

April 2, 2019

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 the Police Station in said City on the above date in regular session pursuant to adjournment. Present: Ken Baer, Mayor; Curt Buerck, 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.

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.

CONSENT AGENDA ITEMS

3. Approve minutes from meeting of March 19, 2019.

4. Approve bills for March 2019.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of March, 2019, vendor checks numbered 111218 – 111505 ; and 10 ACH transfers; payroll checks numbered: 658259 - 658266.

The following bills are presented to be paid for the month of March, 2019. Board finds that \$468,880.66 is chargeable to and payable out of the General Revenue Account; \$27,106.32 is out of Airport; \$67,006.82 is out of Transportation Trust; \$226,313.46 is out of Perry Park Center; \$1,156.52 is out of Veterans Memorial Field; \$29,166.67 is out of Capital Improvement Sales Tax; \$3,524.08 is out of TIF #3; \$1,494.38 is out of Street Improvement; \$53,855.74 is out of Refuse; \$263,080.53 is out of CWSS; and \$497,446.06 is out of Gas Operation. The Board, upon investigation, found the sum to be \$1,639,031.24.

5. Approve unbudgeted transfers: (1) \$43,324.00 from TIF 1 (414) to General Revenue (101); (2) \$348,170.65 from TIF 1 (414) to Transportation Trust (206); (3) \$351,703.82 from TIF 1 (414) to General Revenue (101); (4) \$643,500.00 from General Revenue (101) to Parks & Recreation (207); and (5) \$300,000 from General Revenue (101) to Airport (204).

6. Approve Pay Application 2 to Clifton Excavating, LLC relative to National Guard Drive Water Main Extension - \$15,714.65.

7. Approve request from Parks & Recreation Director Cadwell to apply for a Playground Tire Grant for playground surfaces and a Non-Playground Tire Grant for picnic benches.

8. Approve plans and specifications for the Northeast Outfall Sewer Replacement Project and authorize staff to advertise for bids.

9. Approve Festival Application, street closing request, and request to use Downtown Plaza on June 7-8, 2019, by Robynne Duvall to hold the "Laid Back on I-55 Truck Show" event to raise funds for the Down Syndrome Association.

10. Approve declaration of 2018 Residential Surplus Funds in the amount of \$41,299.05 relative to I55/Hwy 51 TIF and acknowledge that said funds were never collected by the TIF but were disbursed to the taxing entities by the County of Perry.

11. Approve declaration of 2018 Residential Surplus Funds in the amount of \$149.76 relative to Downtown Perryville TIF and acknowledge that said funds were never collected by the TIF but were disbursed to the taxing entities by the County of Perry.
12. Approve Mayor's appointments for:
Airport Advisory Board – 3 year term
Leon Basler - appointment (to replace unexpired term of Brian Ozark)
13. Approve alcohol consumption on site during the Perry Park Center's May 23, 2019, "Business After Hours" celebrating the 20th anniversary of the facility.
14. Approve update to Police Department Operations Manual – GO-19-0301.

END OF CONSENT AGENDA

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

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

City Administrator Buerck informs the Board that staff has been looking for options to help pilots renting t-hangar space since losing the ability to purchase MoGas at the airport. He notes that the idea of gasoline storage in the hangars has been vetted and approved by the Airport Advisory Board and our insurance company. If the Board approves, staff will offer this option of storing five-gallon steel containers of gasoline in the t-hangar to new and existing renters via "contract addendum" to those who are interested.

After discussion and review, Alderman Buerck makes a motion to approve the storage of five-gallon steel containers of gasoline in the t-hangars and to revise existing contracts by addendum. Alderman Riney seconds the motion, and on vote the motion carries.

Public Works Director Brown reviews a presentation of activities and progress of the Public Works Department over the past five years. He expresses his gratitude to the Mayor and Board for their support and direction.

RESOLUTION:

After discussion and review, Alderman Riney makes a motion to adopt a policy relative to liability insurance coverage requirements for events. Motion is seconded by Alderman Buerck, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2019-02

ADOPTING A POLICY REGARDING SPECIAL EVENT INSURANCE

WHEREAS, the City of Perryville is a thriving community and is committed to facilitating a wide range of special events to enrich the quality of life for our citizens; and

WHEREAS, in addition to City-sponsored events, various citizens, businesses, and organizations desire to host special events on city property; and

WHEREAS, the City of Perryville Board of Aldermen believes these events promote economic vitality, enhance the community's identity and pride, and provide opportunities for fundraising for the community's nonprofit agencies; and

WHEREAS, in recent years community events have become more complex and often expose the City of Perryville to risks that fall outside of the realm of typical public entity operations and, therefore, do not fall within the City's insurance coverage; and

WHEREAS, the Board of Aldermen desires to create a policy outlining the need for special event insurance from event organizers to provide adequate protection for the event organizer; and

WHEREAS, it is the intent of the City of Perryville to formalize this policy by the adoption of a resolution.

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

That the Board of Aldermen of the City of Perryville, Missouri, after consideration of the need to establish a policy regarding special event insurance coverage hereby approves and adopts the following policy:

The City of Perryville will require the organizer of an event to obtain liability insurance coverage for all events and activities that are designed to solely benefit or generate income for a private individual, for-profit corporation or similar entity. In addition, the City may require insurance for any event which will include alcohol for sale or poses a significant hazard for the city, surrounding homes and businesses, event participants or members of the general public. The City may, in its sole discretion, choose to waive this requirement for traditional parks and recreation activities, events that present a minimal risk to those listed above or for events and activities which are open to the public or provide significant public benefit. If insurance is required, the City shall be named as jointly insured.

PASSED AND APPROVED this 2nd day of April, 2019, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

SECOND READINGS AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 5918, 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. 5918 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: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, 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. 6138 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5918

ORDINANCE NO. 6138

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:

REDBUD COURT:

On Redbud Court at its intersection with Sycamore Road.

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: March 19, 2019.

SECOND READING: April 2, 2019.

PASSED AND APPROVED this 2nd day of April, 2019, by a vote of 6 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 5919, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ARAMARK UNIFORM SERVICES** RELATIVE TO **JANITORIAL SUPPLIES AND UNIFORMS FOR THE PUBLIC WORKS DEPARTMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 5919 is read a second time on motion by Alderman Martin, seconded by Alderman Buerck. 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 showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, 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. 6139 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5919

ORDINANCE NO. 6139

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ARAMARK UNIFORM SERVICES** RELATIVE TO **JANITORIAL SUPPLIES AND UNIFORMS FOR THE PUBLIC WORKS DEPARTMENT**; 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 **Aramark Uniform Services**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

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

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

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

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

FIRST READING: March 19, 2019.

SECOND READING: April 2, 2019.

PASSED AND APPROVED this 2nd day of April, 2019, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

FIRST READINGS:

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 5920, accepting Final Plat of Redbud Court, is read for the first time by title only. The heading is as follows:

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

Alderman Riney presents motion, seconded by Alderman Hudson, and on vote carried Bill No. 5921, amending Title 17 of the Code of Ordinances relative to Modular Units, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 17 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO MODULAR UNITS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 5922, accepting an easement deed from Public Water Supply District Number 1 for placement of the tornado siren, 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 DEED.

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 5923, accepting easement deeds from Jackson, LLC and Bey Family relative to Jackson Street Sewer 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 DEED.

At this time, Mayor Baer exits the Council Chambers and Alderman Riney as President of the Board of Aldermen takes over the meeting.

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5924, entering into an agreement with Baer Engineering relative to engineering for Missouri Highways and Transportation Commission Transportation Alternatives Fund Program Project, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE PRESIDENT OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **BAER ENGINEERING, LLC**, RELATIVE TO **ENGINEERING SERVICES FOR MoDOT's TRANSPORTATION ALTERNATIVES PROGRAM PROJECT TAP-5000(008)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE PRESIDENT OF THE BOARD OF ALDERMEN.

Mayor Baer returns to the Council Chambers.

Alderman Guth, as Chairman of the Public Works Committee, mentions that he was informed the new leaf truck broke down. Public Works Director Brown said the part was under warranty and has been repaired.

Alderman Guth, as Chairman of the Economic Development Committee, asks EDA Director Sattler to update the Board on any economic development matters. Director Sattler notes that local students toured West Star; Ranken Open House was successful; Ranken will hold a middle school camp again this summer; the Chris Jansen sign is expected to be installed soon; several applications are expected for the Habitat for Humanity house.

City Administrator Buerck reports:

- **Upcoming Presentations regarding Perryville Regional Airport at Airport Managers and MML Conferences** – We have been asked to speak at these conferences to share our experience with acquiring West Star at our airport and about economic development history in Perryville.

- **573 Film Festival** – Part of this event will be to teach children how to make movies with their phones. Note that Laid Back on I-55 will also be held this weekend.

- **Design/Build Institute of America** – I will be attending this conference next week regarding our water and wastewater projects.

City Engineer Baer reports:

- **Jackson Sewer** – The sewer line will be tested within the next two weeks.

- **National Guard Water Project** – This project is complete.

- **Redbud Court**– The sidewalks have been installed. Once the backfilling and seeding is done, this project will be complete.

- **Sewer Trunk Line Project** – This project is going out for bid.

- **Sycamore Road** – We are revising the easements on this project before finalizing the plans and specifications.

Parks & Recreation Director Cadwell reports that the new sound system is working well; the concession stand should be in operation by this weekend; the HVAC system is being programmed.

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

Alderman Guth informs the Board that a PPC patron in the weight room asked him why the sound system wasn't playing. Director Cadwell states that the sound system has been replaced and is operational as of Friday, March 29.

Alderman Buerck notes that Public Works needs to put gravel in the new water line trench on Moulton Street. Public Works Director Brown informs the Board that they will patch this street; however, he wants to inform the Board that plans are underway to concrete the street after the lines are all in place.

Alderman Hudson comments that the school sign on St. Joseph Street is broken and the sign is missing, but the stub of the pole is sticking out of the ground. Public Works Director Brown states that the pole has been pulled.

Now, at this time, upon motion by Alderman Schumer, seconded by Alderman Buerck, it is ordered that the Board now convene into closed session to discuss contractual matters in accordance with Section 610.021(9) RSMo; and real estate matters in accordance with Section 610.021(2) RSMo. Roll call showed the aye and nay votes as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

Following discussion and review, it is upon motion by Alderman Hudson, seconded by Alderman Buerck, that the Board now reconvenes into regular session for any business that might come forth. Roll call showed the aye and nay votes as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

There being no further business, it is upon motion by Alderman Hudson, seconded by Alderman Buerck, and on vote carried, ordered that the Board now adjourn until Tuesday, April 16, 2019, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK