

June 4, 2024

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, Deanna Kline, Douglas K. Martin, and Clint Rice, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Art Pistorio, City Attorney. Absent: David J. Schumer, Alderman.

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.

Introduction of new city employees: Lydia Rellergert, City Clerk; and Michael Knight, Water/Wastewater Maintenance Technician.

At this time, Mayor Riney opens a public hearing for a special use permit request from Marty Petty to operate a tattoo parlor at 108 North Jackson Street.

There being no one coming forth, Mayor Riney closes the public hearing for a special use permit request from Marty Petty to operate a tattoo parlor at 108 North Jackson Street.

CONSENT AGENDA ITEMS

5. Approve minutes from meeting of May 21, 2024.

6. Approve bills for May 2024.

At this time Alderman Rice, Chairman of the Finance Committee, presents the following bills and invoices for the month of May 2024, vendor checks numbered 128259 - 128515; 20 ACH transfers; payroll checks numbered: 659627 - 659637.

The following bills are presented to be paid for the month of May 2024. Board finds that \$1,074,185.53 is chargeable to and payable out of the General Revenue Account; \$90,352.34 is out of Airport; \$52,119.73 is out of Transportation Trust; \$285,922.65 is out of Perry Park Center; \$1,056.54 is out of TIF 2; \$36,369.64 is out of Street Improvement; \$60,611.75 is out of Refuse; \$375,199.61 is out of CWSS; \$158,991.27 is out of Gas Operation; and \$2,745.50 is out of WWTP Project. The Board, upon investigation, found the sum to be \$2,137,554.56.

7. Approve Pay Estimate 3 from Zoellner Construction Company relative to School Street Lift Station Project - \$248,935.69.

8. Approve Pay Estimate 1 (Final) from Koch Electric, Inc., relative to 2023 Lift Station Generator Project - \$73,359.89.

9. Approve Quote from Federal Signal Safety and Security Systems relative to automated outdoor warning siren equipment and installation - \$15,231.73.

10. Approve recommendation from Parks & Recreation Director Cadwell to enter into a five-year agreement with Pepsi for the City of Perryville's soft drink vendor.

11. Approve Perry Park Center Fitness Center Rules, Rules for Personal Training Sessions, and Personal Trainer Waiver.
12. Approve Fire Department's Aircraft Stand-By Fee.
13. Approve request from Tourism Director Erzfeld regarding use of city parking lot for fishing boat show – July 6, 2024.
14. Approve request from Heroes for Kids to place banners advertising their upcoming Comic Con event – July 20-21, 2024.
15. Accept bids received for the Industrial Park Crop Lease and award to Todd Schilli Farms, LLC - \$240/acre.
16. Approve Spoils Application Request from Jim Southard for surface drainage improvement at 937 West Ste. Marie Street.

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

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

Alderman Rice makes a motion to approve the special use permit request from Marty Petty to operate a tattoo parlor at 108 North Jackson Street. Alderman Buerck seconds the motion, and on vote the motion carries.

At this time, City Administrator Buerck asks the Board of Aldermen if they would consider renaming McDonald's Court to St. Catherine Laboure Court. He tells the Board that the City also has a McDonald's Drive and notes that he does not believe it necessary to have two streets named for McDonald's. He states that St. Catherine is a significant saint for the Vincentian community, noting that the Vincentians donated the land for the construction of Vincentian Way. If approved, he would like to place the new street names on Vincentian Way and St. Catherine Laboure Court during the ribbon cutting for Vincentian Way.

After discussion, Alderman Buerck makes a motion to move forward with the process to rename McDonald's Court to St. Catherine Laboure Court. Motion is seconded by Alderman Kline, and on vote carried.

RESOLUTIONS:

After discussion and review, Alderman Amschler makes a motion to enter into a Revocable License with James T. Brewer d/b/a Brewer Chain Saw Sales relative to encroachment onto city property at 1007 South Kingshighway. Motion is seconded by Alderman Buerck, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2024-37

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **JAMES T. BREWER, d/b/a BREWER CHAIN SAW SALES** RELATIVE TO **ENCROACHMENT ONTO CITY PROPERTY AT 1007 SOUTH KINGSHIGHWAY**; 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 **James T. Brewer, d/b/a Brewer Chain Saw Sales**. 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 4th day of June, 2024, 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

After discussion and review, Alderman Rice makes a motion to enter into an agreement with U.S. Bank National Association relative to gateway license for FBO software. Motion is seconded by Alderman Buerck, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2024-38

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **U.S. BANK NATIONAL ASSOCIATION** RELATIVE TO **GATEWAY LICENSE FOR FBO SOFTWARE**; 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 **U.S. Bank National Association**. 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 4th day of June, 2024, 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

After discussion and review, Alderman Martin makes a motion to enter into an agreement with Horner & Shifrin, Inc., relative to engineering services regarding Water Model Update and Evaluation. Motion is seconded by Alderman Amschler, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2024-39

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **HORNER & SHIFRIN, INC.**, RELATIVE TO **FY2024 MISCELLANEOUS WATER MODEL EVALUATIONS**; 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 **Horner & Shirin, 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.

PASSED AND APPROVED this 7th day of May, 2024, 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 Amschler makes a motion to enter into a service agreement with Univerus, Inc., relative to FleetRoute Optimization Software. Motion is seconded by Alderman Kline, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2024-40

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **UNIVERUS, INC.**, RELATIVE TO **FLEETROUTE OPTIMIZATION SOFTWARE**; 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 **UNIVERUS, 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.

PASSED AND APPROVED this 4th day of June, 2024, 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

ORDINANCES:

SECOND READING AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 6507, AN ORDINANCE AMENDING TITLE 10 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, AND SPECIFICALLY THE "STOP SIGN SCHEDULE" ADOPTED THEREIN AND ESTABLISHED BY ORDINANCE NO. 1738 RELATING TO ADDITIONAL STOP SIGN DESIGNATIONS IN THE CITY OF PERRYVILLE, MISSOURI; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH. Bill No. 6507 is read a second time on motion by Alderman Buerck, seconded by Alderman Amschler. 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; Deanna Kline, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6722 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6507

ORDINANCE NO. 6722

AN ORDINANCE AMENDING TITLE 10 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, AND SPECIFICALLY THE "STOP SIGN SCHEDULE" ADOPTED THEREIN AND ESTABLISHED BY ORDINANCE NO. 1738 RELATING TO ADDITIONAL STOP SIGN DESIGNATIONS IN THE CITY OF PERRYVILLE, MISSOURI; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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

Section 1. That the "Stop Sign Schedule" adopted under the authority of Section 10.12.210 of the Code of Ordinances of the City of Perryville, Missouri, and specifically set forth in Ordinance Number 1738, is hereby amended by adding thereto the following new stop sign designation:

VINCENTIAN WAY:

1. On Vincentian Way at its intersection with West St. Joseph Street.
2. On Vincentian Way at its intersection with South Perryville Boulevard.

Section 2. That it is the intent of the Mayor and Board of Aldermen of the City of Perryville, Missouri, that this ordinance shall amend and become part of Ordinance Number 1738, passed and approved by the Mayor and Board of Aldermen of the City of Perryville, Missouri, on the 16th day of July, 1981.

Section 3. That the City Administrator of the City of Perryville, Missouri, is hereby directed to cause stop signs to be placed at the above streets in accordance herewith.

Section 4. That this ordinance shall not be codified in the Code of Ordinances of the City of Perryville, Missouri, but kept on file in the office of the City Clerk.

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

FIRST READING: May 21, 2024.

SECOND READING: June 4, 2024.

PASSED AND APPROVED this 4th day of June, 2024, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST: CITY OF PERRYVILLE, MISSOURI
By: Larry Riney, Mayor
Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 6508, AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.20, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, AND SPECIFICALLY THE "PROHIBITED PARKING SCHEDULE" ADOPTED THEREIN AND ESTABLISHED BY ORDINANCE NO. 3618 RELATING TO ADDITIONAL PARKING RESTRICTIONS IN THE CITY OF PERRYVILLE, MISSOURI; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH. Bill No. 6508 is read a second time on motion by Alderman Amschler, seconded by Alderman Buerck. Thereupon on motion by Alderman Amschler, seconded by Alderman Kline, 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; Deanna Kline, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6723 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6508

ORDINANCE NO. 6723

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.20, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, AND SPECIFICALLY THE "PROHIBITED PARKING SCHEDULE" ADOPTED THEREIN AND ESTABLISHED BY ORDINANCE NO. 3618 RELATING TO ADDITIONAL PARKING RESTRICTIONS IN THE CITY OF PERRYVILLE, MISSOURI; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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

Section 1. That the "Prohibited Parking Schedule" adopted under the authority of the Code of Ordinances of the City of Perryville, Missouri, and specifically set forth in Ordinance Number 3618, is hereby amended by adding thereto the following prohibited parking designation:

(hhhhh) On both sides of Vincentian Way from its intersection with West St. Joseph Street to its intersection with South Perryville Boulevard.

Section 2. It is the intent of the Mayor and Board of Aldermen of the City of Perryville, Missouri, that this ordinance shall amend and become part of Ordinance Number 3618 passed and approved by the Mayor and Board of Aldermen of the City of Perryville, Missouri, on the 21st day of April, 1998.

Section 3. That the City Administrator shall cause the marking or signage of the areas designated.

Section 4. That this ordinance shall not be codified in the Code of Ordinances of the City of Perryville, Missouri, but kept on file in the office of the City Clerk.

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

FIRST READING: May 21, 2024.

SECOND READING: June 4, 2024.

PASSED AND APPROVED this 4th day of June, 2024, 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. 6509, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEED, is read with an emergency clause for the first time upon motion by Alderman Rice, seconded by Alderman Martin. On motion by Alderman Rice, seconded by Alderman Buerck, and on vote carried, Bill No. 6509 is read for the second time. 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 showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Deanna Kline, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, 5; nay, 0; absent, 1. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6724 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6509

ORDINANCE NO. 6724

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEED.

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

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

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

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

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

FIRST READING: June 4, 2024.

SECOND READING: June 4, 2024.

PASSED AND APPROVED this 4th day of June, 2024, 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. 6510, AN ORDINANCE VACATING AN EASEMENT LOCATED IN THE CITY OF PERRYVILLE, MISSOURI; 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, 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 Amschler, and on vote carried, Bill No. 6510 is read for the second time. Thereupon on motion by Alderman Buerck, seconded by Alderman Martin, and on vote carried, it is ordered that the Bill be placed on final passage. Roll call showing the aye and nay vote showed as follows: Seth Amschler, aye; Curt Buerck, aye; Deanna Kline, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, 5; nay, 0; absent, 1. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6725 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6510

ORDINANCE NO. 6725

AN ORDINANCE VACATING AN EASEMENT LOCATED IN THE CITY OF PERRYVILLE, MISSOURI; 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.

WHEREAS, Stonie's, LLC has requested the vacation of the following described area in the City of Perryville, Missouri, to-wit:

PART OF A 38.0 ACRE TRACT AS RECORDED IN DOCUMENT #2017R01724 OF THE PERRY COUNTY DEED RECORDS AND BEING PART OF THE SOUTHEAST FRACTIONAL QUARTER OF FRACTIONAL SECTION 12, TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF PERRYVILLE, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN ON THE NORTH LINE OF SAID 38.0 ACRE TRACT AND BEING ON THE CENTERLINE OF A 60 FEET WIDE ROADWAY AND UTILITY EASEMENT AS RECORDED IN DOCUMENT #2011R03614 OF SAID DEED RECORDS; THENCE ALONG SAID NORTH LINE SOUTH 83 DEGREES 50 MINUTES 59 SECONDS EAST 10.84 FEET; THENCE LEAVING SAID NORTH LINE SOUTH 06 DEGREES 09 MINUTES 02 SECONDS WEST 100.00 FEET; THENCE SOUTH 16 DEGREES 20 MINUTES 23 SECONDS WEST 202.75 FEET; THENCE NORTH 83 DEGREES 50 MINUTES 55 SECONDS WEST 4.98 FEET TO AN IRON PIN THE NORTHEAST CORNER OF LOT 1 OF THE REPLAT OF INDUSTRIAL PARK 6TH ADDITION AS RECORDED IN DOCUMENT #2011R03614 OF SAID DEED RECORDS; THENCE NORTH 06 DEGREES 09 MINUTES 02 SECONDS EAST 299.55 FEET TO A POINT ON SAID NORTH LINE OF SAID 38.0 ACRE TRACT; THENCE SOUTH 83 DEGREES 50 MINUTES 59 SECONDS EAST 30.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 8,656 SQUARE FEET.

and,

WHEREAS, the Board of Aldermen deems it in the best interest of the City of Perryville, Missouri, that said area be vacated.

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

Section 1. That the above-described area be and that the same is hereby vacated.

Section 2. That the Mayor is hereby authorized to execute and the City Clerk is hereby authorized to attest the signature of the Mayor on any instruments necessary for the vacation of said area.

Section 3. That the City Clerk is hereby directed to record a copy of this ordinance with the Recorder of Deeds, Perry County, Missouri.

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

FIRST READING: June 4, 2024.

SECOND READING: June 4, 2024.

PASSED AND APPROVED this 4th day of June, 2024, 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. 6511, AN ORDINANCE APPROVING THE PROPOSED REZONING FOR A SPECIAL USE PERMIT FOR CERTAIN PROPERTY IN THE CITY OF PERRYVILLE, MISSOURI, DESCRIBED IN EXHIBIT A; SETTING FORTH THE AREA FOR SPECIAL USE AND THE CONDITIONS OF SPECIAL USE; ALL IN ACCORDANCE WITH THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, 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. 6511 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; Deanna

Kline, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, 5; nay, 0; absent, 1. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6726 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6511

ORDINANCE NO. 6726

AN ORDINANCE APPROVING THE PROPOSED REZONING FOR A SPECIAL USE PERMIT FOR CERTAIN PROPERTY IN THE CITY OF PERRYVILLE, MISSOURI, DESCRIBED IN EXHIBIT A; SETTING FORTH THE AREA FOR SPECIAL USE AND THE CONDITIONS OF SPECIAL USE; ALL IN ACCORDANCE WITH THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI.

WHEREAS, the City Board and the Planning and Zoning Commission have considered a proposed rezoning and/or special use permit for property described as 108 North Jackson Street, as set out in Exhibit A which is attached hereto and incorporated herein by reference; and,

WHEREAS, a public hearing was held on said rezoning and/or special use permit in accordance with the Code of Ordinances of the City of Perryville, Missouri; and,

WHEREAS, a special use permit for a tattoo parlor in a C-2 Central Business District may be granted by virtue of the Code of Ordinances of the City of Perryville, Missouri; and,

WHEREAS, after duly considering the recommendations of the City Planning and Zoning Commission and other input received at the required public hearing, the Board of Aldermen of the City of Perryville, Missouri, has decided it is in the best interests of the citizens of the City of Perryville, Missouri, to grant a special use for said property.

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

Section 1. That an application for a special use permit, which said application is marked Exhibit A and attached hereto, is hereby approved, and a special use permit is hereby issued to Marty Petty, Applicant.

Section 2. That the property set forth in Exhibit A is hereby granted a special use permit for a tattoo parlor in a C-2 Central Business District.

The aforesaid special use permit is subject to the following specific conditions: compliance with all ordinances of the City of Perryville, Missouri.

Section 3. That attached hereto as Exhibit B are the formal findings and conclusions of the Board of Aldermen.

Section 4. That the City Clerk of the City of Perryville, Missouri, shall and is hereby directed to indicate on the "Official Zoning District Map" of the City of Perryville, Missouri, the above special use permit and the date of issuance thereof and to certify same and to keep said map on file in the office of the City Clerk and a copy displayed in City Hall, City of Perryville, Missouri; and that said City Clerk is further directed to indicate on said "Official Zoning District Map" the existence of special conditions on the use of the aforesaid property.

Section 5. Violation of the special conditions listed above shall result in revocation of the special use permit and/or prosecution and/or fine under the zoning ordinances.

Section 6. This special use permit is issued to the applicant and shall not be assigned or otherwise transferred by said applicant. This special use permit runs with the applicant and not the land.

Section 7. If construction is required for the special use granted hereunder, this special use permit shall expire in the event construction does not commence within six (6) months of the date of issuance of this special use permit and is not completed within two (2) years of the issuance of this permit.

Section 8. 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 9. 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 10. That this ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: June 4, 2024.

SECOND READING: June 4, 2024.

PASSED AND APPROVED this 4th day of June, 2024, 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 READING:

Alderman Amschler presents motion, seconded by Alderman Rice, and on vote carried Bill No. 6512, accepting utility easements from Perry County School District 32 and Ronald and Barbara Kutz relative to a water main improvement project, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEEDS.

Mayor Riney asks for Committee Reports.

Public Works Director Layton tells the Board that one of the trash trucks has malfunctioned and is being repaired.

Alderman Rice asks if Public Works is responsible for sweeping the streets near the construction of the Justice Center. City Administrator Buerck tells the Board that the contractor, Zoellner Construction, is responsible and he will contact the company and ask them to keep the streets surrounding the construction site free of debris and dirt.

Alderman Rice, as a member of the Public Safety Committee, notes that the Parks Department has taken care of the hole near the ballfields as requested at the last meeting. Parks & Recreation Director Cadwell tells the Board that the crew will keep an eye on the hole since it appears to be a sinkhole.

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

- **Retail Strategies** - Retail Strategies has produced a Void Analysis to help us, and the owner of Perry Plaza, understand what opportunities exist for that strip center.

- **Housing Gap Analysis** - The EDA has contracted with Next Move Group to provide an analysis of how many homes are needed in different price brackets to meet the needs of Perry County. This analysis is based on income levels in the community and projected incomes based on available occupations. The kickoff call with the contractor is Wednesday, June 5th.

- **Innovate SOMO** - Through our partnership with Innovate SOMO, those with technology company ideas can apply to participate in the 120 Day Tech Startup program offered by Codefi. This is completely free to join, and assistance will be provided virtually. Interested people can contact the EDA office for more information.

- **Downtown TIF Grant** - Applications for the Structural Improvement and Façade Improvement grants will be released this month. Applicants eligible to apply are those buildings located within the Downtown TIF area.

Mayor Riney asks for Staff Reports:

City Administrator Report:

- **Villainous Grounds Bike Parking** - The owners have asked if we could place a bike rack in front of their property. Instead of adding another on that side of town, it may make more sense to move the largely unused bike rack in front of Enterprise Bank down to this bump-out instead.

During discussion, it is agreed that the neighbors along that section of the street be polled to determine if they have a preference regarding moving the bike rack.

- **Vincentian Way Ribbon Cutting** - We still don't have an exact day scheduled but plan for it to likely follow June 17th as that is the due date. The path is nearly half done, which is the largest part of their remaining construction. The notice may be short but we are hoping for something around 12:15pm as the Board previously requested.

- **Vincentian Way Re-Seeding** - The Seminary asked if we could mix in some crimson clover to make the small 1-acre area more attractive where the pond once was and the is the location of the settling basin. We have agreed and Tim is working on the proper mix design.

- **Lifeguard Shortage Video** - This was an interesting video that spoke to the national trend seeing a lifeguard shortage. Unfortunately, game officials such as umpires and referees may be even worse. The umpire struggle is to the point we are researching other communities and exploring the idea of recommending an "hourly" wage as opposed to a "per game" wage.

- **Electronics Recycling Event sponsored by TG Missouri – July 13** - TG is again doing this free event for members of the community and we are helping to promote and raise awareness. Similar to last year, items such as TVs are limited to one free item.

- **Filming Resumes for "The Spring"** - Later this month, we expect filming to resume. It was nearly one year ago we created the set on Old St. Mary's Road and will again have some street closures. We expect them to be short-lived and of minimal disruption to the Community. Once this is done, the film will be sent for final edits.

- **MML Conference Confirmations – Sept 15 - 18** - This year's conference is in Branson and it is time for the Aldermen to check schedules to see who can commit to joining us for this annual event.

- **Article: These Arkansas Cities Will Pay For You To Move There** - Interesting article on just how far some communities are going to recruit a workforce and residents for their community. We have shared similar concepts in the past and it is always interesting to see what others are doing to solve the very problems we are facing ourselves. At this point, we would need to have a better housing stock before we work hard to promote ourselves as a place for relocation.

- **Holiday Trash Schedule Update for Summer 2024** - Both Juneteenth and July 4 will fall on regular trash pickup dates, affecting trash schedules. In both instances, trash will instead be picked up on Fridays of those weeks. We will promote these schedule changes and tag affected residents.

- **Council Meetings for July 2024** - July is a five-Tuesday month. It would be helpful for staff if we could meet the 5th Tuesday of July instead of the first Tuesday of August. We would like to check the Board's ability to do this before making such plans.

It is the consensus of the Board to meet on Tuesday, July 30th rather than Tuesday, August 6th.

City Engineer Report:

- **School Street Lift Station** – The contractor has completed the walls. They will soon begin the outside of the building along with piping, etc. This next portion of the project should move faster.

- **NE Phase 3 Trunk Line** – The contractor plans to bore under the roundabout next Monday.

- **Vincentian Way** – Fronabarger has completed construction of the street and is half-way done with construction of the trail. Seeding has begun. We will be applying for a TAP grant for the next section of the trail.

- **TAP Grant, Phase 3** – Bids for this project will be opened on June 12th. Alderman Buerck asks if the trail will be elevated along the trail near Ace Hardware. City Engineer Baer tells the Board that the area will be leveled and filled. He tells the Board that there will not be a need for railings or a retaining wall.

- **Public Works Generator** – This project has been inspected and is complete.

City Attorney Report: No Report.

Chief of Police Report: No Report.

Parks & Recreation Director Report: Parks & Recreation Director Cadwell tells the Board that there are several tournaments in the next few weeks; school camps are visiting the Perry Park Center; notes that a timer is broken on the lights at the Veterans pavilion and will be repaired; and the new signs for the exterior of the Perry Park Center are installed and will be back-lit, noting that the colors can change.

Mayor Riney asks P&R Director Cadwell to check on the catcher's mask at the girls' softball diamond, as he has had a report that the strap is broken.

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

Alderman Martin asks Public Works to check on a pothole on Old St. Mary's Road. He notes that one pothole has been filled, but there is another one that needs attention.

Now, at this time, upon motion by Alderman Buerck, seconded by Alderman Amschler, it is ordered that the Board now convene into closed session to discuss personnel matters in accordance with Section 610.021(3) RSMo; and contractual matters in accordance with Section 610.021(9) RSMo. Roll call showed the aye and nay votes as follows: Seth Amschler, aye; Curt Buerck, aye; Deanna Kline, 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 Rice, seconded by Alderman Martin, 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; Deanna Kline, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one.

Mayor Riney notes that the unveiling of the Old Guard is scheduled for June 9th at 2:30 p.m. and asks the Board to attend if they are able.

There being no further business, it is upon motion by Alderman Amschler, second by Alderman Rice, and on vote carried, ordered that the Board now adjourn until Tuesday, June 18, 2024, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK