

**June 6, 2023**

**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: Seth Amschler, Curt Buerck, Tom Guth, Clint Rice, and Douglas K. Martin, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Art Pistorio, City Attorney. Absent: Larry Riney, Mayor, and Alderman David J. Schumer.

Mayor Pro-Tem Guth opens the meeting with the Pledge of Allegiance and invocation.

Mayor Pro-Tem Guth now asks for citizens' participation from the floor.

There being no one coming forth, Mayor Pro-Tem Guth closes the citizens' participation portion of the meeting.

At this time, the following new employees are introduced to the Board of Aldermen: Bryce Ernst, Parks & Recreation Maintenance Technician; Devin Smith, Cadet/Code Enforcement Officer; and Jesse Perry, Water/Wastewater Maintenance Technician.

**CONSENT AGENDA ITEMS**

4. Approve minutes from meeting of May 16, 2023.
5. Approve bills for May 2023.

At this time Alderman Rice, Member of the Finance Committee, presents the following bills and invoices for the month of May 2023, vendor checks numbered 124938 – 125203 (checks numbered 125175 – 125184 were skipped in error); 11 ACH transfers; payroll checks numbered: 659370 - 659375.

The following bills are presented to be paid for the month of May 2023. Board finds that \$459,912.27 is chargeable to and payable out of the General Revenue Account; \$144,858.01 is out of Airport; \$83,584.14 is out of Transportation Trust; \$286,925.75 is out of Perry Park Center; \$1,118.00 is out of Veterans Memorial; \$1,689.54 is out of Tech Ed Building; \$389.76 is out of TIF #2; \$6,047.64 is out of TIF #3; \$37,880.52 is out of Street Improvement; \$48,713.68 is out of Refuse; \$376,861.85 is out of CWSS; and \$107,785.04 is out of Gas Operation. The Board, upon investigation, found the sum to be \$1,555,766.20.

6. Approve engagement with Beussink, Hey, Roe & Stroder relative to 2022-23 single auditing services for the City of Perryville - \$2,500.00.
7. Approve Pay Application 32 from Robinson Industrial and Heavy Contracting and HDR for the WWTP Facility Improvement Project - \$509,685.35.
8. Approve Change Order 6 from Robinson Industrial and Heavy Contracting and HDR for the WWTP Facility Improvement Project – time extension of 105 calendar days – September 7, 2023.
9. Approve Invoice 28191 to Vern Bauman Contracting Company relative to Moore Drive project - \$178,801.98.
10. Approve Pay Application 10 to Zoellner Construction relative to Fire Station Project - \$5,992.18.
11. Approve Pay Estimate 1 (Final) to Koch Electric, Inc., for the 2022 Lift Station Project - \$88,095.22.

12. Approve Pay Request 1 to Emery Sapp & Sons, Inc., relative to the Reconstruction of the Southeast Taxiway and East Apron Taxilane Project - \$756,840.16.
13. Accept bids received for the Soccer Complex Parking Lot project and award to Jokerst Paving & Contracting, Inc., per recommendation of City Engineer Baer.
14. Approve submittal of plans, specifications, and estimate regarding Vincentian Way (formerly known as Progress Drive) to MoDot.
15. Approve placement of LED informational sign at the Downtown Plaza.
16. Approve USDI Natural Gas Master Plan.
17. Approve sinkhole priorities list for 2023-24.
18. Approve recommendation from Public Works Director Layton relative to fleet exchange.
19. Approve request from Heroes for Kids to place banners advertising their upcoming Comic Con event.
20. Approve recommendation from Parks & Recreation Director Cadwell regarding Perry Park Center overnight access for staff and board members.
21. Approve recommendation from Parks & Recreation Director Cadwell regarding Veterans Memorial Field.
22. Approve proposed promotional events for July Parks & Recreation Month.
23. Approve request from Parks & Recreation Director Cadwell to close the Perry Park Center at 5:00 p.m. on July 3<sup>rd</sup> for the fireworks display.
24. Approve amended request from Rotary Club regarding concessions in the City Park for the fireworks display.
25. Approve request from Josh Cooper with SEMO Grotto to provide a trash truck for their Fall MVOR event – September 14-17.

### **END OF CONSENT AGENDA**

At this time, Mayor Pro-Tem Guth asks if anyone wishes to remove anything from the Consent Agenda.

Item 15 – City Administrator Buerck distributes a rendering of the 4x7 sign estimated at \$65,000. He notes that this is a budgeted item and it is not required that we place the item out for bid because Main Street Signs is the only company that can sell this type of sign in this area. He also notes that the City, EDA, Chamber of Commerce, and Tourism organizations will all be allowed to place information on the sign through the Parks & Recreation Department.

Item 17 – Alderman Rice questions whether an improved sinkhole that appears to be opening again can be placed on the sinkhole list. City Administrator Buerck tells the Board that Public Works personnel will review the sinkhole and determine if it needs to be placed on the list again. He also notes that this is a 'fluid list.'

Alderman Rice 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 the Perry Park Center staff has observed that the racquetball court usage is waning. He asks if the Board would be open to the possibility of utilizing one of the two racquetball courts for something other than racquetball. Parks & Recreation Director Cadwell tells the Board that the Park Board had suggested the possibility of a climbing wall. City Administrator Buerck suggests that this could be considered during the comprehensive planning process.

After discussion, the Board approved the study of alternative uses for one of the racquetball courts at the Perry Park Center.

At this time, City Administrator Buerck informs the Board that staff reviewed the question posed by Mr. Shroud at the May 16 meeting regarding the possible vacation of the alley along the south side of Edgemont Boulevard between Park Avenue and Zeno Street. Staff noted that vacation of the alley would leave some sheds landlocked. They also noted that it appears Citizens Electric Corp has easements through the area.

After discussion, it is the consensus of the Board that the alley along the south side of Edgemont Boulevard between Park Avenue and Zeno Street remain as is.

Attorney Pistorio informs the Board that his research has revealed that railroad easements are automatically lost to the railroad when the railroad ceases line operation and abandons the railway. He tells the Board that he will continue his research to determine if the railroad easements revert to the city or to the adjoining properties.

#### **RESOLUTION:**

After discussion and review, Alderman Buerck makes a motion to authorize the filing of an application with the Missouri Department of Natural Resources, State Revolving Fund Program, for a loan under the Missouri Safe Drinking Water Law . Motion is seconded by Alderman Martin, and on vote carried. Said Resolution is as follows:

#### **RESOLUTION NO. 2023-03**

#### **AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, STATE REVOLVING FUND PROGRAM, FOR A LOAN UNDER THE MISSOURI SAFE DRINKING WATER (SECTION 640, RSMO)**

**WHEREAS**, the Board of Aldermen of the City of Perryville hereby pass a resolution authorizing the filing of an application with the Missouri Department of Natural Resources, State Revolving Fund Program, for loans under the Missouri Clean Water Law (Section 644, RSMo); and

**WHEREAS**, under the terms of the Missouri Safe Drinking Water Law, Section 640, Revised Statutes of Missouri, the State of Missouri has authorized the making of loans and/or grants to authorized applicants to aid in the construction of specific public projects.

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

Section 1. That the Mayor be and he is hereby authorized to execute and file an application on behalf of the City of Perryville with the State of Missouri for a loan and/or grant to aid in the construction of: Inspection and data collection of 3,700 service line connections; GIS database for project tracking and reporting; distribution of information to residents; home inspections; pothole inspections on grass and hard surfaces.

Section 2. That Larry Riney, Mayor, is hereby authorized and directed to furnish such information as the Missouri Department of Natural Resources may reasonably request in connection with the

application which is herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances to the Missouri Department of Natural Resources as may be required by law or regulation, and to receive payment on behalf of the applicant.

**PASSED AND APPROVED** this 6th day of June, 2023, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 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. 6422, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **OLLIS/AKERS/ARNEY** RELATIVE TO **BROKER AND RISK MANAGEMENT SERVICES**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6422 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: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one. The bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6640 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6422

ORDINANCE NO. 6640

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **OLLIS/AKERS/ARNEY** RELATIVE TO **BROKER AND RISK MANAGEMENT SERVICES**; 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 **Ollis/Akers/Arney**. 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: May 16, 2023.

SECOND READING: June 6, 2023.

PASSED AND APPROVED this 6<sup>th</sup> day of June, 2023, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 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. 6423, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **FORWARD SLASH TECHNOLOGY** RELATIVE TO **CYBER SECURITY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6423 is read a second time on motion by Alderman Buerck, seconded by Alderman Amschler. Thereupon on motion by Alderman Buerck, seconded by Alderman Amschler, 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: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one. The bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6641 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6423

ORDINANCE NO. 6641

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **FORWARD SLASH TECHNOLOGY** RELATIVE TO **CYBER SECURITY**; 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 **Forward Slash Technologies**. 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: May 16, 2023.

SECOND READING: June 6, 2023.

PASSED AND APPROVED this 6<sup>th</sup> day of June, 2023, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 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. 6424, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **JEFFREY P. GOTTO, d/b/a GOTTO INVESTMENTS, LLC**, RELATIVE TO **FINANCIAL REIMBURSEMENT FOR NEW CONSTRUCTION PROGRAM (803 CRESTVIEW LANE)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6424 is read a second time on motion by Alderman Rice, seconded by Alderman Amschler. Thereupon on motion by Alderman Rice, seconded by Alderman Amschler, 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: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one. The bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6642 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6424

ORDINANCE NO. 6642

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **JEFFREY P. GOTTO, d/b/a GOTTO INVESTMENTS, LLC**, RELATIVE TO **FINANCIAL REIMBURSEMENT FOR NEW CONSTRUCTION PROGRAM (803 CRESTVIEW LANE)**; 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 **Jeffrey P. Gotto, d/b/a Gotto Investments, 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, 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: May 16, 2023.

SECOND READING: June 6, 2023.

PASSED AND APPROVED this 6<sup>th</sup> day of June, 2023, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

**FIRST AND SECOND READING AND FINAL PASSAGE:**

Now, at this time, Bill No. 6426, AN ORDINANCE ACCEPTING THE FINAL PLAT OF CRESTVIEW PLACE FIRST ADDITION MINOR SUBDIVISION; ACCEPTING DEDICATION OF EASEMENTS, STREETS AND PROPERTIES DESCRIBED; ACCEPTING RESTRICTIONS, IF ANY, FILED THEREWITH; AUTHORIZING THE RECORDING OF SAID PLAT; ACCEPTING IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED AND INDICATED ON SAID PLAT; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, is read for the first time with an expedite clause for matters related to zoning as found in Title 17 of the Code of Ordinances upon motion by Alderman Martin, seconded by Alderman Guth. On motion by Alderman Martin, seconded by Alderman Guth, and on vote carried, Bill No. 6426 is read for the second time. Thereupon on motion by Alderman Martin, seconded by Alderman Amschler, 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: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, 5; nay, 0; absent, 1. The bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6643 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6426

ORDINANCE NO. 6643

AN ORDINANCE ACCEPTING THE FINAL PLAT OF CRESTVIEW PLACE FIRST ADDITION MINOR SUBDIVISION; ACCEPTING DEDICATION OF EASEMENTS, STREETS AND PROPERTIES DESCRIBED; ACCEPTING RESTRICTIONS, IF ANY, FILED THEREWITH; AUTHORIZING THE RECORDING OF SAID PLAT; ACCEPTING IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED AND INDICATED ON SAID PLAT; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, Gotto Investments, LLC, has platted the Final Plat of Crestview Place First Addition Minor Subdivision, as located within the corporate limits of the City of Perryville, Missouri; and,

WHEREAS, the developer has installed required improvements; and,

WHEREAS, the developer has complied with all of the city ordinances and, in particular, Title 17 of the Code of Ordinances of the City of Perryville, Missouri.

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

Section 1. The Mayor and Board of Aldermen of the City of Perryville, Missouri, do hereby accept the Final Plat of Crestview Place First Addition Minor Subdivision, which is attached hereto as Exhibit A, including all easements, right-of-way streets and improvements indicated thereon and subject to the terms and conditions expressed therein.

Section 2. The Mayor and City Clerk of the City of Perryville, Missouri, are hereby authorized to do all acts and execute all instruments appropriate and necessary to accept said plat.

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

Section 4. That the Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be a matter related to zoning as found in Title 17 of this Code which has previously been reviewed and approved by the City Planning and Zoning Commission and for that reason this ordinance may be acted on in one meeting.

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

FIRST READING: June 6, 2023.

SECOND READING: June 6, 2023.

PASSED AND APPROVED this 6<sup>th</sup> day of June, 2023, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, Bill No. 6427, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **AMES CONSTRUCTION, INC.** RELATIVE TO **FIRST AMENDMENT OF LEASE OF PROPERTY AT PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR, is read with an emergency clause for the first time upon motion by Alderman Rice, seconded by Alderman Guth. On motion by Alderman Rice, seconded by Alderman Amschler, and on vote carried, Bill No. 6427 is read for the second time. Thereupon on motion by Alderman Rice, 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: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, 5; nay, 0; absent, 1. The bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6644 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6427

ORDINANCE NO. 6644

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **AMES CONSTRUCTION, INC.** RELATIVE TO **FIRST AMENDMENT OF LEASE OF PROPERTY AT 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 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 **Ames Construction, 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. 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: June 6, 2023.

SECOND READING: June 6, 2023.

PASSED AND APPROVED this 6<sup>th</sup> day of June, 2023, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

**FIRST READINGS:**

Alderman Buerck presents motion, seconded by Alderman Rice, and on vote carried Bill No. 6428, entering into an agreement with Kenneth Killian relative to rental of hangar space, 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 **KENNETH KILIAN**, RELATIVE TO **RENTAL OF T-HANGAR SPACE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 6429, entering into an agreement with John Shaddock relative to rental of hangar space, 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 **JON SHADDUCK**, RELATIVE TO **RENTAL OF T-HANGAR SPACE**; FURTHER SAID

ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Rice, and on vote carried Bill No. 6430, amending Title 5, Chapter 5.04, Section 5.04.020, adding Chapter 5.41, and updating Title 17, Chapter 17.04, Section 17.04.020 and Chapter 17.16, Section 17.16.020 of the Code of Ordinances relative to homeless shelters, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 5, CHAPTER 5.04, SECTION 5.04.020 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI; ADDING CHAPTER 5.41 TO BE ENTITLED "HOMELESS SHELTERS"; UPDATING TITLE 17, CHAPTER 17.04, SECTION 17.04.020 AND CHAPTER 17.16, SECTION 17.16.020; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Martin presents motion, seconded by Alderman Rice, and on vote carried Bill No. 6431, amending Title 16, Chapter 16.20, Section 16.20.030 of the Code of Ordinances relative to curbs and guttering, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 16, CHAPTER 16.20, SECTION 16.20.030 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO CURBS AND GUTTERS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Rice presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6432, amending Title 10, Chapter 10.20, Section 10.20.070 of the Code of Ordinances relative to trucks, large vehicle, and trailer parking, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.20, SECTION 10.20.070 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO TRUCKS, LARGE VEHICLE, AND TRAILER PARKING, AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Buerck presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6433, entering into an agreement with Jokerst Paving & Contracting, Inc., for the Soccer Complex Parking Lot project, 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 **JOKERST PAVING & CONTRACTING, INC.**, RELATIVE TO **SOCCER COMPLEX PARKING LOT IMPROVEMENTS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Amschler, and on vote carried Bill No. 6434, entering into a Police Officer Training Employment Agreement with Devin G. Smith, 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 **DEVIN G. SMITH** RELATIVE TO **POLICE OFFICER TRAINING EMPLOYMENT AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Mayor Pro-Tem Guth asks for Committee Reports.

Alderman Guth, as Chairman of the Public Works Committee, asks Public Works Director Layton for an update. Director Layton tells the Board that crews will begin spraying with the mosquito truck this

week; the streetlights sold for \$2,500 on Purple Wave; the bomber flights have been rescheduled; and the potholes have been repaired.

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

EDA Director Report:

- **Business Retention and Expansion Program** - A BRE team was established with training provided by a volunteer from the International Economic Development Council. Last week, the BRE team conducted a few visits with area businesses. Those visits led to some follow-up items and ideas for ways we can all help retain our local businesses. I am in the process of creating a visit schedule for myself and the BRE team to conduct regular monthly visits with other businesses.

- **Business Leadership Conference** - The EDA and the Chamber, in partnership with Heritage Tourism and the City are bringing in John Schallert on September 29<sup>th</sup> to provide education on creating a "Destination Business." John is a national speaker and has provided education at the State level and beyond. More details will be forthcoming as the program is developed.

- **Perryville Area Chamber Leadership Perryville Industry Day** - I am coordinating Industry Day for the Leadership Perryville group on June 20<sup>th</sup>. We are planning tours of West Star, the airport, Citizens Electric, and possibly one other.

City Administrator Report:

- **Coffee and Connections – June 7 at Robinson Event Center re PGAV Master Plan** - Tomorrow's Chamber Event will include a presentation by PGAV regarding the City's Comprehensive planning process.

- **Ranken Open House – June 20** - This event is different than the upcoming Grand Opening/Ribbon Cutting which has not yet been scheduled. Ranken is working on finding a suitable day that works for their donors and their staff.

- **Sensory Saturday Movies** - Following a community event focused on hiring those with disabilities, park staff has worked to organize a new type of movie event, specifically designed for those with different abilities.

- **Wastewater Article re Drug Detection** - This article does a good job of highlighting the potential benefits of monitoring wastewater for community health challenges. We continue to monitor for COVID 19 but that could just be scratching the surface of what is possible. I am not sure if this is being done anywhere in Missouri but MIZZOU is exploring future applications.

- **Perry County Drug Overdose Fact Sheet** - Sad but interesting information about local substance abuse. Some of us may be surprised and saddened by these findings.

- **Electronics Recycling Event sponsored by TG Missouri – July 8** - This community event is being coordinated by TG Missouri. Although the date is finalized, other details such as time and location are still being planned.

- **Airport Fly-In Summary** - My sincere compliments to the work the airport advisory board put into this event. The attendance helps speak to the quality (and the food truck sold out).

- **BETA Tech Electric Plane Charger** - The plane charger is officially open for business but we have not yet heard of Beta's plans for a ribbon cutting or formal announcement.

- **Jason Smith Thank You Letter** - A very nice letter was received from Congressman Smith's office for our efforts helping to coordinate his recent visit. The key that we gave him hangs in his office in Washington, DC.

- **Filming Resumes for "The Spring" – June 7-17** - The next big filming event starts tomorrow and locations are planned all over the county.

- **Perry County Creative Arts** - We are happy to report the Arts Community is coming together to form Perry County Creative Arts. It will be for artists and artisans of all types. We are excited and will be looking for ways to support their efforts in this endeavor.

- **MML Conference Confirmations – Sept 10-13** - We have made reservations for those of you who have expressed interest but wanted to ask one final time to be sure we have everyone.

- **911 Board** - The inaugural meeting for this group is scheduled for next Monday at 11am. There is much work to be done and it is time to get started. Mayor Riney will be representing the Board in this process, along with Major Jones and Chief Triller.

- **ISO Rating** - We have finally made contact with ISO, having found out our initial point of contact has retired. We have been told we no longer have a 12-month grace period to make changes and that ISO ratings were changed immediately. We are working through Ray's office to propose new building code updates and hope to have those ready for the next meeting.

- **Article – Code Enforcement** - This was a very good article about the importance of having and enforcing property codes.

- **Article – Outdoor Dining is Here to Stay in New York** - Great article that helps speak to the benefits of only allowing these outdoor dining structures on a seasonal nature, something the owners of J Street Eats have agreed with.

- **Pickleball Court Area Plans** - Staff recently met and work will soon be starting on the pickleball, basketball, and 9-square courts. Staff met with Engineer Baer and wanted to present our general plans as this work starts to unfold.

Alderman Guth asks staff to consider including a sidewalk to the restrooms in the area.

City Engineer Report:

- **Progress Drive** – The plans, specifications, and cost estimate for this project has been forwarded to MoDot for their approval. We expect to hear back from them next week.

- **Trail** – This project is moving forward quickly. A retaining wall is included along the hilly areas.

- **Sunset Drive** – This project should start by July 1<sup>st</sup>.

- **Soccer Parking Lot** – We are scheduling this project around various activities in the park.

City Attorney Report: Review of municipal court report.

Chief of Police Report: No report.

Parks & Recreation Director Report:

- The weight room project should wrap up this week and be open to the public on Monday, June 12<sup>th</sup>.

- **Trails** – The Park Board will review the question about approved types of micromobility to be allowed on the park trails. A recommendation will be prepared for the Board of Aldermen to review.

Alderman Amschler asks about the history regarding a sinkhole on the Rod Leible property on East Ste. Marie Street. City Administrator Buerck informs him and the Board that Mr. Leible built a shed over the City's easement several years ago and refused to sign a new easement.

Alderman Martin tells the Board that he received a complaint from Tom Huber regarding mosquitoes at the 200 block of West Ste. Marie Street. He believes they are more prevalent because of the sinkhole.

Alderman Martin also tells the Board that he received a letter from a St. Louis visitor stating they had a good day in Perryville visting the wall and the tractor museum.

Alderman Rice tells the Board that he received a question from Ruth Basler, of 1607 Kathleen Street, about a sinkhole on her property. Public Works Director Layton states that Ms. Basler is on the sinkhole list.

Alderman Rice tells the Board that he received a call from Jamie Gladden with concerns about the dust from Sandstone Road. Ms. Gladden lives at the corner of Sycamore Road and Dogwood. The Board discusses options to alleviate the dust, including reducing the speed. After discussion, the Board asks that a traffic study be conducted on Sandstone Road for their review.

Now, at this time, upon motion by Alderman Buerck, 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 security matters in accordance with Section 610.021(19) RSMo. Roll call showed the aye and nay votes as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one.

Following discussion and review, it is upon motion by Alderman Buerck, seconded by Alderman Amschler, 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: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one.

There being no further business, it is upon motion by Alderman Guth, second by Alderman Buerck, and on vote carried, ordered that the Board now adjourn until Tuesday, June 20, 2023, at 6:30 p.m., the regular meeting in course.

MAYOR PRO-TEM

ATTEST:

CITY CLERK