

August 15, 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: Larry Riney, Mayor; Seth Amschler, Curt Buerck, Tom Guth, Clint Rice, Douglas K. Martin, 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. At this time, Mayor Riney asks for a moment of silence to honor William "Bill" Jones, Assistant Police Chief, Assistant Fire Chief, and Emergency Management Director, who passed away on August 2, 2023. He also asks for a moment of silence for former City Building Inspector and Zoning Administrator James Wibbenmeyer, who passed away on August 10, 2023.

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

Raymond Bugg, 701 Lincoln Court, Perryville, tells the Board that he is concerned about the recent vote to keep the fortuneteller ordinance in the Code of Ordinances since it is unconstitutional. He notes that the aldermen take an oath to defend the constitution of the United States and that the Board of Aldermen cannot change the constitution. He noted that a petition was submitted to the city with 300 citizens that were in favor of the constitutional right to allow fortunetelling; however, only a small group of people appeared before the Board to request the rule on fortunetelling remains as it currently resides in the City's Code of Ordinances. He tells the Board that he believes they have compromised their oath of office by voting in favor of allowing the code to remain. He notes that the code is not enforceable. He tells the Board that it was their decision to divide the citizens of Perryville.

Steve King, 710 North Main Street, Perryville, appears before the Board of Aldermen regarding the topic of lifeguards during the 5:00 am to 8:00 am pool hours. He questions the cost of the door with the key fob. He also states that his daughters have been to swimming events all around the country and notes that people are amazed about the type of pool we have in this small community. He also tells the Board that the diving wells should remain open. He questions the goal of the Board of Aldermen, asking if the Board intends to close the pool.

Sydney Hemmann, 1303 Drury Lane, Perryville, asks the Board to reconsider their decision to remove lifeguards from the early morning pool hours. She tells the Board she has been swimming at the pool since it opened and thinks it is a wonderful service to offer. She questions if the Silver Sneakers insurance provision will still be available without a lifeguard.

Kyle Hagan, 1820 PCR 628, Perryville, tells the Board he has been an EMS volunteer for 29 years. He is disappointed in the decision to remove lifeguards during the time that mostly elderly are using the pool. He notes that the guards are making around \$13/hour and it seems a small savings cost to remove them during this time. He also notes that the new people hired to mow the park are making more than the lifeguards.

Jackie Cushman, 10491 County Farm Road, Chester, IL, tells the Board that she is an avid swimmer and swims in Perryville because Chester doesn't have a pool. She tells the Board that swimming has helped her overall health and the deep water exercises are most helpful. She is against the decision to remove lifeguards from the early morning swim hours.

Kira Hagan, 1820 PCR 628, Perryville, is a lifeguard at the pool and tells the Board that lifeguards are important for the safety of the patrons swimming during the early morning hours.

June Ernst, 8593 Highway B, Perryville, reiterates the concerns regarding lifeguards during early morning hours. She notes the need for someone to check chemicals and to be present for medical emergencies.

Marsha Moll, 305 Newstead, Perryville, tells the Board that there were 15 people using the pool this morning. She states that she does not think the pool was built to make money, but rather to be a service to the citizens. She notes that signing waivers are not required in other areas of the Park Center.

Kristi Hagan, 1820 PCR 628, Perryville, states that she believes that the money saved by not having lifeguards in the pool is the value the Board places on someone's life. She also questions where the money is being allocated for the predicted savings. City Administrator Buerck states that the money has not been allocated at this time.

Brandon Peck, 2214 PCR 806, Perryville, is a lifeguard at the pool. He notes that he saw on a group chat that someone on the Board thinks the lifeguards are doing homework while they are guarding the pool. He tells the Board that lifeguards are allowed to be on their phone and read books during the early hours. He says that if that is a concern, perhaps a new rule could be implemented that lifeguards are not allowed to read books or use their phone.

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

At this time, the following new city employees are introduced:

- Pam Abernathy, Parks & Recreation Department Janitor;
- Brian Walters, Police Officer; and
- Jeff Zahner, Water/Wastewater Maintenance Technician.

CONSENT AGENDA ITEMS

4. Approve minutes from meeting of August 1, 2023.
5. Approve financial reports for July 2023.
6. Set Public Hearing date for Special Use Permit Request from DGOGPerryville 05312023 d/b/a Dollar General Store – September 5, 2023 at 6:30 p.m.
7. Approve Pay Estimate 1 (Final) from Putz Construction, LLC, regarding Sunset Drive Improvements Project - \$89,107.70.
8. Acknowledge staff approval to allow horses in the City Park for Brynlee's Birthday Bash Benefit – August 26, 2023.
9. Approve request from Public Works Director Layton to sell vehicles, equipment, and supplies on Purple Wave Auction site.
10. Approve bids received for the Parks & Recreation Department Exterior Painting Project and award to Jerry Hotop Painting, LLC, per recommendation of Parks & Recreation Director Cadwell - \$26,845.00.
11. Approve Request for Downtown TIF Redevelopment Proposals re City Parking Lot.
12. Approve plans to work with SEMO Regional Planning to submit a TEAP application to MoDot relative to a roundabout vs. traffic light study at Alma Avenue and Perryville Boulevard.
13. Approve location of walls regarding Phase 3 for Wall of Honor in City Park.

END OF CONSENT AGENDA

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

Item #10 - City Administrator Buerck tells the Board that the colors for the Perry Park Center will be available for the next meeting.

Alderman Buerck makes a motion to approve the consent agenda. Alderman Schumer seconds the motion, and on vote the motion carries.

City Administrator Buerck presents the following information to the Board of Aldermen regarding the history, present, and future of Perryville:

- In his travels, Governor Parson has said repeatedly that there are two communities in the State of Missouri that get it right, Lee's Summit, which is up by Kansas City, and Perryville.
- We have more jobs than people.
- We are the birthplace of the Lutheran Church Missouri Synod and Concordia University. Concordia University has seven locations across the country and Concordia Seminary has an additional two. This is where all Lutheran pastors are taught and trained.
- We are home to the first catholic seminary west of the Mississippi, site of the National Shrine of the Miraculous Medal, and location of the longest rosary trail in north America. The Association of the Miraculous medal sends approximately 8 million pieces of mail every year out of Perryville. The Congregation of the Mission, as the Vincentian order is known, started DePaul University in Chicago and St. John's University in New York. Vincentian priests from all across the country come to Perryville to retire.
- Lewis and Clark wrote about Tower Rock in journals surveying the Louisiana Purchase. There used to be multiple towers at this location. President Ulysses S. Grant issued an executive order on March 4, 1871, to spare Tower Rock from blasting.
- We are home of the Missouri National Veteran's Memorial because Jim and Charlene Eddleman donated 47 acres of a 3rd generation family farm and over \$2.5 million. This is the only full-size replica of the Vietnam wall in the country and has the names of all 58,000+ Americans who died in service to their country during the Vietnam war.
- We are home to the American Tractor Museum – one of the nicest collections of tractors in the entire country. It features over 60 full-size, rare and historic tractors and an additional 90 fully restored pedal tractors. Construction has begun to double the size of the facility and the collection. There are visitors from all over our country in Perryville every day to see this collection.
- Perryville has the longest runway between St. Louis and Memphis at 7,003' long. West Star Aviation refurbished Taylor Swift's jet here in Perryville along with Troy Aikman's as well as jets owned by Space X and Elon Musk.
- In addition to car parts, TG Missouri is designing, programming, and building robots for their facilities all across North America in Perryville. TG Missouri in Perryville is probably one of the most technologically advanced factories in the State of Missouri.
- Gilster Mary-Lee has made over 800 different food items and is the exclusive provider of Chick-Fil-A chicken coat.
- All of the stone and landscape material for Shaquille O'Neil's Atlanta house was supplied by SEMCO.
- Robinson Construction started here in Perryville in 1946 and will do well over \$100 million of projects in any given year. They simultaneously have projects underway in 15-20 states at any given moment and have in excess of 400 employees spread across the country.
- Rozier's started in 1906.
- Buchheit's started in 1934 and is still headquartered in Perry County. Buchheit's just recently purchased 12 new store locations to add to the eight they already had.

- East Perry Lumber, Bailey's Stave Mill, Rehagan's Sawmill, and Sequin Moreau export their products all over the world. Perry County is the #1 county in the entire State of Missouri for hardwood exports.
- Richardet Floor Covering is here as well as Zoellner Construction, TNT Plastics, Atlas Foam, H&G Marine, and Earthworks. River Hills Tool & Dye, located in Altenburg in the eastern end of Perry County, developed and produces Indian Creek Shooting Systems, a world-class Turkey Choke sold by Johnny Morris at both Cabela's and Bass Pro Shops
- We just opened a 25,000 square foot building here in Perryville for Ranken to educate our youth.
- Finally, 25 years ago the Bank of Perryville had a single location in Perryville and about \$80 million in assets. Today, the Bank of Missouri has 30 branches and nearly \$2.5 billion in asset - all headquartered and supported right here in Perryville.

Chris Foeste, of Circle Fiber, presents information to the Board of Aldermen regarding his plan to bring Circle Fiber internet to the City of Perryville. He tells the Board that they are currently located in Jackson and Poplar Bluff and plan to break ground in Perryville in the next few months. He notes that this is a 6-8 month buildout timeline and that plan to use local companies on the project. He also tells the Board that this is 1 gig internet and will bring jobs to the area and provide affordable internet to those who need it.

At this time the Board considers the proposal for morning unguarded pool rules. City Administrator Buerck acknowledges that not everyone approves of this idea; however, staff will continue to bring ideas to the Board for their decision and notes that this idea was driven by the success of the after-hours weight room. He reviews information regarding accidents in the pool, noting that most accidents are happening when children are present in the pool. He also states that he believes that the most experienced lifeguards should be available when children are present.

Alderman Guth tells the Board that the Park Board's advise was to continue having lifeguards present during early morning swim, and that the complaint about lifeguards reading books should be addressed. Alderman Rice expresses his concern about the rule to allow lifeguards to read books, noting that 'drowning is silent.' Alderman Buerck agrees that lifeguards should be present during early morning swim and likes the suggestion that the pool hours could be adjusted so that it is open during busy times.

Alderman Amschler makes a motion to continue providing lifeguards for early morning hours at the Perry Park Center swimming pool. Alderman Rice seconds the motion, and on vote the motion carries.

RESOLUTIONS:

After discussion and review, Alderman Buerck makes a motion to enter into a Rental of T-Hangar Space agreement with Daniel Kammerer. Motion is seconded by Alderman Rice, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2023-06

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND DANIEL KAMMERER RELATIVE TO T-HANGAR RENTAL AGREEMENT; FURTHER SAID RESOLUTION 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 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 RESOLVED 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 and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Daniel Kammerer**. 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.

PASSED AND APPROVED this 15th day of August, 2023, 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

After discussion and review, Alderman Rice makes a motion to entering into a Rental of T-Hangar Space agreement with Christopher Uding. Motion is seconded by Alderman Schumer, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2023-07

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CHRISTOPHER UDING** RELATIVE TO **RENTAL OF T-HANGAR SPACE**; FURTHER SAID RESOLUTION 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 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 RESOLVED 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 and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Chris Uding**. 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.

PASSED AND APPROVED this 15th day of August, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

ATTEST:
Tracy Prost, City Clerk

By: Larry Riney, Mayor

After discussion and review, Alderman Schumer makes a motion to support an application from RCH Development, LLC, for funding to construction affordable housing for the workforce. Motion is seconded by Alderman Buerck, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2023-08

A RESOLUTION OF THE BOARD OF ALDERMEN OF PERRYVILLE, MISSOURI, OF SUPPORT FOR AN APPLICATION FROM RCH DEVELOPMENT, INC., FOR FUNDING TO CONSTRUCT AFFORDABLE HOUSING IN PERRYVILLE, MISSOURI.

WHEREAS, RCH Development, Inc., is proposing to build 40 duplex units with garages for families in the City of Perryville on an undeveloped tract of land between Alma Avenue and Edgemont Boulevard; and,

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

WHEREAS, the City of Perryville, Missouri, acknowledges there is currently a significant shortage of suitable housing available in the Perryville and Perry County; and

WHEREAS, the financing and tax credits available through the Missouri Housing Development Commission will provide the financial resources to aid in developing these units with affordable rents; and

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

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

SECTION 1. That the City of Perryville hereby expresses its support for the proposal from RCH Development, Inc., for the 2023 MHDC Multi-Family Rental Production Program Notice of Funding Availability for the Montenot Meadow housing development.

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

PASSED AND APPROVED this 15th day of August, 2023, 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

SECOND AND FINAL READINGS:

Now, at this time, the Board proceeds to approve Bill No. 6462, AN ORDINANCE READOPTING CURRENT TITLE 2, CHAPTER 2.48 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, ORIGINALLY PASSED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN ON THE 21ST DAY OF AUGUST, 1991. Bill No. 6462 is read a second time on motion by Alderman Buerck, seconded by Alderman Martin. Thereupon on motion by Alderman Buerck, seconded by Alderman Rice, 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, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed

and approved and the bill thereupon became Ordinance No. 6679 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6462

ORDINANCE NO. 6679

AN ORDINANCE READOPTING CURRENT TITLE 2, CHAPTER 2.48 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, ORIGINALLY PASSED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN ON THE 21ST DAY OF AUGUST, 1991.

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 of Chapter 2.48 of the Code of Ordinances of the City of Perryville, Missouri, is hereby readopted and confirmed in compliance with Section 105.485.4 RSMo, 1986, as amended. Copy of same is attached hereto and incorporated herein by reference as if fully set forth.

Section 2. That the City Clerk is hereby directed to forward a certified copy of this Ordinance and the attachment to the Missouri Ethics Commission within ten (10) days of passage and approval.

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

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

FIRST READING: August 1, 2023.

SECOND READING: August 15, 2023.

PASSED AND APPROVED this 15th day of August, 2023, 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. 6463, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ALLEGIANCE INDUSTRIAL COATINGS, LLC** RELATIVE TO **PERRY PARK CENTER INTERIOR PAINTING – PHASE 2**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6463 is read a second time on motion by Alderman Guth, seconded by Alderman Schumer. Thereupon on motion by Alderman Guth, 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: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, 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. 6680 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6463

ORDINANCE NO. 6680

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ALLEGIANCE INDUSTRIAL COATINGS, LLC** RELATIVE TO **PERRY PARK CENTER**

INTERIOR PAINTING – PHASE 2; 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 **Allegiance Industrial Coatings, 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: August 1, 2023.

SECOND READING: August 15, 2023.

PASSED AND APPROVED this 15th day of August, 2023, 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 AND SECOND READINGS AND FINAL PASSAGE:

Now, at this time, Bill No. 6464, AN ORDINANCE ESTABLISHING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION FOR GENERAL REVENUE PURPOSES AND FOR THE PARK FUND DURING THE ENSUING FISCAL YEAR 2023-24; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT, 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 Buerck, and on vote carried, Bill No. 6464 is read for the second time. 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 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, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6681 of the City of Perryville, and is in words and figures as follows:

AN ORDINANCE ESTABLISHING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION FOR GENERAL REVENUE PURPOSES AND FOR THE PARK FUND DURING THE ENSUING FISCAL YEAR 2023-24; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

WHEREAS, in accordance with Sections 94.190 through 94.330 the City is empowered to establish taxation upon the assessed valuation of property within the City for general revenue purposes; and

WHEREAS, under the provisions of Sections 90.010 and 90.500, et. seq., the City is empowered to establish the rate of levy on the assessed valuation of property within the City for the purpose of providing a park fund; and

WHEREAS, in accordance with the aforesaid sections, the City must establish said rates after holding a public hearing for the ensuing fiscal year; and

WHEREAS, the City has held a public hearing as required by statute.

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

Section 1. That the amount of money necessary to be raised by taxation during the ensuing fiscal year on the assessed valuation of all properties situated in the City of Perryville, Missouri, for general revenue purposes is Six Hundred Forty-Three Thousand Two Hundred Seventy-Eight Dollars and Ninety-Seven Cents (\$643,278.97) and for park purposes is Two Hundred Seventy-Three Thousand Four Hundred Twenty-Eight Dollars and Thirty-Seven Cents (\$273,428.37).

Section 2. That the total assessed valuation of all the property in the City, as shown by a certified abstract transmitted to the Board of Aldermen of the City by the County Clerk of Perry County, Missouri, is One Hundred Seventy-Four Million Forty-Seven Thousand Three Hundred Forty-Two Dollars and No Cents (\$174,047,342.00).

Section 3. That the Board of Aldermen of the City hereby establishes the rate of levy for general revenue purposes at Thirty-Six and Ninety-Six Hundred Cents (\$0.3696) on each One Hundred Dollars (\$100) assessed valuation on all property situated in the City of Perryville, Missouri.

Section 4. That the Board of Aldermen of the City hereby establishes the rate of levy for park fund purposes at Fifteen and Seventy-One Hundred Cents (\$0.1571) on each One Hundred Dollars (\$100) assessed valuation on all property situated in the City of Perryville, Missouri.

Section 5. 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 6. 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.

Section 7. That this ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: August 15, 2023.

SECOND READING: August 15, 2023.

PASSED AND APPROVED this 15th day of August, 2023, 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, Bill No. 6465, AN ORDINANCE ESTABLISHING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION DURING THE ENSUING FISCAL YEAR ON THE ASSESSED VALUATION OF ALL PROPERTY SITUATED IN THE CITY OF PERRYVILLE, COUNTY OF PERRY, STATE OF MISSOURI, FOR THE PURPOSE OF PAYING THE BOND PRINCIPAL AND INTEREST FALLING DUE IN THE FISCAL YEAR 2023-24 IN GENERAL OBLIGATION BOND ISSUE INDEBTEDNESS; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT, 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. 6465 is read for the second time. Thereupon on motion by Alderman Buerck, seconded by Alderman Guth, 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, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6682 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6465

ORDINANCE NO. 6682

AN ORDINANCE ESTABLISHING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION DURING THE ENSUING FISCAL YEAR ON THE ASSESSED VALUATION OF ALL PROPERTY SITUATED IN THE CITY OF PERRYVILLE, COUNTY OF PERRY, STATE OF MISSOURI, FOR THE PURPOSE OF PAYING THE BOND PRINCIPAL AND INTEREST FALLING DUE IN THE FISCAL YEAR 2023-24 IN GENERAL OBLIGATION BOND ISSUE INDEBTEDNESS; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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

Section 1. That the amount of money necessary to be raised by taxation during the ensuing fiscal year on the assessed valuation of all property situated in the City of Perryville, County of Perry, State of Missouri, for the purpose of paying bond principal and interest falling due in the fiscal year 2023-24 on the General Obligation Bond issue indebtedness of the City is Three Hundred Forty-Eight Thousand Ninety-Four Dollars and Sixty-Eight Cents (\$348,094.68).

Section 2. That the total assessed valuation of all property in the City of Perryville, Missouri, as shown by a certified abstract transmitted to the Board of Aldermen by the County Clerk of Perry County, Missouri, is One Hundred Seventy-Four Million Forty-Seven Thousand Three Hundred Forty-Two Dollars and No Cents (\$174,047,342.00).

Section 3. That based upon the assessed valuation of property in the City of Perryville, Missouri, and the money necessary to be raised to pay bond principal and interest falling due in the ensuing fiscal year, the Board of Aldermen hereby establishes the rate of levy at Twenty Cents (\$0.20) on each One Hundred Dollars (\$100) assessed valuation.

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. 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.

Section 6. That this ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: August 15, 2023.

SECOND READING: August 15, 2023.

PASSED AND APPROVED this 15th day of August, 2023, 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, Bill No. 6471, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **THE CIGNA GROUP** RELATIVE TO **2023-24 EMPLOYEE HEALTH INSURANCE**; 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 Schumer. On motion by Alderman Rice, seconded by Alderman Schumer, and on vote carried, Bill No. 6471 is read for the second time. Thereupon on motion by Alderman Rice, 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: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, 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. 6683 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6471

ORDINANCE NO. 6681

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **THE CIGNA GROUP** RELATIVE TO **2023-24 EMPLOYEE HEALTH INSURANCE**; 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 The Cigna Group. 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.

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

FIRST READING: August 15, 2023.

SECOND READING: August 15, 2023.

PASSED AND APPROVED this 15th day of August, 2023, 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 Buerck presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6466, vacating a sinkhole easement deed from Immanuel Lutheran Church, is read for the first time by title only. The heading is as follows:

AN ORDINANCE VACATING AN EASEMENT LOCATED IN THE CITY OF PERRYVILLE, MISSOURI, AND RECORDED IN THE PERRY COUNTY LAND RECORDS AS DOCUMENT 2023R01715; SPECIFICALLY DESCRIBING SAID EASEMENT; TRANSFERRING TITLE OF SAID AREA TO THE OWNER OF RECORD; AUTHORIZING THE MAYOR AND CITY CLERK TO TRANSFER SAID AREA; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Guth presents motion, seconded by Alderman Amschler, and on vote carried Bill No. 6467, adding Section 1.04.065 to the Code of Ordinances relative to Scrivener's Errors and Contract Changes, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 1, CHAPTER 1.04 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, BY ADDING SECTION 1.04.65 TO BE ENTITLED "SCRIVENER ERRORS AND CONTRACT CHANGES," AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Martin presents motion, seconded by Alderman Rice, and on vote carried Bill No. 6468, amending Section 2.88.670 of the Code of Ordinances relative to Personnel Rules and Regulations regarding Employee Retirement Celebration, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.88, ARTICLE 6, SECTION 2.88.670, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO PERSONNEL REGULATIONS REGARDING EMPLOYEE RETIREMENT CELEBRATION; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Buerck presents motion, seconded by Alderman Amschler, and on vote carried Bill No. 6469, amending Section 5.04.020 and adding Chapter 5.41 to the Code of Ordinances relative to licensing for Firearms Ranges, 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, RELATIVE TO BUSINESS LICENSES AND REGULATIONS, ADDING CHAPTER 5.41 TO BE ENTITLED "FIREARMS RANGE," AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Rice presents motion, seconded by Alderman Amschler, and on vote carried Bill No. 6470, amending Section 17.04.020 and Section 17.40.020 of the Code of Ordinances relative to zoning for Firearms Ranges, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.04, SECTION 17.04.020 AND CHAPTER 17.40, SECTION 17.40.020 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO ZONING FOR COMMERCIAL AND PUBLIC FIREARMS RANGES AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Mayor Riney asks for Committee Reports.

Alderman Guth, as Chairman of the Public Works Committee, asks that Robinson Well Drilling be included in any notices regarding bidding on the City's well projects.

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 Leadership Conference** - Continuing to work with the Chamber and Tourism to host this conference on September 29th at Robinson Event Center. John Schallert will be presenting on how to create "destination businesses", and Carisa Stark and Jared Ritter will be local presenters. We are still securing sponsorships and registering attendees from throughout the region.
- **Missouri Economic Development Council** - I am one of the co-directors for the southeast Missouri region for MEDC, which is the state association for economic developers. We have created a schedule for monthly meetings of local economic developers and our August meeting will share a data update for the region from the Missouri Department of Economic Development. Participation in this association provides more exposure for Perryville at the State level.

Mayor Riney asks for Staff Reports:

City Administrator Report:

- **Capital Improvement Plan** - Staff has started the process of preparing our CIP for the Board's consideration and review. As before, this planning tool is your staff's best effort to look 5 years forward and identify major projects and investments we believe are on the horizon. Once prepared, we will present it to the Board of Aldermen and then start to prepare the budget for the upcoming year.
- **Hidden in Plain Sight** - Glenda Gremaud from the **hospital** approached the City requesting to bring this display to the Mayor's Cup in January. It is an interactive model of a young person's bedroom and intended to help teach parents how and where illicit drugs can be hidden. The AD's from both schools were supportive but we wanted to give the Board a heads up that it would be there.

- **WWTP Ribbon Cutting Ceremony – Sep 21, 2023 at noon** - We have floated this date with the Chamber and MoDNR in Jefferson City as our ribbon cutting for the new WWTP. The Mayor and I joined staff last week in completing the substantial completion inspection. The new plant is so much nicer than what we had previously and was designed with the ability to serve our community for decades to come. The timing was set to allow Jefferson City the chance to come to Perryville, each lunch and join us at the event that afternoon. We hope members of the Board may be able to join us as well.

- **Bulk Water Station** - We have been working through periodic glitches with the computer programming and billing software. At this moment, all of those seem to be corrected. Once fixed, the system should be able to perpetuate itself fairly easily and be a convenient source of water for contractors, farmers, and citizens.

- **Article – State puts buying power to work for local governments** - Previously, a member of the Board asked about decentralized purchasing processes employed by the City. Generally speaking, we don't have a central purchasing office or even an agent, at least not formally. For example, the Park Center will buy their toilet paper from a vendor that may not be the same used by the Fire Department. This is generally true of smaller items. However, some of it happens naturally as City Hall, Public Works, and the PD all shares the same janitor who is making those purchases. We also don't currently have a warehousing system to store items that may be available for bulk purchase. That said, we are a member of several buying cooperatives and realize savings from using those programs. We also contract with Staples for office supplies city-wide. This seems to be the best approach for us and helps us realize the best of both worlds. This is also very common among cities our size.

- **SEMO RPC Annual Dinner - 6:00 pm on Sep 25 at the Colonnade Room** - Invitations are expected soon but we wanted to get this date and time on your agenda. The title says Colonnade Room but the actual event location will be Robinson's event center.

- **Return of National Guard Engineering Castle – August 18th** - This was discussed with the Board some time ago but should come to fruition this week. The engineering tour that once served as a landmark for our national guard unit will soon be returned to rest here in Perryville. The plan continues to be locating it between the two howitzer cannons in the City Park. Given its age, it is hoped the castle is capable of safely making the return voyage to Perryville.

- **History of the crosswalk at State and Rolla Streets** - Attached is the research and history the Police Department previously put together on this crosswalk. Given previous research, staff would like to ask the Board if they are okay to stay the course or if we would like to ask the PD to perform a new study once kids are back in school and traffic patterns and youth behavior may be observed. It should be noted, the school has not raised a concern with this crosswalk to date.

After discussion, the Board directs staff to prepare a new crosswalk study after school is back in session.

City Engineer Report:

- **Shared-Use Path** – The grass is growing along the trail. There has been some washout which will be repaired by the contractor. The handrail is backordered should arrive by the end of the month. In the meantime, barricades are being placed.

- **Vincentian Way f/k/a Progress Drive** – Bids will be opened on this project on August 29th.

- **Pickleball Courts** – The concrete sidewalk and drainage has been completed. The project is progressing.

- **Brian L'Hote Yard** – We met with the contractor today at the location. Plans are to correct the problem next week. We will contact the homeowner to let him know the schedule.

Alderman Guth asks about plans for the curb inlet on Oak Street, noting that he believes a sinkhole is opening up in the area. He suggests that a type A inlet be used if the current inlet cannot be reused. City Engineer Baer tells the Board he will meet with Public Works Director Layton and Street Superintendent Cox to review the area.

City Attorney Report: City Attorney Pistorio tells the Board that the Theresa Barbero case will be handled by the City's insurance company and that Attorney Al Spradling has been assigned the case.

Chief of Police Report: No Report. Alderman Schumer asks where Officer Walters will be living. Chief informs the Board that Officer Walters could not find a place in Perryville, so he is residing in Jackson.

Mayor Riney asks for any Board concerns, comments, or other non-action items:

Alderman Rice tells the Board that Brian Blythe at 1015 Crestview has asked that the tree in the lot next to him be maintained. Alderman Martin notes that the homeowner could cut the portion of the tree on his side of the lot. Alderman Pistorio tells the Board that this is a matter between landowners and is not the City's responsibility.

Alderman Rice asks for an update regarding kid's basketball leagues, specifically if there were enough girls in the 1st and 2nd grade league to have its own league. Parks & Recreation Director Cadwell tells the Board that he believes there are enough this season to have girl/girl leagues and boy/boy leagues. Alderman Rice asks Director Cadwell to rethink the timing of the basketball league, noting that it takes place during soccer season instead of basketball season. Director Cadwell tells the Board that more gym space is needed to accommodate all of the activities that happen in the gym.

Alderman Schumer reports that the Dauster lot on Zeno Street needs to be mowed. City Administrator Buerck tells the Board that the Code Enforcement Officer has been notified of the weeds.

Alderman Guth tells the Board that the Park Board was concerned that they were not aware of the discussion regarding lifeguards at early morning swim. City Administrator Buerck tells the Board that the Park Board didn't meet in July, which is probably the reasons they were not informed; however, staff will work to make sure they are better informed in the future.

Alderman Guth asks about paving the parking lot at Pavilion 10 in the City Park and mentions the need to repave some of the streets in the City Park. City Administrator Buerck tells the Board that future thoughts regarding the streets in the park include moving the street that goes next to Field 8 so that the parking lot is next to the field and the street goes around the outer edge of the parking lot – so people do not have to cross the street from the parking lot to the field. He tells the Board that he will ask Parks & Recreation Director Cadwell and City Engineer Baer to map this out and make plans for the Capital Improvement Plan.

Now, at this time, upon motion by Alderman Buerck, seconded by Alderman Schumer, 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; litigation matters in accordance with Section 610.021(12) 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, aye. Totals: aye, six; nay, none.

Following discussion and review, it is upon motion by Alderman Buerck, seconded by Alderman Rice, 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, aye. Totals: aye, six; nay, none.

There being no further business, it is upon motion by Alderman Schumer, second by Alderman Amschler, and on vote carried, ordered that the Board now adjourn until Tuesday, September 5, 2023, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK