

April 18, 2023

**JOURNAL OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, PERRY COUNTY, MISSOURI.**

The Board of Aldermen of the City of Perryville, Perry County, Missouri, met at City Hall in said City on the above date in regular session pursuant to adjournment. Present: Larry Riney, Mayor; Curt Buerck, Tom Guth, Douglas K. Martin, Clint Rice, and David J. Schumer, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Art Pistorio, City Attorney. Absent: Alderman Dennis House.

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

At this time City Attorney Pistorio reads the Certificate of Election from the County Clerk for the municipal election held on April 4, 2023. Said Certification shows as follows:

**CERTIFICATION OF ELECTION RESULTS**

For the City of Perryville, Missouri:

The following are the certified results of the Municipal Election held in Perryville, Missouri, on April 4, 2023.

<b>Office or Issue</b>	<b>Candidates Name or Yes/No</b>	<b>Votes Received</b>
Alderman Ward One	Dennis House	242
	Seth W. Amschler	245
Alderman Ward Two	Douglas K. Martin	220
Alderman Ward Three	David J. Schumer	304
City Question	3% Recreational Marijuana	Yes 899
	Sales Tax	No 279

I, Jared W. Kutz, Election Authority of Perry County, Missouri, do hereby certify that the above is a full and accurate return of all votes cast for all candidates and issues at said election as certified to me by the duly qualified election judges and as compared and corrected by the Verification Board of this election.

Done this 10<sup>th</sup> day of April, 2023.

Signed: Jared W. Kutz, Election Authority

Following review, the Certificate of Election is filed by the County Clerk in the office of the City Clerk.

Alderman Buerck presents motion, seconded by Alderman Rice, and on vote carried, the following candidates did receive a majority of the votes cast:

**Seth W. Amschler** received a majority of the votes cast for the office of **Alderman Ward One**;  
**Douglas K. Martin** received a majority of the votes cast for the office of **Alderman Ward Two**;  
**David J. Schumer** received a majority of the votes cast for the office of **Alderman Ward Three**.

Now, Tracy Prost, City Clerk, proceeds to administer the Oath of Office to newly elected Aldermen.

At this time, Mayor Riney asks for a motion to appoint a member of the Board of Aldermen to preside as President of the Board.

Alderman Buerck nominates Alderman Tom Guth as President of the Board of Aldermen. Alderman Schumer seconds the nomination.

There being no further nominations, Alderman Buerck presents motion to elect Alderman Tom Guth as President of the Board of Aldermen. Alderman Schumer seconds the motion, and on vote carries.

Mayor Riney now makes the following committee appointments:

**2023-24 COMMITTEES**

<b><u>PUBLIC WORKS</u></b>	-	<b>GUTH, Schumer (Gas/Water/Sewer/Street/Solid Waste)</b>
<b><u>PUBLIC SAFETY</u></b>	-	<b>BUERCK, Martin, Rice (Fire/Police)</b>
<b><u>FINANCE</u></b>	-	<b>SCHUMER, Rice (Budget)</b>
<b><u>SIDEWALK</u></b>	-	<b>SCHUMER, Amschler, Martin</b>
<b><u>LIAISON</u></b>	-	<b>AMSCHLER, Martin, Guth (P&amp;Z/Board of Adjustments/Park Board)</b>
<b><u>ECONOMIC DEV</u></b>	-	<b>MARTIN, Buerck (Airport/Industrial Work)</b>

Mayor Riney expresses his desire to appoint Alderman Amschler to serve as the Board's representative on the Planning & Zoning Commission Board for the next year.

Following discussion and review, Alderman Buerck makes a motion to approve Mayor Riney's appointment of Alderman Amschler to serve as the Board's representative on the Planning & Zoning Commission Board for the next year. Alderman Rice seconds the motion, and on vote the motion carries.

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.

**CONSENT AGENDA ITEMS**

9. Approve minutes from meeting of April 4, 2023.
10. Approve Financial Reports for March, 2023.

CITY OF PERRYVILLE									
STATEMENT OF CASH POSITION									
MARCH, 2023									
		April 1, 2022	REVENUE	EXPENSE	NET INCOME	CURRENT	ACCOUNTS	CURRENT	CURRENT
FUND NAME	Fund Balance	Y-T-D	Y-T-D	Y-T-D	Y-T-D	FUND	RECEIVABLE	LIABILITIES	CASH
						BALANCE			BALANCE
101	Gen Rev	\$ 2,545,792.43	\$ 9,345,039.63	\$ (8,703,750.11)	\$ 641,289.52	\$ 3,187,081.95	\$ (82,408.75)	\$ (19,240.87)	\$ 3,250,249.83
105	FSA Administration	\$ 9,563.70	\$ 364.83	\$ -	\$ 364.83	\$ 9,928.53		\$ -	\$ 9,928.53
106	Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99		\$ -	\$ 53.99
204	Airport	\$ 55,945.55	\$ 1,247,376.61	\$ (1,570,559.21)	\$ (323,182.60)	\$ (267,237.05)	\$ (520.00)	\$ 8,346.03	\$ (258,371.02)
206	Trans Trust	\$ 394,390.90	\$ 1,227,182.32	\$ (1,170,591.75)	\$ 56,590.57	\$ 450,981.47	\$ (106,233.07)	\$ 15,017.01	\$ 572,231.55
207	Perry Park Ctr.	\$ 287,537.17	\$ 2,749,813.98	\$ (2,428,276.49)	\$ 321,537.49	\$ 609,074.66	\$ (32,593.43)	\$ (16,529.84)	\$ 625,138.25
211	Veterans Field	\$ 22,677.55	\$ 10,605.30	\$ (22,740.36)	\$ (12,135.06)	\$ 10,542.49		\$ 294.87	\$ 10,837.36
213	Field Improvement	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
307	Debt Service	\$ 201,650.91	\$ 417,428.96	\$ (436,528.86)	\$ (19,099.90)	\$ 182,551.01	\$ 114,298.13	\$ 113,805.56	\$ 182,058.44
308	Cap Imp Sls Tax Rev	\$ 904,314.60	\$ 928,919.36	\$ (600,683.62)	\$ 328,235.74	\$ 1,232,550.34		\$ -	\$ 1,232,550.34
409	Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
414	TIF 1-Hwy 51/61	\$ 233,422.20	\$ 103,967.93	\$ -	\$ 103,967.93	\$ 337,390.13	\$ -	\$ -	\$ 337,390.13
415	Economic Develop	\$ (193,916.42)	\$ 7,262,302.10	\$ (6,684,272.17)	\$ 578,029.93	\$ 384,113.51	\$ -	\$ 9,376.50	\$ 393,490.01
416	TIF 2-Downtown	\$ 85,475.46	\$ 281,533.08	\$ (183,098.02)	\$ 98,435.06	\$ 183,910.52	\$ -	\$ -	\$ 183,910.52
417	TIF 3-I55/HWY 51	\$ 1,127,129.99	\$ 1,317,958.92	\$ (1,875,429.53)	\$ (557,470.61)	\$ 569,659.38	\$ -	\$ 924.25	\$ 570,583.63
513	Street Imp	\$ 322,450.22	\$ 449,045.17	\$ (408,104.36)	\$ 40,940.81	\$ 363,391.03	\$ (124,816.53)	\$ 33,184.25	\$ 521,391.81
612	Refuse	\$ 524,049.70	\$ 945,475.23	\$ (1,106,315.99)	\$ (160,840.76)	\$ 363,208.94	\$ 113,556.56	\$ 4,418.11	\$ 254,070.49
614	CWSS Op	\$ 4,141,181.29	\$ 5,731,456.57	\$ (6,129,218.14)	\$ (397,761.57)	\$ 3,743,419.72	\$ 643,807.93	\$ 171,349.15	\$ 3,270,960.94
641	WWTP Improvements	\$ 370,895.85	\$ 18,632,237.62	\$ (18,856,166.21)	\$ (223,928.59)	\$ 146,967.26	\$ -	\$ -	\$ 146,967.26
619	Gas Op	\$ 4,069,575.23	\$ 7,725,998.01	\$ (7,553,605.53)	\$ 172,392.48	\$ 4,241,967.71	\$ 491,043.02	\$ 257,546.61	\$ 4,008,471.30
	TOTAL	\$ 15,102,190.32	\$ 58,376,705.62	\$ (57,729,340.35)	\$ 647,365.27	\$ 15,749,555.59	\$ 1,016,133.86	\$ 578,491.63	\$ 15,311,913.36

11. Approve Pay Application 31 from Robinson Industrial and Heavy Contracting and HDR for the WWTP Facility Improvement Project - \$386,332.11.
12. Approve Pay Application 1 to Kiefner Bros. Inc. relative to Perry Park Center Interior Improvements - \$16,033.15.
13. Approve Invoice 549011 to Robinson Industrial, Heavy & Commercial Contracting, Inc., relative to Technical Education Facility - \$477,256.99.
14. Approve Change Order 1 to Robinson Industrial, Heavy & Commercial Contracting, Inc., relative to Technical Education Facility - \$14,035.00 - deduction.
15. Approve Pay Application 8 from Zoellner Construction Co., Inc. relative to Fire Department Project - \$118,464.20.
16. Approve Change Order 3 to Zoellner Construction Co., Inc., relative to Fire Department Project - \$5,063.42 increase.
17. Acknowledge City Administrator Buerck approval of Proposal Request 7 relative to Fire Station Project - \$6,307.56.
18. Approve recommendation from Parks & Recreation Director Cadwell to accept proposal from Richardet Floor Covering for labor and materials to complete the flooring installation in the lower level of the Perry Park Center.
19. Approve recommendation from Parks & Recreation Director Cadwell to accept bids for the Pickleball/Courts Project and award to Gunner Energy Corp., d/b/a General Acrylics - \$25,740.00.
20. Approve Festival Application for Temporary Outdoor Consumption Permit from Robynne Duvall for the Laid Back on I-55 Truck Show scheduled for August 18-19, 2023.
21. Approve request from Republic-Monitor to post banners on city property congratulating 2023 Senior classes.

22. Authorize Mayor Riney to sign "Local Government Certification" for St. Vincent DePaul Society grant application relative to an addition to their property at the corner of Grand and North Jackson Streets.
23. Approve traffic study memorandum from Major William Jones regarding Edgemont Boulevard and Perryville Boulevard.
24. Approve Mayor's Appointment:  
Planning and Zoning  
**Dennis House** - appointment (to fulfill unexpired term of Seth Amschler)

### **END OF CONSENT AGENDA**

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

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

Alderman Schumer makes a motion to move "Item 25. Discussion regarding final plat of SMS Fields Subdivision" to closed session. Alderman Rice seconds the motion, and on vote motion carries.

At this time, the Board discusses the downtown light pole installation. City Administrator Buerck informs the Board that the newly installed lights look great and work very well; however, their installation wasn't without challenge. He tells the Board that the previous lights had "floating" collars that adjusted to the surrounding terrain that allowed water into the base, likely contributing to the failure of several poles. He notes that the new poles have a tightly welded, fixed collar, eliminating water issues, but now must be retrofitted somewhat to provide a final "to-grade" installation. City Engineer Baer has been studying this issue since their installation and tells the Board that they need to be reset and raised above grade. It is noted that city staff is capable of doing the work.

Alderman Buerck suggests that staff ensure they are using the right type of bolts since the base is made of aluminum. City Administrator Buerck tells the Board that they will contact the company to see what type of anchors are approved.

After discussion, Alderman Buerck makes a motion to approve the downtown light pole installation project to be accomplished by City crews. Alderman Martin seconds the motion, and on vote motion carries.

### **RESOLUTION:**

City Administrator Buerck informs the Board that Resolution 2023-02 will increase water, sewer, and refuse rates by 5% this year, and then return to an annual adjustment of 3% for future years.

After discussion and review, Alderman Buerck makes a motion to amend the Water and Sewer Rate Schedule and Establish the Refuse Rate Schedule. Motion is seconded by Alderman Schumer, and on vote carried. Said Resolution is as follows:

### RESOLUTION NO. 2023-02

#### AMENDING THE WATER AND SEWER RATE SCHEDULES AND ESTABLISHING THE REFUSE RATE SCHEDULE

WHEREAS, the Board of Aldermen of the City of Perryville, after review of the current Refuse, Water, and Sewer Rate Schedules, has determined that rate increases are essential to finance the operation, needed infrastructure maintenance, and improvements needed for the refuse, water and sewer systems of the City of Perryville; and

WHEREAS, the Board of Aldermen has reviewed the capital needs of the refuse, water, and sewer departments, has approved an associated Capital Improvement Plan, and has found the existing revenue insufficient to implement said plan; and

WHEREAS, Chapter 8.16 and Chapter 13.08 of the Code of Ordinances of the City of Perryville, Missouri, state that the city shall review the rate schedules annually and revise the rates as necessary to ensure that the refuse, water, and sewer systems generate adequate revenue to pay the cost of operation, maintenance, and replacement of the system.

THEREFORE, BE IT RESOLVED that the Board of Aldermen of the City of Perryville, Missouri, after consideration of the need to adjust the refuse, water, and sewer rate schedules to meet the needs of the city's refuse, water, and sewer systems, hereby adopt the attached Refuse Rate Schedule, Water Rate Schedule, and Sewer Rate Schedule, which said rate schedules shall become effective on April 1, 2023.

BE IT FURTHER RESOLVED that, in order to ensure that the rates continue to be adequate to provide for the operation, maintenance, and capital improvements of the refuse, water, and sewer systems of the City of Perryville, it is agreed that the increase for the 2023-24 budget year shall be 5% and the annual rate increase for each budget year thereafter shall be 3% and the Board of Aldermen shall include said increase during the annual budget process, and that the Board of Aldermen may further adjust this rate if it is determined that more or less funds are needed.

PASSED AND APPROVED this 18th day of April, 2023, by a vote of 6 ayes, 0 nay, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Larry Riney, Mayor

ATTEST:

Tracy Prost, City Clerk

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

Now, at this time, the Board proceeds to approve Bill No. 6407, AN ORDINANCE APPROVING **AMENDMENTS TO THE 2022-23 BUDGET** AS ORIGINALLY APPROVED ON THE 15<sup>th</sup> DAY OF MARCH, 2022, BY REVISING, CONFIRMING, AND UPDATING END-OF-YEAR BALANCES; CONFIRMING BUDGETARY EXPENDITURES; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH. Bill No. 6407 is read a second time on motion by Alderman Guth, seconded by Alderman Buerck. Thereupon on motion by Alderman Guth, 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: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6624 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6407

ORDINANCE NO. 6624

AN ORDINANCE APPROVING **AMENDMENTS TO THE 2022-23 BUDGET** AS ORIGINALLY APPROVED ON THE 15<sup>th</sup> DAY OF MARCH, 2022, BY REVISING, CONFIRMING, AND UPDATING END-OF-YEAR BALANCES; CONFIRMING BUDGETARY EXPENDITURES; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, on the 15th day of March, 2022, the Mayor and Board of Aldermen of the City of Perryville, Missouri, approved the budget for the City of Perryville, Missouri, for the 2022-23 fiscal year; and

WHEREAS, the City budget officer has reviewed end-of-year balances and found it necessary to update said end-of-year balances projected for the 2022-23 fiscal year budget; and

WHEREAS, the amended end-of-year balances indicate and confirm sufficient funds to fund budgeted projects for the 2022-23 fiscal year.

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

Section 1. That the annual budget for the fiscal year 2022-23 as heretofore adopted and approved by ordinance of this Board on the 15<sup>th</sup> day of March, 2022, is hereby amended by adjusting the end-of-year balances in form with actual receipts of the City for the prior fiscal year 2022-23.

Section 2. That the Mayor and Board of Aldermen further reconfirm and readopt budgetary expenditures as set out in the amended budget, which is attached hereto and incorporated herein by reference, and order the administration of the City to follow the budget expenditures in accordance therewith, subject to the subsequent amendment of this Board.

Section 3. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: April 4, 2023.

SECOND READING: April 18, 2023.

PASSED AND APPROVED this 18th day of April, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6408, AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.88, ARTICLE 9, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO NEPOTISM; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH . Bill No. 6408 is read a second time on motion by Alderman Buerck, seconded by Alderman Rice. Thereupon on motion by Alderman Buerck, seconded by Alderman Rice, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6625 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6408

ORDINANCE NO. 6625

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.88, ARTICLE 9, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO NEPOTISM; 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 2, Chapter 2.88, Article 9, Section 2.88.915, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**"2.88.915 Nepotism.**

No two members of an immediate or extended family, as defined in this chapter, shall be considered for city employment or promotion if one member of a family would be the supervisor (direct or indirect) of another family member unless the city administrator

with the approval of the board of aldermen determines the necessity therefor because of the lack of qualified applicants for such position. For the purpose of this section, supervisor shall be defined as the actual supervisor of the relative on a routine basis; emergency or short-term supervision as determined by the city administrator does not violate this section.

No member of the immediate family of any board of aldermen member, the mayor, or the city administrator may be considered for full employment.”

Section 2. It is the intent of the Mayor and Board of Aldermen 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: April 4, 2023.

SECOND READING: April 18, 2023.

PASSED AND APPROVED this 18th day of April, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6409, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **JEFFREY P. GOTTO, d/b/a GOTTO INVESTMENTS, LLC**, RELATIVE TO **FINANCIAL REIMBURSEMENT FOR NEW CONSTRUCTION PROGRAM (805 CRESTVIEW LANE)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6409 is read a second time on motion by Alderman Schumer, seconded by Alderman Buerck. Thereupon on motion by Alderman Schumer, 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: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6626 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6409

ORDINANCE NO. 6626

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **JEFFREY P. GOTTO, d/b/a GOTTO INVESTMENTS, LLC**, RELATIVE TO **FINANCIAL REIMBURSEMENT FOR NEW CONSTRUCTION PROGRAM (805 CRESTVIEW LANE)**; 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 **Jeffrey P. Gotto, d/b/a Gotto Investments, LLC**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

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

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

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

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

FIRST READING: April 4, 2023.

SECOND READING: April 18, 2023.

PASSED AND APPROVED this 18th day of April, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6410, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **BUDDY HELLMAN, d/b/a WINWOOD ENTERPRISES, LLC**, RELATIVE TO **FINANCIAL REIMBURSEMENT FOR NEW CONSTRUCTION PROGRAM (KOLBE COURT)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6410 is read a second time on motion by Alderman Martin, seconded by Alderman Rice. Thereupon on motion by Alderman Martin, seconded by Alderman Rice, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6627 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6410

ORDINANCE NO. 6627

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **BUDDY HELLMAN, d/b/a WINWOOD ENTERPRISES, LLC**, RELATIVE TO **FINANCIAL**

**REIMBURSEMENT FOR NEW CONSTRUCTION PROGRAM (KOLBE COURT);  
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 **Buddy Hellman, d/b/a Winwood Enterprises, LLC**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

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

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

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

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

FIRST READING: April 4, 2023.

SECOND READING: April 18, 2023.

PASSED AND APPROVED this 18th day of April, 2023, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

**FIRST READINGS:**

Alderman Rice presents motion, seconded by Alderman Schumer, and on vote carried Bill No. 6411, amending Section 8.16.100 of the Code of Ordinances relative to garbage and solid waste collection fees, is read for the first time by title only. The heading is as follows:

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 8.16, SECTION 8.16.100, OF THE  
CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO  
GARBAGE AND SOLID WASTE COLLECTION FEES; AND REPEALING ALL  
ORDINANCES IN CONFLICT THEREWITH.**

Alderman Buerck presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6412, amending Section 13.08.060 of the Code of Ordinances relative to meter and security deposits, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 13, CHAPTER 13.08, SECTION 13.08.060 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO METER AND SECURITY DEPOSITS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 6413, amending Section 2.88.700 of the Code of Ordinances relative to Personnel Regulations regarding Holidays, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.88, ARTICLE 7, SECTION 2.88.700, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO PERSONNEL REGULATIONS REGARDING HOLIDAYS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Guth presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 6414, entering into an amended agreement with Baer Engineering, LLC., relative to engineering services, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **BAER ENGINEERING, LLC** RELATIVE TO **ENGINEERING SERVICES**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Rice presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 6415, entering into an agreement with Interstate Municipal Gas Agency relative to amendment to natural gas all requirements sales agreement, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **INTERSTATE MUNICIPAL GAS AGENCY** RELATIVE TO **AMENDMENT TO NATURAL GAS ALL REQUIREMENTS SALES AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Schumer presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 6416, entering into an agreement with Gunner Energy Corp, d/b/a General Acrylics relative to Pickleball/Sport Courts Project, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **GUNNER ENERGY CORP, d/b/a GENERAL ACRYLICS** RELATIVE **CONSTRUCTION OF PICKLEBALL/SPORT COURTS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 6417, entering into an agreement with Ames Construction, Inc., relative to leasing property at Perryville Regional Airport, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **AMES CONSTRUCTION, INC.** RELATIVE TO **LEASE OF PROPERTY AT PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Mayor Riney asks for Committee Reports.

Alderman Guth, as Chairman of the Public Works Committee, asks Public Works Director Layton for an update. Director Layton tells the Board that the parks trash truck had a fire due to a mouse building a nest in the motor. This has caused a delay in our Spring Trash Collection week. City Administrator Buerck tells the Board they are evaluating repairs and are looking at options for a used truck.

Alderman Guth asks staff to ensure that city trucks and equipment are carrying a fire extinguisher.

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

EDA Director Report:

- **Rail Terminal Analysis** - Consultants Short, Elliott, and Hendrickson will be in Perryville May 31st to do some site work and will meet with stakeholders during their visit.
- **Convening on Housing** - The Delta Leadership Network is hosting a housing summit on May 5<sup>th</sup> in Sikeston where we would share ideas around innovative ways to encourage more housing. I will be providing information on Perryville's housing program and will hopefully bring back some ideas to share.
- **Insight Missouri** - April 27<sup>th</sup> and 28<sup>th</sup> I will be attending this meeting in St. Louis with site selectors and economic developers. This meeting will give economic developers the opportunity to network with site selectors and learn what they're looking for in a community.

City Administrator Report:

- **Downtown Plaza Digital Sign** – We have scheduled a meeting with the EDA, Chamber, and Tourism offices to begin putting together plans for the budgeted digital sign at the Downtown Plaza. Most important will be ensuring the sign's compatibility with the other two city-operated signs.
- **Sculpture Installation** – April 28 – The current sculptures will be replaced on April 28<sup>th</sup> with new pieces. Trish has signed up several volunteers, including Alderman Tom Guth, along with a couple of city employees. This year's pieces are lighter and not expected to require heavy loading equipment.
- **Clean Water Commission Variance Approval** - Last week, Tim and I presented in Jefferson City and were unanimously awarded our request for a variance in our lift station's design. It is estimated this variance will save upwards of \$240,000 that can be used to improve the system elsewhere. It is important to mention the variance does not include a deadline so staff will soon begin easement acquisition as the sewer and trunk lines will now be this year's project as suggested by the Board of Finance. Next year's project will be the lift station although pumps may be ordered towards the end of this.
- **ISO Reassessment** - We have received notice our ISO rating will soon be downgraded. This is a periodic process that moves the Board to update our building codes to the newest versions. Staff has reached out to the ISO body for further direction and will soon begin working on adopting the newest building codes.
- **Outside Park Security Cameras** - Our cellular-based cameras have arrived and have been deployed in specific trouble areas of the parks. This will certainly lend to keeping the park nicer and safer as violators can be better identified and held accountable.

- **MML Events** - As always, the Board is invited and encouraged to participate in MML training and events, the most important of which is the elected officials training and the annual conference. Given the recent transition on the board, staff wanted to get the Board these dates. If any of you are interested in attending, please let us know so we can make proper arrangements.

- **Insight Site Selection Meeting** - I had previously signed up to attend this site selectors conference but have instead asked Crystal to attend as she has several pending leads already. It makes the most sense to put her with those people to continue existing conversations as opposed to our working to start new ones.

- **Washington, Missouri Visit** - We have heard lots of great things about what Washington has done with residential housing, particularly in the downtown area. Crystal and I have a trip scheduled which will include a tour with community leaders and a better understanding of the steps they have taken to get to this point.

- **Solar Eclipse April 8, 2024** - Our next eclipse is just one year away. Trish is working hard and is incredibly active on a national basis, advising communities of all sizes. We are working hard to make our event special so it will again stand out from others surrounding us.

- **Giant Eclipse Glasses and Pyrotechnics Show** - One of the cool ideas Trish is working on is huge glass, with protective lens, focused on the sky. This will not only commemorate the eclipses but also serve as a teaching tool for years to come. As we get closer, we will likely have a location in a prominent area outside the park center.

- **Airport Runway Prebid Conference** - We are excited to be getting this close to a new runway for the airport. The plan is to bid it later this summer with the expectation the work be done in August of 2024 – the month known to have the driest weather, hoping to minimize disruptions.

- **City Staff and Aldermen Photos** - We have several new aldermen and would like to see them get their pictures taken at LaRose Studios for the website. Additionally, if anyone would like an updated photo, they could do the same. To this point, we have always used individual photos and will continue to do so unless the board would like a group photo.

- **Missouri Nonpoint Source Management Forum Presentation** - DNR has invited us to present to this group regarding our history with sinkholes and work with the grotto sculpin. A copy of that presentation is attached. It is very similar to what we have done to other groups last year in both Utah and Vermont.

- **Total Phosphorus Limitations** - This is something we have started following very closely. This chemical is used in all types of manufacturing and is present in all communities. It works very well in industrial processes because it doesn't break down. This very quality is also what has made it a concern to regulatory agencies. I am very proud to say it was TG that first brought it to our attention and they reworked their own processes, but now other groups are beginning to focus on it as well. DNR currently has it out for public comment and it is expected cities will have to be in compliance by 2034. This is important because possible changing regulations will dictate additional investments be made in our brand new WWTP before it is even commissioned. This also speaks to the timeliness of our investment as neither TP or PFAS could be treated using a trickling filter.

- **PCMH Coalition on Substance Abuse - April 27 @ 2pm** - We are happy to attend this upcoming meeting organized by the Perry County Health Department. It somewhat mirrors our own

exploratory efforts to better understand treatment options that are most important to bring to Perryville. We have reached out and invited newly made friends in St. Louis to help add to the conversation.

- **Perry County Community Foundation Event – Apr 27 @ 12:00 noon** - The PCCF is organizing this event to help facilitate community conversations and we look forward to participating. The Board is also welcome and encouraged if they are interested and available.

- **Veryable Luncheon – May 2 @ 11:30am** - We have talked about this service several times with the Board of Aldermen and Crystal has organized a meeting for our local industries to learn more about the company that delivers “on-demand” employees.

- **Airport Fly-In - May 20** - Some of you are already aware of this but I wanted to share it with newly-elected Alderman Amschler. This event is open to the public and will bring pilots in from across the region.

- **Business View Magazine Article** - The Mayor, Crystal, and I will be doing an interview for this article next week. Local businesses will be invited to participate and we, at the end, will have a nice flyer promoting our community for Trish, Crystal, myself and others to use in promoting our community.

- **Article – America Has Too Much Parking** - Just a couple of articles I thought I would share with the Board as we work through these issues in our own community. It is really just here for informational purposes as we address these challenges.

- **Article – Zoning Changes Have Small Impact on Housing Supply**

- **City Manager Meeting** – The City Manager’s meeting is scheduled over our next Board of Aldermen meeting. I may not be at our next meeting.

- **Skate Park Grant** – We were not awarded the skate park grant. The group will reconvene to determine their next steps.

City Engineer Report:

- **Generators** – The new generators were set yesterday and the manufacturer will be in town tomorrow to start them up.

- **Trail** – Lappes will start on the trail after Mayfest per MoDot’s request.

- **Sunset Drive** – We will open bids on this street project next week.

Alderman Guth asks if City Engineer has viewed Brian L’Hote’s property at 500 Ste. Augustine regarding rocks in his yard left from the construction project. Engineer Baer tells the Board that he has reviewed the area and that the contractor, Lappe Cement, is working on a plan to clean up any debris left behind from the construction project.

Alderman Rice asks if Gerald Ponder’s property at 602 Smith Street is still holding water. Engineer Baer tells the Board that the area and some of the areas upstream are retaining water and crews are working up a plan to remedy the problem.

Chief of Police Report:

- **Hybrid Position of Police Officer/Code Enforcement** – We have two possible candidates for the Police Department at this time.

- **New Camera System** – The body cameras are nearly all installed. The old ones are no longer supported.

Parks & Recreation Director Report:

- **After-Hours Weight Room** – This project should be completed within the next month. We are working on entry fobs to access the weight room and bathroom. These fobs will cost \$25 each.

- **Keith Riney Retirement** – Keith Riney has submitted his retirement paperwork for July 14<sup>th</sup>. Be it noted that Keith was involved with the original construction of the Perry Park Center.

Alderman Guth suggests that signs be placed at each entrance of the park trails informing people that motorized transportation is not allowed on the trail.

Alderman Martin questions how much the City spends on random drug testing. City Administrator Buerck informs the Board that drug testing is only done upon the requirement of the Federal Pipeline and MoDot. Testing is also performed on pre-employment and upon reasonable suspicion. He notes that if an employee is in an accident, a drug test is only performed if it appears that the employee was negligent.

Now, at this time, upon motion by Alderman Martin, 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. Roll call showed the aye and nay votes as follows: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

Following discussion and review, it is upon motion by Alderman Rice, 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: Seth Amschler, aye; Curt Buerck, aye; Tom Guth, aye; Douglas K. Martin, aye; Clinton Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

Alderman Martin makes a motion to accept the SMS Field Subdivision as approved by the Planning & Zoning Commission. Alderman Schumer seconds the motion. Roll call shows the aye and nay vote as follows: Seth Amschler, nay; Curt Buerck, nay; Tom Guth, nay; Douglas K. Martin, nay; Clint Rice, nay; David J. Schumer, nay. Totals: aye, none; nay, six. Motion fails.

There being no further business, it is upon motion by Alderman Schumer, second by Alderman Rice, and on vote carried, ordered that the Board now adjourn until Tuesday, May 2, 2023, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK