

January 7, 2020

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: Ken Baer, Mayor; Tom Guth, Prince Hudson, Douglas K. Martin, Larry Riney, and David J. Schumer, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Thomas Ludwig, City Attorney. Absent: Alderman Curt Buerck.

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

Mayor Baer now opens the meeting for citizens' participation from the floor.

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

At this time, newly-hired Building Inspector & Zoning Administrator Ray Jackson and Detective Michelle Priest are introduced to the Mayor and Board of Aldermen.

CONSENT AGENDA ITEMS

4. Approve minutes from meeting of December 17, 2019.
5. Approve bills for December 2019.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of December, 2019, vendor checks numbered 114003 - 114278; and 9 ACH transfers; payroll checks numbered: 658448 – 658508.

The following bills are presented to be paid for the month of December, 2019. Board finds that \$450,277.19 is chargeable to and payable out of the General Revenue Account; \$13,006.61 is out of Airport; \$42,376.49 is out of Transportation Trust; \$133,079.86 is out of Perry Park Center; \$1,525.00 is out of Veterans Memorial Field; \$18,138.39 is out of Street Improvement; \$45,559.91 is out of Refuse; \$262,331.65 is out of CWSS; \$373,461.96 is out of Gas Operation; and \$10,764.60 is out of WWTP Project. The Board, upon investigation, found the sum to be \$1,350,251.66.

6. Approve Pay Estimate 3 from Lappe Cement Finishing, Inc., relative to Sycamore Road Improvements Project - \$50,505.59.
7. Approve Pay Estimate 1 (Final) from Koch Electric for the Water Treatment Plant Generator Project - \$126,475.53.
8. Approve Invoice 20195024 from Utility Safety and Design, Inc., relative to upgrade of Industrial #3 pressure reducing station - \$58,476.10.
9. Approve plans and specifications for the Vincent Street Watermain Extension Project and authorize staff to advertise.
10. Approve location of bike rack as presented by Ben Rehagen for his Eagle Scout project.

END OF CONSENT AGENDA

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

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

RESOLUTION:

After discussion and review, Alderman Riney makes a motion to approve the Snow and Ice Control Policies and Procedures. Motion is seconded by Alderman Hudson, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2020-01
A RESOLUTION OF THE CITY OF PERRYVILLE, MISSOURI, ADOPTING
THE SNOW AND ICE CONTROL POLICIES AND PROCEDURES

WHEREAS, the City of Perryville Public Works Department has developed Snow Removal and Ice Control Policies and Procedures for the efficient and timely removal of snow and control of ice in order to best provide for safe travel within the city limits of Perryville, Missouri; and

WHEREAS, the policy establishes routes for the purpose of snow and ice control and outlines the classification of streets as "Priority Facilities," "Arterial Roadways," and "Connector Roadways" in each ward which determines the priority of maintenance; and

WHEREAS, the policy outlines when snow and ice removal operations will commence, how city streets will be pre-treated in preparation of inclement weather and informs the general public of what to expect regarding snow and ice removal events.

NOW THEREFORE, BE IT RESOLVED BY THE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, THAT:

Section 1. The Mayor and Board of Aldermen of the City of Perryville do hereby adopt the Snow Removal and Ice Control Policies and Procedures.

PASSED AND APPROVED this 7th day of January, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

SECOND READINGS AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 6008, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTIES DEDICATED TO THE CITY, WHICH SAID PROPERTIES ARE PARTICULARLY SET FORTH IN THE ATTACHED QUITCLAIM DEED. Bill No. 6008 is read a second time on motion by Alderman Martin, seconded by Alderman Riney. Thereupon on motion by Alderman Martin, seconded by Alderman Riney, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, absent; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6225 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6008

ORDINANCE NO. 6225

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTIES DEDICATED TO THE CITY, WHICH SAID PROPERTIES ARE PARTICULARLY SET FORTH IN THE ATTACHED QUITCLAIM DEED.

WHEREAS, **MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION** has generously dedicated to the City of Perryville, Missouri, the property described in the Quitclaim Deed attached hereto.

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 a Quitclaim Deed which is attached hereto, subject to all of the terms and conditions therein expressed.

Section 2. That the Mayor and the 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 above Quitclaim Deed.

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

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

FIRST READING: December 16, 2019.

SECOND READING: January 7, 2020

PASSED AND APPROVED this 7th day of January, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6009, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A **RIGHT-OF-WAY EASEMENT DEED** BY AND BETWEEN THE CITY OF PERRYVILLE AND **CITIZENS ELECTRIC CORPORATION** REGARDING **STREET LIGHTS ALONG SYCAMORE ROAD**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6009 is read a second time on motion by Alderman Guth, seconded by Alderman Riney. Thereupon on motion by Alderman Guth, seconded by Alderman Riney, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, absent; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6226 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6009

ORDINANCE NO. 6226

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A **RIGHT-OF-WAY EASEMENT DEED** BY AND BETWEEN THE CITY OF PERRYVILLE AND **CITIZENS ELECTRIC CORPORATION** REGARDING **STREET LIGHTS ALONG SYCAMORE ROAD**; 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 right-of-way easement deed, 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 execute said right-of-way easement deed;

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 right-of-way easement deed marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Citizens Electric Corporation**. 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 right-of-way easement deed.

2. That the Mayor be and he is hereby authorized and directed to execute said right-of-way easement deed 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 right-of-way easement deed.

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

5. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville. and for that reason, this ordinance may be acted on in one meeting.

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

FIRST READING: December 16, 2019.

SECOND READING: January 7, 2020

PASSED AND APPROVED this 7th day of January, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6010, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A STATE BLOCK GRANT AGREEMENT BY AND BETWEEN THE CITY AND **MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION** RELATIVE TO **AMENDMENT #2 TO AGREEMENT PROVIDING NON-PRIMARY ENTITLEMENT FUNDS FOR RECONSTRUCTION OF T-HANGAR APRON PAVEMENT AND UPDATE/DEVELOP EXHIBIT A PROPERTY LINE MAP AT THE PERRYVILLE MUNICIPAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6010 is read a second time on motion by Alderman Riney, seconded by Alderman Guth. Thereupon on motion by Alderman Riney, seconded by Alderman Hudson, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, absent; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6227 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6010

ORDINANCE NO. 6227

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A STATE BLOCK GRANT AGREEMENT BY AND BETWEEN

THE CITY AND **MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION** RELATIVE TO **AMENDMENT #2 TO AGREEMENT PROVIDING NON-PRIMARY ENTITLEMENT FUNDS FOR RECONSTRUCTION OF T-HANGAR APRON PAVEMENT AND UPDATE/DEVELOP EXHIBIT A PROPERTY LINE MAP AT THE PERRYVILLE MUNICIPAL 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 State Block Grant Agreement, 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 State Block Grant Agreement;

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 State Block Grant Agreement marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Missouri Highways and Transportation Commission**. 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 State Block Grant Agreement.

2. That the Mayor be and she is hereby authorized and directed to execute said State Block Grant Agreement 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 State Block Grant Agreement.

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

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

FIRST READING: December 16, 2019.

SECOND READING: January 7, 2020

PASSED AND APPROVED this 7th day of January, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6011, AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.04, SECTION 17.04.040, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO GRANDFATHERING; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH. Bill No. 6011 is read a second time on motion by Alderman Martin, seconded by Alderman Hudson. Thereupon on motion by Alderman Martin, seconded by Alderman Hudson, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, absent; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6228 of the City of Perryville, and is in words and figures as follows:

AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.04, SECTION 17.04.040, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO GRANDFATHERING; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

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

Section 1. That Title 17, Chapter 17.04, Section 17.04.040, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

"17.04.040 Grandfathering.

2. The laws of the State of Missouri require that nonconforming activities which have lawfully existed prior to the enactment of zoning ordinances by a city and which are maintained after the effective date of the zoning ordinances be allowed to continue after the zoning ordinances are passed. This requirement is known in the State of Missouri as 'grandfathering.' In order to inform its citizens and to comply with the laws of the State of Missouri, the city establishes this section.
 - B. Protection will be afforded to a nonconforming use if it was lawfully established and in existence at the time the zoning ordinances became effective. Protection specifically applies to minimum lot area, width, and setback requirements for a 'lot of record' as defined in Section 17.04.020 of this code that has been established even if said 'lot of record' violates the zoning ordinances. The protection afforded to a 'lot of record' shall not be limited by subsection C of this section.
 - C. Any activity that existed prior to the enactment of the zoning ordinances of the city may continue within that zone so long as the activity is not abandoned or does not cease. In the event a person ceases the activity for more than thirty days for reasons other than fire, flood, or other natural disaster, then the activity shall no longer be grandfathered. A nonconforming use may not be altered or expanded unless expressly permitted by the zoning ordinances. In determining whether there has been an alteration or expansion, the nonconforming use will be strictly construed.
 - D. A nonconforming use shall be subject to the same public health and safety requirements as if it were a conforming use. The technical codes adopted by the city and set forth in chapter 15.04 of the code shall apply to nonconforming uses to the same extent and in the same manner that the technical codes apply to conforming uses. All police, fire, and public safety rules and regulations shall apply to nonconforming uses to the same extent and in the same manner as they apply to conforming uses."

Section 2. It is the intent of the Mayor and Board of Aldermen of the City of Perryville, Missouri, and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: December 16, 2019.

SECOND READING: January 7, 2020

PASSED AND APPROVED this 7th day of January, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6012, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **DILLE TRAXEL ARCHITECTURE** RELATIVE TO **PROFESSIONAL SERVICES FOR PERRY PARK CENTER LOCKER ROOM RENOVATIONS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6012 is read a second time on motion by Alderman Riney, seconded by Alderman Schumer. Thereupon on motion by Alderman Riney, seconded by Alderman Schumer, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, absent; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6229 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6012

ORDINANCE NO. 6229

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **DILLE TRAXEL ARCHITECTURE** RELATIVE TO **PROFESSIONAL SERVICES FOR PERRY PARK CENTER LOCKER ROOM RENOVATIONS**; 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 **Dille Traxel Architecture**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

2. That the Mayor be and he is hereby authorized and directed to execute said contract for and on behalf of the City of Perryville, Missouri.

3. That the City Clerk of the City of Perryville is hereby authorized and directed to attest the signature of the Mayor on the attached contract.

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

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

FIRST READING: December 16, 2019.

SECOND READING: January 7, 2020

PASSED AND APPROVED this 7th day of January, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6006, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **McCLURE FARMS, LLC** RELATIVE TO **AIRPORT HAY LEASE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6006 is read a second time on motion by Alderman Schumer, seconded by Alderman Hudson. Thereupon on motion by Alderman Schumer, seconded by Alderman Hudson, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, absent; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6230 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6006

ORDINANCE NO. 6230

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **McCLURE FARMS, LLC** RELATIVE TO **AIRPORT HAY LEASE**; 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 **James McClure**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

2. That the Mayor be and he is hereby authorized and directed to execute said contract for and on behalf of the City of Perryville, Missouri.

3. That the City Clerk of the City of Perryville is hereby authorized and directed to attest the signature of the Mayor on the attached contract.

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

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

FIRST READING: December 5, 2019.

SECOND READING: January 7, 2020

PASSED AND APPROVED this 7th day of January, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

FIRST READINGS:

Alderman Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 6013 amending Title 10, Chapter 10.20 of the Code of Ordinances relative to "Prohibited Parking Schedule" (TG Way), is read for the first time by title only. The heading is as follows:

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.

Alderman Guth, as Chairman of the Public Works Committee, questions staff about recent activity near Hardee's. Public Works Director Layton informs the Board that a hydrant was leaking and needed repairs.

Alderman Guth, as Chairman of the Economic Development Committee, asks EDA Director Sattler to update the Board on any economic development activity. Director Sattler reports:

- The third set of five purchases have been completed for Redbud Court
- He recently attended the MEDC conference in Jefferson City
- The EDA office is set to move to the new "Catalyst Center" the first part of February

City Administrator Buerck reports:

- **Viola Blechle Park** - The Optimists requested that we install a soccer field in this park so they can "rest" a field during each season in the main park. We have flagged the field and will begin striping it for the spring season.

- **Review of Chapter 2.88 – Personnel Rules and Regulations** - Staff has collected the changes and proposed others for the Board's review. This will modernize our personnel rules and regulations. The staff review should be done in the near future and we will then share the proposed changes with the Board for full approval. Human Resource Manager Amy Webb, City Clerk Tracy Prost, and I are working through the draft tomorrow and hope to get it to the City Attorney by week's end.

- **SRF Reapplication** - We must submit a reapplication to continue our “place” in the SRF line. This is due January 15 and is nearly completed by AMCE. Last time I checked, our interest rate would have been .98%, plus .5% for administration. The final rate will be locked in for the duration of the loan. We are very excited to see the rates this low and look forward to getting started. To this end, we actually have a pre-submittal meeting and tour scheduled for Thursday afternoon at 1pm.

City Engineer Baer reports:

- **Sycamore Road** – Construction is moving along on this project. The road is poured past Dogwood Court and Sandstone, so traffic is allowed in that section now.

- **Sidewalk Connection Miget Park to Soccer Park** – We are waiting for MoDot’s final approval and expect to have the plans and specifications ready for the Board’s approval at the next meeting.

- **North Street Sewer Project** – This project is going out for bid.

- **Smart Covers** – The antennas will be reinstalled before the rain this week so we can monitor the water flow.

- **Firehouse Project** – Bids for this project will be opened on January 15th and ready for the Board’s approval at the next meeting.

Mayor Baer asks the Board for any concerns or comments or other non-action items.

Alderman Riney informs the Board that he received a request from an elderly citizen about leaf pickup. The gentleman said he hired someone to rake his leaves, but it was too late for the City to pick them up. Alderman Riney asks the Board to consider one more city-wide run with the leaf truck.

After discussion, it is the consensus of the Board that the leaf truck should do one more city-wide run to pick up any leaves waiting at the curb. The leaf truck pickup in March will still be scheduled as planned.

Alderman Guth reports that he has noticed the catch box on the park trail by the Armory is not working properly, noting that water is running across the trail. He also reports that the hydrant installed by the new dugout on Field 9 was not buried deep enough.

Alderman Hudson reports that he has noticed gravel on one of the playground surfaces in the park. He also asks about the dirt stored in the bins at the park. He noticed that the dirt stored in one of the bins contains chunks of asphalt. He suggests that we should be storing good dirt.

Now, at this time, upon motion by Alderman Riney, seconded by Alderman Hudson, it is ordered that the Board now convene into Closed Session to discuss contractual matters in accordance with Section 610.021(9) RSMo; and personnel matters in accordance with Section 610.021(3) RSMo. Roll call showed the aye and nay votes as follows: Curt Buerck, absent; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one.

Following discussion and review, it is upon motion by Alderman Hudson, 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: Curt Buerck, absent; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one.

Alderman Riney asks for an update on the Harvest Acres Water Line Project. City Administrator Buerck notes that he believes the project is almost complete, but will confirm that and report back to the Board.

Alderman Riney notes that the Mississippi River is now at 20 feet. He asks the Board if they would want to reconsider their decision about selling the T53 parts. It is the consensus of the Board that Alderman Riney be allowed to contact the previous bidder and ask if they are still interested in purchasing the parts.

The Board also discusses the maintenance of the levy.

There being no further business, it is upon motion by Alderman Riney, seconded by Alderman Schumer, and on vote carried, ordered that the Board now adjourn until Tuesday, January 21, 2020, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK