

**June 2, 2020**

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

The Board of Aldermen of the City of Perryville, Perry County, Missouri, met virtually due to the COVID-19 coronavirus on the above date in regular session pursuant to adjournment. Present: 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. Absent: Ken Baer, Mayor.

The public is invited to attend the virtual meeting through the virtual meeting site provided on the agenda. The public may view the Board of Aldermen electronic meeting live by visiting the Republic-Monitor's Facebook page.

Alderman Riney opens the meeting with the Pledge of Allegiance and leads the invocation.

Alderman Riney now opens the meeting for citizens' participation from the floor. Members of the public have been informed that they can submit comments or questions up to one hour before the meeting to BOAcomments@cityofperryville.com. Staff will read anything submitted so members of the Board or staff can provide responses as necessary. No comments or questions were submitted.

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

**CONSENT AGENDA ITEMS**

3. Approve minutes from meeting of May 19, 2020.

4. Approve bills for May, 2020.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of May, 2020, vendor checks numbered 115488 - 115570; and 7 ACH transfers; payroll checks numbered: 658547 - 658548.

The following bills are presented to be paid for the month of May, 2020. Board finds that \$487,333.52 is chargeable to and payable out of the General Revenue Account; \$33,537.67 is out of Airport; \$42,509.29 is out of Transportation Trust; \$216,879.02 is out of Perry Park Center; \$61.35 is out of TIF #2; \$27,559.64 is out of Street Improvement; \$53,775.18 is out of Refuse; \$250,399.64 is out of CWSS; \$140,883.02 is out of Gas Operation; and \$12,642.00 is out of WWTP Project. The Board, upon investigation, found the sum to be \$1,265,580.33.

5. Approve Pay Estimate 7 from Lappe Cement Finishing, Inc., relative to Sycamore Road Improvement Project - \$202,691.78.

6. Confirm approval of Change Order 1 to Worldwide Industries Corporation relative to Painting 550,000 Gallon Potable Water Standpipe Project – \$9,975.00.

7. Set Public Hearing date regarding a special use permit request from MidAmerica Hotels Corporation relative to installation of high-rise sign for new Burger King at 1205 Vincent Street – June 16, 2020, at 6:30 p.m.

8. Approve COVID-19 Protocol for City Hall, Parks & Recreation, and Public Works.

9. Approve waiver forms for Little League program.

10. Approve waiver forms regarding tournaments.

11. Approve destruction of records in accordance with the State of Missouri Municipal Records Retention guidelines.

**END OF CONSENT AGENDA**

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

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

**SECOND READINGS AND FINAL PASSAGE:**

Now, at this time, the Board proceeds to approve Bill No. 6054, AN ORDINANCE AMENDING TITLE 13 BY ADDING CHAPTER 13.30 TO THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO WIRELESS COMMUNICATIONS FACILITIES ON CITY PROPERTY; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH. Bill No. 6054 is read a second time on motion by Alderman Buerck, seconded by Alderman Guth. Thereupon on motion by Alderman Buerck, 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 bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6272 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6054

ORDINANCE NO. 6272

AN ORDINANCE AMENDING TITLE 13 BY ADDING CHAPTER 13.30 TO THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO WIRELESS COMMUNICATIONS FACILITIES ON CITY PROPERTY; 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 13 of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by adding Chapter 13.30 to read as follows:

“Chapter 13.30

WIRELESS COMMUNICATIONS FACILITIES ON CITY PROPERTY

13.30.010 Applicability.

This chapter is intended to encourage and streamline the deployment of broadcast and broadband facilities and to help ensure that robust wireless radio-based communication services are available within the City of Perryville and to ensure that Sections 67.5090 to 67.5103 of the Revised Statutes of Missouri are properly implemented within the City of Perryville.

13.30.020 Definitions.

For the purposes of this chapter, the terms, phrases, words, and abbreviations set forth in Section 67.5092 of the Revised Statutes of Missouri are hereby adopted and incorporated herein.

13.30.030 Prohibited acts.

No officer, employee, or board of the city shall take any action or implement any rules or

regulations that contradict Sections 67.5094 and 67.5102 of the Revised Statutes of Missouri.

13.30.040 Permitted acts.

The city may take any action specifically allowed in Section 67.5096 of the Revised Statutes of Missouri and any action that is not specifically prohibited in Section 67.5094 of the Revised Statutes of Missouri so long as said action otherwise complies with the statutes of the State of Missouri, the zoning ordinances of the city, the building code of the city, or other ordinances relevant to the city's action.

13.30.050 Zoning and camouflage requirements of communications facilities.

Communications facilities shall be governed by Chapter 17.54 and specifically the camouflage requirement of Section 17.54.065 of the code of ordinances.

13.30.060 Collocation on water towers and other city building structures.

The placement or installation of a new wireless facility on a structure such as water towers or buildings belonging to the city shall be done strictly at the discretion of the city. Nothing in this chapter shall limit the right of the city to prohibit, limit, or regulate collocation or attachment to structures such as water towers or buildings so long as the city acts on a nondiscriminatory basis. The city may require reports from the engineer, maintenance contractor, or other party as the city deems necessary before entering into a collocation or attachment agreement regarding attachment to structures such as water towers or buildings belonging to the city.

13.30.070 Review for conformity with applicable building permit requirements.

(a) Subject to the provisions of Sections 67.5090 to 67.5103 of the Revised Statutes of Missouri, collocation applications and applications for replacement of wireless facilities shall be reviewed for conformance with applicable building permit requirements, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability, and engineering, but shall not otherwise be subject to zoning or land use requirements, including design or placement requirements or public hearing review.

(b) The city, within forty-five calendar days of receiving a collocation application or application for replacement of wireless facilities, shall:

- (1) Review the collocation application or application to replace wireless facilities in light of its conformity with applicable building permit requirements and consistency with Sections 67.5090 to 67.5103 of the Revised Statutes of Missouri. A collocation application or application to replace wireless facilities is deemed to be complete unless the city notifies the applicant in writing, within fifteen calendar days of submission of the application, of the specific deficiencies in the application which, if cured, would make the application complete. Each collocation application or application to replace wireless facilities shall include a copy of a lease, letter of authorization, or other agreement from the property owner evidencing applicant's right to pursue the application. Upon receipt of a timely written notice that a collocation application or application to replace wireless facilities is deficient, an applicant may take fifteen calendar days from receiving such notice to cure the specific deficiencies. If the applicant cures the deficiencies within fifteen calendar days, the application shall be reviewed and processed within forty-five calendar days from the initial date the application was received. If the applicant requires a period of time beyond fifteen calendar days to cure the specific deficiencies, the forty-five calendar days' deadline for review shall be extended by the same period of time;
- (2) Make its final decision to approve or disapprove the collocation application or application for replacement of wireless facilities; and

(3) Advise the applicant in writing of its final decision.

(c) If the city fails to act on a collocation application or application to replace wireless facilities within the forty-five calendar days' review period specified in subsection (b) of this section, the application shall be deemed approved.

(d) The provisions of Sections 67.5090 to 67.5103 of the Revised Statutes of Missouri shall not:

(1) Authorize the city, except when acting solely in its capacity as a utility, to mandate, require, or regulate the placement, modification, or collocation of any new wireless facility on new, existing, or replacement poles owned or operated by a utility;

(2) Expand the power of the city to regulate any utility; or

(3) Restrict any utility's rights or authority, or negate any utility's agreement, regarding requested access to or the rates and terms applicable to placement of any wireless facility on new, existing, or replacement poles, structures, or existing structures owned or operated by a utility.

(e) A party aggrieved by the final action of the city, either by its affirmatively denying an application under the provisions of this section or by its inaction, may bring an action for review in the Circuit Court of Perry County.

#### 13.30.080 Nondiscriminatory action.

All actions of the city in applying this chapter shall be done on a nondiscriminatory basis only if there is insufficient capacity or for reasons of safety and reliability and if the attaching entity does not resolve the issue. If the city does not find any capacity, safety, or reliability issues, then the city shall issue the attaching entity a permit subject to any pole attachment agreement required by the city."

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

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

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

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

FIRST READING: May 19, 2020.

SECOND READING: June 2, 2020.

PASSED AND APPROVED this 2<sup>nd</sup> day of June, 2020, 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. 6055, AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.54, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO CAMOUFLAGE OF COMMUNICATIONS TOWERS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH. Bill No. 6055 is read a second time on motion by Alderman Buerck, seconded by Alderman Guth. Thereupon on motion by Alderman Buerck, 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 bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6273 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6055

ORDINANCE NO. 6273

AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.54, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO CAMOUFLAGE OF COMMUNICATIONS TOWERS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

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

Section 1. That Title 17, Chapter 17.54, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by adding Section 17.54.065 to read as follows:

“17.54.065 Camouflage of communications towers.

The city may require any applicant desiring to construct a communications tower within the city to provide appropriate camouflage of the communications tower consistent with and complementary to the area within which the communications tower is constructed. The city shall not make camouflage requirement based on arbitrary or capricious reasons. The act of camouflaging a communications tower shall not increase the communications tower construction cost to an unreasonable degree. Any applicant aggrieved by the camouflage requirement of the city shall file an appeal with the board of adjustment. After a hearing, the board of adjustment may make such modification of the camouflage requirement as it deems appropriate to the location of the communications tower.”

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

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

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

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

FIRST READING: May 19, 2020.

SECOND READING: June 2, 2020.

PASSED AND APPROVED this 2<sup>nd</sup> day of June, 2020, 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. 6056, AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.20, SECTION 10.20.090, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO RESERVED PARKING; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH. Bill No. 6056 is read a second time on motion by Alderman Buerck, seconded by Alderman Guth. Thereupon on motion by Alderman Buerck, 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 bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6274 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6056

ORDINANCE NO. 6274

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.20, SECTION 10.20.090, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO RESERVED PARKING; 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 10, Chapter 10.20, Section 10.20.090, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

**“10.20.090 Reserved parking.**

- A. Three parking spaces are established and designated as reserved for sheriff department vehicles on the south side of West Ste. Marie Street between Jackson Street and Main Street; such spaces shall be clearly marked by a sign or symbol as being reserved for sheriff department vehicles' use only.
- B. Two parking spaces are established and designated as reserved for judges vehicles on the west side of Main Street between St. Joseph Street and Ste. Marie Street; such spaces shall be clearly marked by a sign or symbol as being reserved for judges vehicles' use only.
- C. Whenever a parking space in a parking area or facility that is available for public use is clearly marked by a sign or symbol as being reserved for sheriff department parking or judges parking, it is unlawful for any other persons to park or stand any motor vehicle in such spaces.”

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

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a

separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

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

FIRST READING: May 19, 2020.

SECOND READING: June 2, 2020.

PASSED AND APPROVED this 2<sup>nd</sup> day of June, 2020, 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 AND SECOND READING AND FINAL PASSAGE:**

Now, at this time, Bill No. 6057, AN ORDINANCE ACCEPTING THE PLAT OF COALSON 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 Buerck, seconded by Alderman Hudson. On motion by Alderman Buerck, seconded by Alderman Hudson, and on vote carried, Bill No. 6057 is read for the second time. Thereupon on motion by Alderman Buerck, seconded by Alderman Hudson, 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 bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6275 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6057

ORDINANCE NO. 6275

AN ORDINANCE ACCEPTING THE PLAT OF COALSON 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, Donald Coalson, Jr., has platted Coalson Minor Subdivision as located within the corporate limits of the City of Perryville, Missouri; and,

WHEREAS, the developer has installed required improvements; and,

WHEREAS, the developer has 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 Coalson 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: June 2, 2020.

SECOND READING: June 2, 2020.

PASSED AND APPROVED this 2<sup>nd</sup> day of June, 2020, 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, Bill No. 6058, AN ORDINANCE ACCEPTING THE PLAT OF LOT A BEING A REPLAT OF LOTS 1 AND 2 OF FINAL PLAT OF PERRYVILLE BUSINESS PARK; 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 Buerck, seconded by Alderman Hudson. On motion by Alderman Buerck, seconded by Alderman Hudson, and on vote carried, Bill No. 6058 is read for the second time. Thereupon on motion by Alderman Buerck, seconded by Alderman Hudson, 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 bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6276 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6058

ORDINANCE NO. 6276

AN ORDINANCE ACCEPTING THE PLAT OF LOT A BEING A REPLAT OF LOTS 1 AND 2 OF FINAL PLAT OF PERRYVILLE BUSINESS PARK; 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, Midamerica Hotels Corporation has platted Lot A Being a Replat of Lots 1 and 2 of Final Plat of Perryville Business Park as located within the corporate limits of the City of Perryville, Missouri; and,



WHEREAS, the developer has installed required improvements; and,

WHEREAS, the developer has 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 Lot A Being a Replat of Lots 1 and 2 of Final Plat of Perryville Business Park, 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: June 2, 2020.

SECOND READING: June 2, 2020.

PASSED AND APPROVED this 2<sup>nd</sup> day of June, 2020, 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 READINGS:**

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 6059, amending Title 17, Chapter 17.56 of the Code of Ordinances relative to Succession of Special Use Permits, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.56, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO SUCCESSION OF SPECIAL USE PERMITS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Mayor Baer asks for Committee Reports, Board concerns, comments, or any other non-action time.

Alderman Guth, as Chairman of the Economic Development Committee, updates the Board on the Catalyst Center activities; cancellation of several Downtown Revitalization Committee events; outside

dining; unemployment numbers have increased, but are expected to return to normal in the next few months.

Alderman Guth informs the Board that he has used the new batting cage with the golf net and it works well.

Alderman Riney asks staff about the installation of a new fire hydrant in Harvest Acres on Crestview Lane, noting that there is already a fire hydrant on the west side of the street. He asks if the older hydrant will be removed. Alderman Guth notes that there is a fire hydrant on Mecker Road with a tag that reads "out of service." He suggests the hydrant should be removed if it is not used. Public Works Director Layton will check the status and report to the Board.

Alderman Hudson notes that the final concrete pour for Sycamore Road has been accomplished. He urges the City Engineer to ensure that the contractor complete the sidewalks as soon as possible.

Alderman Hudson asks staff if liquor licenses for business allowed to have outside dining includes those areas. City Attorney Ludwig says that he believes it is based on the COVID-19 recovery allowed by the Governor. City Clerk Prost adds that she thinks Mary Jane and City Tavern's liquor licenses already include outside sales. She will double-check and let the Board know. Alderman Hudson asks if the KC could do that as well. Clerk Prost says that an outside area could be added to the KC's liquor license if they request it.

#### City Administrator Report:

- **Grotto Sculpin** - As previously mentioned, the Fish and Wildlife Service's 5-year re-assessment of the endangered species Grotto Sculpin is expected to occur this year. Part of that process is to document the activities of the local community. The link above was provided to our state and federal partners and helps document City efforts and related activity over the past several years.

- **Update on Mayfest Carnival** - Chamber Executive Director Jackie Wengert notified City staff via email that this year's Mayfest (actually scheduled for the weekend of July 10) would not include the traditional carnival. After looking at many possibilities (including the Bank of Missouri Soccer Park and Catalyst Center), they were unable to identify a suitable location to replace the American Legion Hall which was already booked with a wedding.

- **Employee Self Service Software** - With this new software, we will no longer be sending out pay stubs or W-2 forms to our employees. They will be able to access all of their information on the internet. Once we get our city's website app, they can access on their telephones.

#### City Engineer Report:

- **Perryville Shared Use Path Project (concrete trail from Miget Park to Soccer Complex)**

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Approximately 75% of the concrete is poured for the 10' wide shared use path. The reinforced concrete box culvert is complete including backfilling the culvert walls. The storm water piping is complete. They continue to work on backfilling and constructing additional shared use path between the box culvert and Grand Avenue and on the north side of West St. Joseph Street near the traffic signal.

- **Sycamore Road Project** - The east lane of the last phase of the project is complete. The schedule is to pour the west lane of the last phase on Monday, June 1st, which will complete the concrete street. We anticipate the street will be open to traffic on Saturday, June 6, 2020.

- **Crestview Water Main Project** - This project is the installation of a new 8" water main to replace the old 4" cast iron water main on Crestview Lane from W. Harvest Circle to Forest Avenue, approximately 1400 linear feet. We anticipate Robinson Construction will complete the pipe installation

by Monday, June 1st. The pipe will then be filled with water, disinfected, and tested. After the water main is put into service, the City water department will connect the individual water service line connections to the new water main on West Harvest Circle and Crestview Lane.

- **Trenchless Sewer Main Rehabilitation Project** - Insituform Technologies USA, LLC has started working on the Trenchless Sewer Main Rehabilitation Project. The first step in the process is to clean the sewer pipes and videotape them to determine pipe lengths and service connection locations. We anticipate the cleaning and videotape work will be completed by June 4th. The cured-in-place pipe liners will then be fabricated and installation will begin soon after fabrication and delivery.

Alderman Riney asks City Engineer Baer to contact Mr. Norbert Meyer regarding damage to a sidewalk on Sycamore Road at Dogwood Court.

There being no further business, it is upon motion by Alderman Buerck, seconded by Alderman Schumer, and on vote carried, ordered that the Board now adjourn until Tuesday, June 16, 2020, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK