

**April 5, 2022**

**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; 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 Art Pistorio, City Attorney.

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

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

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

Assistant Chief of Police Jones introduces newly-hired Patrol Officer Jeremiah Owens.

**CONSENT AGENDA ITEMS**

4. Approve minutes from meeting of March 15, 2022.
5. Approve bills for March 2022.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of March 2022, vendor checks numbered 121350 - 121692; 12 ACH transfers; payroll checks numbered: 659096 - 659112.

The following bills are presented to be paid for the month of March 2022. Board finds that \$730,890.27 is chargeable to and payable out of the General Revenue Account; \$67,527.02 is out of Airport; \$89,242.46 is out of Transportation Trust; \$255,759.74 is out of Perry Park Center; \$274.31 is out of Debt Service; \$274.31 is out of Capital Improvement Sales Tax; \$75,365.28 is out of Tech Ed Building; \$12,500.00 is out of TIF #2; \$58,184.00 is out of TIF #3; \$3,941.76 is out of Street Improvement; \$67,488.13 is out of Refuse; \$383,925.95 is out of CWSS; \$715,569.65 is out of Gas Operation; and \$28,195.77 is out of WWTP Project. The Board, upon investigation, found the sum to be \$2,489,138.65.

6. Approve Pay Application 1 to Zoellner Construction regarding Impound Building Project - \$53,181.41.
7. Approve amended Change Order 4 from Robinson Industrial and Heavy Contracting and HDR relative to Wastewater Treatment Facility Improvements – 76 day time extension.
8. Approve Pay Estimate 6 (Final) from Lappe Cement Finishing, Inc., relative to 2021 Street Improvements Project - \$44,965.06.
9. Approve Quote received from Franklin Miller, Inc., relative to purchase of a Bulk Water Fill Station - \$44,600.00.
10. Approve service agreement with Charter Communications Operating, LLC relative to Spectrum Enterprise service to the Wastewater Treatment Plant at 1131 Hidden Valley Lane.
11. Approve declaration of 2021 Residential Surplus Funds in the amount of \$86,553.26 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.

12. Approve declaration of 2021 Residential Surplus Funds in the amount of \$874.00 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.
13. Approve renewal of engagement with Beussink, Hey, Roe & Stroder, LLC for the 2021-22 auditing services.
14. Approve nomination and reappointment of Jacob Crawford, Jennifer Crawford, and John Crawford as Directors for the Perry Plaza Community Improvement District to each serve a term of four years, expiring April 5, 2026.
15. Acknowledge selection of contractor for the foundation portion of the Technical Education Facility Project from Robinson Industrial and Heavy Contracting (Construction Manager At-Risk) - \$530,891 plus mobilization costs.
16. Acknowledge selection of contractor for the plumbing portion of the Technical Education Facility Project from Robinson Industrial and Heavy Contracting (Construction Manager At-Risk) - \$381,615 plus mobilization costs.
17. Approve recommendation from Public Works Director Layton of items to be placed on the Purple Wave Auction site.
18. Approve recommendation from Assistant Chief Jones to dispose of surplus property removed from the Impound Building per the City's Purchasing Policy.
19. Approve request from River Hills Antique Tractor Club regarding Old Timers Days held on Saturday and Sunday, May 28-29, 2022.
20. Approve request to reschedule Immanuel Lutheran Church and School 5K Walk/Run fundraiser to May 21, 2022.
21. Approve request from Hiway Rodders Car Club to close streets for the Mayfest Car Show on May 7, 2021.
22. Approve request from Rotary Club regarding the fireworks display at City Park to be held on Sunday, July 3, 2021.
23. Approve request from Heroes for Kids to waive Perry Park Center fees for their July 16th Comic Con Charitable Event.
24. Approve request from the American Tractor Museum to designate a portion of North Main Street as "Tractor Alley" and authorize city employees to hang banners provided by the Museum.
25. Reapprove 2022-23 Pay Plan with revisions.

#### **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. Alderman Riney seconds the motion, and on vote the motion carries.

Mayor Baer asks the Board if there is a decision regarding special use permit request from Laurie LaGrone to sell flowers from her greenhouse at 1805 Old St. Mary's Road. City Administrator Buerck explains to the Board that, after further research, it was determined that Ms. LaGrone is allowed to sell

flowers at her location if the flowers are grown on the site. Therefore, a special use permit is not required for this item.

After discussion, Alderman Hudson makes a motion to approve the Special Use Permit request from Laurie LaGrone to sell flowers from her greenhouse at 1805 Old St. Mary's Road. Alderman Buerck seconds the motion. Roll call showed the aye and nay vote as follows: Curt Buerck, nay; Tom Guth, nay; Prince Hudson, nay; Douglas K. Martin, nay; Larry Riney, nay; David J. Schumer, nay. Totals: aye, none; nay, 5. Motion fails.

## **SECOND READINGS AND FINAL PASSAGE:**

Now, at this time, the Board proceeds to approve Bill No. 6281, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CRAWFORD, MURPHY & TILLY, INC.** RELATIVE TO **SUPPLEMENTAL AGREEMENT NO. 1 TO THE AVIATION PROJECT CONSULTANT AGREEMENT RE PROJECT 20-063A-2 REGARDING RECONSTRUCTION OF THE SOUTHEAST TAXIWAY AND EAST APRON TAXILANE AT THE PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6281 is read a second time on motion by Alderman Riney, seconded by Alderman Buerck. Thereupon on motion by Alderman Riney, 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. 6498 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6281

ORDINANCE NO. 6498

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CRAWFORD, MURPHY & TILLY, INC.** RELATIVE TO **SUPPLEMENTAL AGREEMENT NO. 1 TO THE AVIATION PROJECT CONSULTANT AGREEMENT RE PROJECT 20-063A-2 REGARDING RECONSTRUCTION OF THE SOUTHEAST TAXIWAY AND EAST APRON TAXILANE AT THE PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, deem it advisable to enter into said contract;

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

1. That the Mayor and Board of Aldermen of the City of Perryville approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Crawford, Murphy & Tilly, Inc.** It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

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

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

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

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

FIRST READING: March 15, 2022.

SECOND READING: April 5, 2022.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2022, 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. 6282, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **KIMHEC ENVIRONMENTAL CONSULTING** RELATIVE TO **2022-23 ENGINEERING SERVICES RELATIVE TO PRETREATMENT PROGRAM AND NPDES PERMIT ASSISTANCE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6282 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, 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. 6499 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6282

ORDINANCE NO. 6499

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **KIMHEC ENVIRONMENTAL CONSULTING** RELATIVE TO **2022-23 ENGINEERING SERVICES RELATIVE TO PRETREATMENT PROGRAM AND NPDES PERMIT ASSISTANCE**; 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 **KIMHEC Environmental Consulting**. 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 15, 2022.

SECOND READING: April 5, 2022.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 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. 6283, 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. 6283 is read a second time on motion by Alderman Buerck, seconded by Alderman Martin. Thereupon on motion by Alderman Buerck, seconded by Alderman Martin, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: 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. 6500 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6283

ORDINANCE NO. 6500

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 15, 2022.

SECOND READING: April 5, 2022.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 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. 6284, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **RIVERSIDE REGIONAL LIBRARY** RELATIVE TO **RENEWAL OF LEASED SPACE AT THE PERRY PARK CENTER**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6284 is read a second time on motion by Alderman Riney, seconded by Alderman Guth. Thereupon on motion by Alderman Riney, seconded by Alderman Guth, 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. 6501 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6284

ORDINANCE NO. 6501

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **RIVERSIDE REGIONAL LIBRARY** RELATIVE TO **RENEWAL OF LEASED SPACE AT THE PERRY PARK CENTER**; 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 **Riverside Regional Library**. 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 15, 2022.

SECOND READING: April 5, 2022.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2022, 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. 6285, 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. Bill No. 6285 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. 6502 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6285

ORDINANCE NO. 6502

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 **The Rozier Mercantile Company**, 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. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: March 15, 2022.

SECOND READING: April 5, 2022.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 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. 6286, AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY LIMITS OF THE CITY OF PERRYVILLE, MISSOURI, UNDER THE PROVISIONS OF SECTION 71.012 RSMO . Bill No. 6286 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, 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. 6503 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6286

ORDINANCE NO. 6503

AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY LIMITS OF THE CITY OF PERRYVILLE, MISSOURI, UNDER THE PROVISIONS OF SECTION 71.012 RSMO.

WHEREAS, on the 1<sup>st</sup> day of March 2022, a verified petition signed by **RANDY E. AND BRENDA K. LORENZ**, owners of the real estate hereinafter described requesting annexation of said territory into the City of Perryville, Missouri, was filed with the City Clerk and the Board of Aldermen; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Perryville, Missouri; and

WHEREAS, a public hearing concerning said matter was held at the City Hall in the City of Perryville, Missouri at the hour of 6:30 p.m. on the 15<sup>th</sup> day of March, 2022; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, on the 3<sup>rd</sup> day of March, 2022, in The Perry County Republic-Monitor, a weekly newspaper of general circulation in the County of Perry, State of Missouri; and

WHEREAS, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objection to the proposed annexation was filed with the Board of Aldermen of the City of Perryville, Missouri, within 14 days after the date of the public hearing; and



WHEREAS, the Board of Aldermen of the City of Perryville, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the City; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation;

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

Section 1. Pursuant to the provisions of Section 71.010 RSMO., as amended, the following described real estate is hereby annexed into the City of Perryville, Missouri:

1880 North Kingshighway, more particularly described as: Part of Lots Numbered Twenty-two (22) and Twenty-three (23) of the Amended James Arthur Preston Subdivision of Part of Fractional Section Twelve (12), in Township Thirty-five (35) North, Range Ten (10) East of the Fifth Principal Meridian, as same is recorded in Book 125, Page 203 of the Deed Records of Perry County, Missouri, and Part of a tract of 1.87 acres, being part of said Fractional Section 12, in said Township and Range, conveyed to Henry Naeger and wife by deed recorded in Book 133, Page 627 of said Deed Records, described as follows: Beginning at a point on the Northeast line of said Preston Subdivision, from which said point the most Northern corner of said Lot No. 22 bears North 44° 17' West, 11.0 feet; Thence South 42° 45' West 153.3 feet to a point on the Northeast right-of-way line of U.S. Highway No. 61, from which said point the most Western corner of said Lot 22 bears North 43° 18' West, 11.0 feet; thence South 43° 18' East, along said right-of-way line, 49.02 feet to the corner between said Lots 22 and 23; Thence South 43° 09' East, along said right-of-way line, 16.0 feet to a point; Thence North 42° 45' East, 155.0 feet to a point on the Northeast line of said Preston Subdivision, from which said point the most Northern corner of said Lot 23 bears North 44° 17' West, 16.0 feet; Thence North 44° 17' East, 207.0 feet to a point on the Northeast line of said 1.87 acre tract, from which said point the most Northern corner of said 1.87 acre tract bears North 2° West 271.0 feet; Thence North 2° West, along said Northeast line of said 1.87 acre tract, 90.0 feet to a point; Thence South 44° 17' West 268.0 feet to the place of beginning and containing 0.58 acres, more or less.

Section 2. The boundaries of the City of Perryville, Missouri, are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits of the City.

Section 3. The City Clerk of the City is hereby ordered to cause three certified copies of this Ordinance to be filed with the County Clerk of Perry County, Missouri.

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

FIRST READING: March 15, 2022.

SECOND READING: April 5, 2022.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2022, 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. 6287, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **RANKEN TECHNICAL COLLEGE** RELATIVE TO **PERRYVILLE TECHNICAL EDUCATION CAMPUS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY

CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6287 is read a second time on motion by Alderman Buerck, seconded by Alderman Martin. Thereupon on motion by Alderman Buerck, seconded by Alderman Martin, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: 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. 6504 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6287

ORDINANCE NO. 6504

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **RANKEN TECHNICAL COLLEGE** RELATIVE TO **PERRYVILLE TECHNICAL EDUCATION CAMPUS**; 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 **Ranken Technical College**. 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 15, 2022.

SECOND READING: April 5, 2022.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Ken Baer, Mayor

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

Now, at this time, Bill No. 6288, AN ORDINANCE ACCEPTING THE PLAT OF T. DAVIS MINOR SUBDIVISION; ACCEPTING DEDICATION OF EASEMENTS, STREETS AND PROPERTIES DESCRIBED; ACCEPTING RESTRICTIONS, IF ANY, FILED THEREWITH; AUTHORIZING THE RECORDING OF SAID PLAT; ACCEPTING IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED AND INDICATED ON SAID PLAT; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, is read for the first time with an expedite clause for matters related to zoning as found in Title 17 of the Code of Ordinances upon motion by Alderman Riney, seconded by Alderman Guth. On motion by Alderman Riney, seconded by Alderman Guth, and on vote carried, Bill No. 6288 is read for the second time. Thereupon on motion by Alderman Riney, 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: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, 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. 6505 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6288

ORDINANCE NO. 6505

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

WHEREAS, Timothy L. Davis and Thomas W. Davis, General Partners of Davis Bros. Farms, a Missouri partnership, have platted T. Davis Minor Subdivision as located within the corporate limits of the City of Perryville, Missouri; and,

WHEREAS, the developers have installed required improvements; and,

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

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

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

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

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

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

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

FIRST READING: March 15, 2022.

SECOND READING: April 5, 2022.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Ken Baer, Mayor

Mayor Baer asks for Committee Reports.

Alderman Guth, as Chairman of the Sidewalk Committee, asks when SEMO Regional Planning will provide the results from their sidewalk evaluation. City Administrator Buerck tells the Board he expects the study to be available in June.

Alderman Guth, as Chairman of the Economic Development Committee, asks City Administrator Buerck to inform the Board on any economic development activity. City Administrator Buerck informs the Board that the New EDA Director will start on May 2<sup>nd</sup>.

City Administrator Report:

- **2024 Perry County Eclipse Task Force** - This past week marked Trish's first meetings to organize the community's events and response to April 8, 2024, eclipse. She will continue to organize and facilitate regular meetings leading up to that date. If the Board has concerns or preferences different than what was done in 2017, now would be a good time to share those.

- **Col. John Clark - POW Commemoration** - This is a special event at the Memorial here in town featuring Colonel John Clark. Colonel Clark was born January 1, 1940, in Columbia, Missouri. He piloted over 60 missions before he was shot down over North Vietnam and spent nearly 6 years as a prisoner of war. This wreath laying event is scheduled for this Friday and Colonel Clark is expected around 10:45 am.

- **Justice Center Update** - The RFQ is out on the street and due back April 21 with a goal of having someone selected on or around August 16.

- **Chamber Spring Banquet** - The Chamber's quarterly dinner is scheduled for April 21. If you are interested in attending, please let us know so we can get your ticket. Early bird pricing ends this Friday.

City Engineer Report:

- **Fire Station Utilities Project** – The water line is nearly complete on this project and the sewer line work starts this week.

- **Technical Ed Facility** – Some of the water line will be laid next week. The stormwater work should start tomorrow, with the parking lot to follow.

- **NE Outfall Sewer Project** – The contractor is now between Ste. Augustine and Smith Street and expects to move to Highway E. They are still waiting on supplies.

Alderman Guth asks about the plan review for the Moto Mart. He explains the Moto Mart updates.

Alderman Guth also asks about the sewer line at 501 Feltz Street. City Administrator Buerck explains that the owner wasn't told there was a water line on their property. P&Z approved a boundary

adjustment without realizing the water line would be in the way of the owner's construction. He tells the Board that staff will always print a utility map for the owners when requesting these types of P&Z matters.

Mayor Baer asks the Board for any concerns, comments, or other non-action items they would like to present.

Alderman Guth asks Parks & Recreation to check on a leaking water hydrant by Veterans Memorial Field.

Alderman Guth also asks Parks & Recreation to see if adding coat hooks under the steps at the Perry Park Center would be feasible. He notes that the people using the exercise machines in that area have no place to hang their coats.

Alderman Schumer asks Public Works to inspect the sidewalk at the intersection of Rosati and Waters Street. He notes that the earth is eroding behind the sidewalk, possibly due to a sinkhole.

Alderman Hudson notes that he noticed a mud slick across Blackberry Circle, noting that the pipe placed in the location may not have worked as hoped. City Engineer Baer tells the Board that he reviewed the area today and that water is draining from other places in addition to the drainage from the pipe. The Board asks City Engineer Baer to contact the contractor about placing straw bales in the area to eliminate the problem.

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 real estate matters in accordance with Section 610.021(3) RSMo; personnel matters in accordance with Section 610.021(2) RSMo; and contractual matter in accordance with Section 610.021(9) 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 Riney, 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 Riney, second by Alderman Buerck, and on vote carried, ordered that the Board now adjourn until Tuesday, April 19, 2022, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK