to extend the mowing city mini-park agreement with Welker Brothers Landscaping, LLC, through 2023.

9. Review and approve bids received for the Perryville Boulevard Shared Use Path – Phase 2 Project and award to Mike Light Cement Finishing, Inc., per recommendation of City Engineer Baer contingent upon approval from MoDOT - \$479,312.54.
10. Confirm City Administrator's approval of Change Order 2 from Zoellner Construction Company, Inc., relative to Fire Department Project - \$4,160.62 increase.
11. Appointment of Comprehensive Plan Steering Committee.
12. Approve temporary closure of Church Street for Justice Center Groundbreaking Ceremony.
13. Approve recommendation from CBIZ Compensation Consulting regarding 2023-24 salaries.
14. Approve request from Public Works Director to revise fleet order.
15. Approve recommendation from Parks & Recreation Director Cadwell to discontinue prorating aquatic and fitness classes.
16. Approve recommendation from Parks & Recreation Director Cadwell regarding outdoor ballfield scoreboard sponsorships.
17. Approve plan presented by Dille Pollard for renovations to Perry Park Center Weight Room and Bathroom.

END OF CONSENT AGENDA

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

City Administrator Buerck asks that Item 9 be withdrawn from the Consent Agenda to be discussed as a contractual matter in Closed Session.

Alderman Guth makes a motion to approve the Consent Agenda with Item 9 removed. Alderman Buerck seconds the motion, and on vote the motion carries.

At this time, Mr. John Brown of 419 Kiefner Street comes forth regarding the yearly fall festival that he organizes. Mayor Riney notes that the City does not typically close streets for events unless they are being held for non-profit organizations. Mr. Brown tells the Board that he has held this event for several years and that he donates the money to the park for ballfield maintenance. He tells the Board that he originally wanted to be able to allow alcohol at the event, but was told by EDA Sattler that only a non-profit could apply for that type of festival license. He also tells the Board that he would be willing to work with the Downtown Revitalization Committee; however, he wants the money raised from this event to go to park baseball field improvements. He also notes that the corn hole tourney that was held was successful and could get much bigger next year. He also tells the Board that the businesses on the street have shown appreciation for the event.

After discussion, the Board directs City Administrator Buerck to talk with the Downtown Revitalization Committee at their next meeting and bring back information for their review.

City Administrator Buerck asks the Board of Aldermen to consider allowing staff to approve change orders for contracted projects to streamline the process and keep them progressing smoothly. After consideration, the Board asks that a policy be prepared and presented for their review and approval.

City Administrator Buerck reviews the current part-time pay plan with the Board of Aldermen. He notes that the pay plan is difficult to administer and staff would like to simplify the plan. He notes that CBIZ was contacted regarding updating the plan, but staff decided that this could be done in-house.

After consideration, the Board agreed to review an updated plan prepared by city staff.

At this time, City Administrator Buerck asks the Board to consider placing a 3% marijuana tax on the ballot for the citizens of Perryville to determine. He notes that the new marijuana laws that have gone into effect on December 8, 2022, will allow recreational marijuana and will allow cities to place a 3% tax on purchases. It is noted that the tax can be placed in general revenue.

After discussion, the Board asks City Attorney Pistorio to review the requirements for placing this matter on the ballot.

RESOLUTION:

After discussion and review, Alderman Schumer makes a motion to adopt the City Construction Standards policy. Motion is seconded by Alderman Rice, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2022-12

A RESOLUTION ADOPTING THE
CITY OF PERRYVILLE CONSTRUCTION PROJECT
MINIMUM STANDARDS

WHEREAS, the City of Perryville regularly enters into agreements with contractors for construction projects for city infrastructure improvements; and

WHEREAS, the City of Perryville recognizes that these projects take place in residential, commercial, and industrial locations and that the residents and/or owners in these locations will see disruption during the construction period; and

WHEREAS, it is the intent of the Board of Aldermen of the City of Perryville that city staff and contracted engineering firms follow a set of construction project minimum standards so that the residents in the construction areas are given proper notice and consideration during the entire construction period; and

WHEREAS, the Board of Aldermen remains committed to providing safe, secure, and reasonable consideration for our citizens during construction projects.

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

That the Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby adopt the City of Perryville Construction Project Minimum Standards dated December 6, 2022.

PASSED AND APPROVED this 20th day of December, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Larry Riney, Mayor

SECOND AND FINAL READINGS:

Now, at this time, the Board proceeds to approve Bill No. 6364, entering into an agreement with Preferred Resource Network, Inc. for employee assistance services. Bill No. 6364 is read a second time on motion by Alderman Guth, seconded by Alderman Buerck. 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; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor

thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6580 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6364

ORDINANCE NO. 6580

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND PREFERRED RESOURCE NETWORK, INC., d/b/a PERSONAL ASSISTANCE SERVICES RELATIVE TO EMPLOYEE ASSISTANCE PROGRAM; 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 marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and Preferred Resource Network, Inc., d/b/a Personal Assistance Services. 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: December 6, 2022.

SECOND READING: December 20, 2022.

PASSED AND APPROVED this 20th day of December, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6365, entering into an agreement with Bruce and Lorna Gibbar and GG Investment Properties, LLC, relative to utility extension . Bill No. 6365 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; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6581 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6365

ORDINANCE NO. 6581

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT FOR WATER MAIN EXTENSION BY AND BETWEEN THE CITY AND BRUCE AND LORNA GIBBAR, AND GG INVESTMENT PROPERTIES LLC, RELATIVE TO THE EXTENSION OF THE CITY WATER MAIN AND THE FUTURE ANNEXATION OF PROPERTY INTO CITY LIMITS; 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 for Water Main Extension which is attached hereto as Exhibit A and incorporated herein by reference; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, deem it advisable to enter into said Contract for Water Main Extension.

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

Section 1. That the Mayor and Board of Aldermen of the City of Perryville, Missouri, approve the Contract for Water Main Extension marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and Bruce and Lorna Gibbar and GG Investments, LLC. It is the belief of the Mayor and Board of Aldermen of the City of Perryville, Missouri, that it is in the best interests of the citizens of the City of Perryville, Missouri, that the City enter into said Contract for Water Main Extension.

Section 2. That the Mayor of the City of Perryville, Missouri, be and he is hereby authorized and directed to execute said Contract for Water Main Extension for and on behalf of the City of Perryville, Missouri.

Section 3. That the City Clerk of the City of Perryville, Missouri, is hereby authorized and directed to attest to the signature of the Mayor on the attached Contract for Water Main Extension.

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

FIRST READING: December 6, 2022.

SECOND READING: December 20, 2022.

PASSED AND APPROVED this 20th day of December, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions and 0 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Larry Riney, Mayor

Alderman House questions language in Bill No. 6366 regarding restrictions on over-night parking. After discussion, Assistant Chief of Police Jones tells the Board that he envisions any infractions in over-night parking would result in an educational visit from the Police Department rather than a ticket unless the infractions become consistent.

Now, at this time, the Board proceeds to approve Bill No. 6366, amending Title 5 by adding Chapter 5.15 relative to automobile repair shops. Bill No. 6366 is read a second time on motion by Alderman House, seconded by Alderman Guth. Thereupon on motion by Alderman House, 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; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6582 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6366

ORDINANCE NO. 6582

AN ORDINANCE AMENDING TITLE 5 BY ADDING CHAPTER 5.15 TO THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO AUTOMOBILE REPAIR SHOPS; 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 of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by adding Chapter 5.15 to read as follows:

“Chapter 5.15

AUTOMOBILE REPAIR SHOPS

5.15.010 Definitions.

Automobile repair shop” means an establishment for the repair or replacement of parts in a motor vehicle, motorized construction equipment, or tractor trailers. This use includes auto body repair and tire shops.

5.15.020 Applicability.

This chapter shall apply to all businesses contained in an automobile repair shop as described above, whether or not such repair activity is incidental or secondary to another business purpose (e.g. this chapter applies to a used car lot that also contains an automobile repair shop).

5.15.030 License Required.

It is unlawful for any person to operate an automobile repair shop without first having obtained a license therefore from the city clerk, which shall not be transferable.

5.15. 040 Storage of Vehicles.

The following general operating requirements shall apply to all automobile repair shops.

- A. **Overnight Vehicle Storage Requirements.** No more than two vehicles per bay or repair/inspection station may be parked outside between the hours of 9:00 p.m. and 6:00 a.m. unless they are completely enclosed behind a minimum eight (8) foot fence, or wall

sufficiently opaque to screen the storage area from view of adjacent lots or the public right of way.

- B. Wrecked or Dismantled Vehicles. All wrecked or dismantled vehicles must be stored in an enclosed building or behind a minimum eight (8) foot fence, or wall sufficiently opaque to screen the storage area from view of adjacent lots or the public right of way.
- C. Long Term Storage. No vehicles of any condition may be parked outside for more than fourteen (14) days unless they are stored in an enclosed building or behind a minimum eight (8) foot fence, or wall sufficiently opaque to screen the storage area from view of adjacent lots or the public right of way.
- D. Grandfathering. The parking and storage requirements of this chapter shall not apply to automobile repair shops that were continuously operating prior to the effective date of this ordinance.

5.15.100 – Violation – Penalty

Violation of this chapter shall be punishable as provided in Section 1.16.010.”

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: December 6, 2022.

SECOND READING: December 20, 2022.

PASSED AND APPROVED this 20th day of December, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Larry Riney, Mayor

ATTEST:

Tracy Prost, City Clerk

FIRST AND SECOND READINGS AND FINAL PASSAGE:

Now, at this time, Bill No. 6367, entering into a First Amendment to Lease with Premier Air Center, LLC, relative to lease of Perryville Regional Airport Building 3, is read with an emergency clause for the first time upon motion by Alderman Buerck, seconded by Alderman Schumer. On motion by Alderman Buerck, seconded by Alderman Schumer, and on vote carried, Bill No. 6367 is read for the second time. Thereupon on motion by Alderman Buerck, 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; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and

approved and the bill thereupon became Ordinance No. 6583 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6367
6583

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND PREMIER AIR CENTER, LLC, RELATIVE TO FIRST ADDENDUM TO LEASE RELATIVE TO PERRYVILLE REGIONAL AIRPORT BUILDING 3; 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 Premier Air Center, 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: December 20, 2022.

SECOND READING: December 20, 2022.

PASSED AND APPROVED this 20th day of December, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions and 0 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Larry Riney, Mayor

FIRST READINGS:

Alderman Schumer presents motion, seconded by Alderman Martin, and on vote carried Bill No. 6368, entering into an agreement with Buddy Hellman d/b/a Winwood Enterprises, LLC, relative to Financial Reimbursement for New Construction to Builder/Homeowner, 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 **BUDDY HELLMAN, d/b/a WINWOOD ENTERPRISES, LLC**, RELATIVE TO **FINANCIAL REIMBURSEMENT FOR NEW CONSTRUCTION PROGRAM**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Mayor Riney asks for Committee Reports.

Alderman Guth, as Chairman of the Public Works Committee, asked Public Works Director Layton about the sewer pipe stored behind the impound building. Public Works Director Layton and City Engineer Baer tell the Board that this is the pipe that was ordered earlier for the next phase of the NE Sewer project. Mayor Riney asks about the pipe at the Northdale Park Lift Station. Public Works Director Layton tells the Board that the well pump had been pulled for repairs.

Alderman Schumer, as Chairman of the Finance Committee, asks if the ARPA funds are being spent on the WWTP project. City Administrator Buerck tells the Board that the ARPA funds are being used for the WWTP project per Board's previous approval. He notes that the first payment on the bond for the plant was made this month.

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

EDA Director Report:

- **Rail Feasibility Study** – This study is moving forward.
- **Downtown Revitalization Committee** – The 501(c)(3) paperwork has been sent to the state and we expect a return in 3-4 weeks.
- **Missouri Enterprise Lunch and Learn** – We will be providing a Lunch and Learn regarding meat and poultry processing opportunities.

City Administrator Report:

- **Missouri Resources Magazine Article** - This is an article that will appear in next month's issue of Missouri Resources. It features an article on the Perryville WWTP and design build process employed in construction of our new sewer plant.
- **MML Legislative Conference – February 21-22, 2023 in Jefferson City** - In the past, this annual conference has been attended by the Mayor and the City Administrator, although others have joined as well on occasion. It is a great chance to learn with other city's what is happening during the legislative session and gives us a chance to offer our thoughts and opinions on these matters. Unfortunately, this runs the same night as our Board meeting. Staff would ask the Board to consider moving the Board meeting to Monday that week so staff could attend both. Second to that, I would need to know if anyone beyond myself plans to attend.

After discussion, it is the consensus of the Board that the February 21st Board of Aldermen meeting be moved to Monday, February 20, 2023.

- **Be Well Bell** - Each year, we include a small amount of money for staff development. After much searching, staff has found Burrell Behavioral Health in Springfield and they have agreed to provide Emotional Intelligence training for all employees. Part of this arrangement includes their gift of a Be Well Bell to bring attention to mental health needs. There are only 6 such bells in the state and Perryville will be the 7th. We would like to add a small concrete pad along the sculpture trail to display this painted bell as it will match our efforts to bring art to that little area of our parks.

- **Republic-Monitor New Office** - We have been advised the RM's building has been sold and they will be moving to the former location of the Wright Group. Staff recently toured this space and it is quite nice and should make a great home for our local historians.

- **Missouri Housing Tax Credit Project** - Despite our best efforts as a community, we were not selected for this round of tax credits. The effort was led by the hospital but included a host of local agencies and social service groups. Not deterred, our group hopes to resubmit again next year and feels optimistic about our chances.

- **L.O.V. Event Attendance – March 4, 2023 in St. Louis** - As an event sponsor, the Mayor and Board have several seats for this evening's event. We would like to know who plans to attend so we can make proper accommodations.

- **Articles re: Free Speech** - It is interesting that the City of Jackson has faced similar public concerns about the same vulgar Biden flags as we have in Perryville. It was suggested during their recent aldermen meeting that someone simply visit the property owner, explain the concern and ask if they would mind removing the flag. Upon seeing that, I reached out to their City Administrator who said the PD handled this for them and they were indeed successful. If the Board would like, we could ask our PD to try a similar approach. (Note: The Board did not direct staff to ask the Police Department to do this task.)

- **City Email Addresses and Webpage** - Part of our work in securing our IT infrastructure will include migrating the City's website and email address to a ".gov" extension. At that time, all of our email addresses will change and each of the aldermen will be issued a city email to use for any and all city business. These changes are part of the changes presented last meeting and required for our ongoing ability to secure cyber insurance.

- **Budget Meeting** - It is that time of the year again and staff would propose meeting with the Board on Tuesday, January 31. This works well as January is actually a five-Tuesday-month and staff believes this will be ample time for us to put together a polished draft for the Finance Committee's review.

- **Health Department Survey** – The Perry County Health Department has prepared a Perry County Community Health Needs Assessment.

- **Governor's Executive Order re Pending Winter Storm** – Governor Parson has signed an Executive Order to prepare for the pending winter storm. The Perry Park Center will be available as a warming center during its open hours.

City Engineer Report:

- **Moulton Street** – No work is being done at this time due to the weather.
- **Sinkholes at Justice Center Location** – Work is being done on the sinkholes in the Justice Center location. A house is being demolished.

Parks & Recreation Report:

- **Dog Park** – New obstacle course has been installed.
- **Craft Fair** – The Bank of Missouri Craft Fair was a success. Over 115 booths with over 1,200 people visiting the Park Center for the event.
- **Border Wars** – Eight teams participated in the Border Wars Basketball Event.
- **PPC Renovations** – Renovations are nearly complete, with only minor punch lists remaining.
- **Boosted Wi-Fi in the Gym** – We were able to increase the Wi-Fi in the gymnasium.

Alderman Guth asked Parks & Recreation Director Cadwell to talk with the librarian to see if they could accommodate disabled patrons by opening the side door for ease of access.

Alderman Rice asks if additional outdoor pickleball courts are planned. City Administrator Buerck informs the Board that staff is working on a plan for a new park on School Street and a pickleball court may be in the plans.

Mayor Riney asks the Board for any concerns, comments, or other non-action items they would like to present. There were none.

Now, at this time, upon motion by Alderman Schumer, seconded by Alderman Rice, 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; contractual matters in accordance with Section 610.021(9) RSMo; and litigation matters in accordance with Section 610.021(12) RSMo. Roll call showed the aye and nay votes as follows: Curt Buerck, aye; Tom Guth, aye; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

Following discussion and review, it is upon motion by Alderman Rice, seconded by Alderman House, 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; Dennis House, aye; Douglas K. Martin, aye; Clinton Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

There being no further business, it is upon motion by Alderman Rice, second by Alderman House, and on vote carried, ordered that the Board now adjourn until Tuesday, January 3, 2023, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK