

June 4, 2019

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

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

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

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

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

At this time, Public Works Director Brown introduces new city employee Rachel Qualls, Maintenance for Street Department.

CONSENT AGENDA ITEMS

4. Approve minutes from meeting of May 21, 2019.
5. Approve bills for May 2019.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of May, 2019, vendor checks numbered 111860 - 112175; and 8 ACH transfers; payroll checks numbered: 658276 - 658282.

The following bills are presented to be paid for the month of May, 2019. Board finds that \$352,786.01 is chargeable to and payable out of the General Revenue Account; \$57,053.56 is out of Airport; \$29,577.73 is out of Transportation Trust; \$184,026.83 is out of Perry Park Center; \$116.10 is out of Veterans Memorial Field; \$29,166.67 is out of Capital Improvement Sales Tax; \$307.88 is out of TIF #3; \$24,841.88 is out of Street Improvement; \$51,114.95 is out of Refuse; \$682,356.58 is out of CWSS; and \$438,356.36 is out of Gas Operation. The Board, upon investigation, found the sum to be \$1,849,704.55.

6. Approve principal and interest payment to Security Bank of Kansas City re Certificate of Participation Series 2012A - \$441,723.92.
7. Approve Pay Application 4 to Brockmiller Construction, Inc., relative to Perry Park Center Concession Stand Project - \$11,177.70.
8. Approve Pay Application 6 (Final) to Control Technology & Solutions, LLC relative to Perry Park Center Energy Efficiency Project Phase 2 - \$53,402.80.
9. Approve proposals received for the GPS Telematics System and award to LB Technology, Inc. per the recommendation of Public Works Director Brown - \$27,569/year.
10. Approve recommendation from Public Works Director Brown to accept proposal from Horner & Shifrin, Inc. regarding repairs and painting the Industrial Park standpipe.
11. Approve Request for Proposals for the expansion of the CNG Fueling Station and authorize city staff to advertise for proposals.

12. Approve specifications for a backhoe loader and authorize city staff to advertise for bids.
13. Approve the following 2019-20 vehicle purchases per the recommendation of Public Works Director Brown and Lead Mechanic Finger :

2017 Dodge Ram 250	Morlan Chrysler	\$32,199 (below state bid)	
2019 F-250	Bening Ford	\$27,511.80 (below state bid before options)	\$14,934 (CNG conv.)
2019 F-350	Broadway Ford	\$35,465 (state bid price)	\$36,756 (CNG conv+utility body)
2019 F-450	Broadway Ford	\$37,627 (state bid price)	\$33,604 (CNG conv+dump body)
2020 Ford Explorer	Bening Ford	\$28,709.20 (below state bid)	

END OF CONSENT AGENDA

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

City Administrator Buerck asks the Board to remove Item 9 from the agenda for further review.

Alderman Riney makes a motion to approve the Consent Agenda as presented less Item 9. Alderman Buerck 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. 5935, AN ORDINANCE AMENDING TITLE 17 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO MEDICAL MARIJUANA; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH. Bill No. 5935 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, absent; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6155 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5935

ORDINANCE NO. 6155

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

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

Section 1. That Title 17, Chapter 17.04, Section 17.04.020, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by adding definitions relative to medical marijuana to read as follows:

“17.04.020 Definitions.

'Marijuana' means Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. Marijuana does not include industrial hemp containing a crop wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis or commodities or products manufactured from industrial hemp.

'Marijuana-infused products' means products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures, and concentrates.

'Medical marijuana cultivation facility' means a facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a medical marijuana dispensary facility, medical marijuana testing facility, or to a medical marijuana-infused products manufacturing facility.

'Medical marijuana dispensary facility' means a facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this chapter to a qualifying patient, a primary caregiver, another medical marijuana dispensary facility, a medical marijuana testing facility, or a medical marijuana-infused products manufacturing facility.

'Medical marijuana-infused products manufacturing facility' means a facility licensed by the State of Missouri to acquire, store, manufacture, transport, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.

'Medical marijuana testing facility' means a facility certified by the State of Missouri to acquire, test, certify, and transport marijuana.

'Primary caregiver' means an individual twenty-one years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under Article XIV, Section 1, Right to access medical marijuana, of the Missouri Constitution or in other written notification from the State of Missouri.

'Qualifying patient' means a Missouri resident who has been issued a qualifying patient identification card by the State of Missouri Department of Health and Senior Services."

Section 2. That Title 17, Chapter 17.04, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by adding Section 17.04.050, to read as follows:

"17.04.050 Medical marijuana.

A. Medical Marijuana Cultivation Facility:

1. Indoor facilities utilizing artificial lighting are limited to 30,000 square feet of flowering plant canopy space.
2. Outdoor facility utilizing natural lighting shall be limited to 2,800 flowering plants.

3. Greenhouse facilities using a combination of natural and artificial light may be limited to 2,800 flowering plants or 30,000 square feet of flowering plant canopy.

B. Medical Marijuana Dispensary Facility:

1. A medical marijuana dispensary facility cannot be originally located within 100 feet from a daycare, church, or K-12 public or private school, measured door to door.
2. A medical marijuana dispensary facility shall not be located within any commercial building or structure that contains a residential unit on the same floor level.
3. No medical marijuana dispensary facility shall be permitted to operate from a movable, mobile, or transitory location or from a residential structure.
4. No medical marijuana dispensary facility shall be operated as a home occupation.
5. No marijuana shall be displayed so as to be visible through glass, windows, or doors by a person of normal visual acuity standing at the outside perimeter of the medical marijuana dispensary facility.
6. The sale or consumption of an alcoholic beverage within a medical marijuana dispensary facility is prohibited.
7. The hours of operation for a medical marijuana dispensary facility shall be no more than from 7:00 a.m. to 9:00 p.m. on any day of the week.
8. On-site consumption or inhalation of marijuana on or within the premises is prohibited.
9. Adequate security on the premises of a medical marijuana dispensary facility may be required.
10. Required warnings to be posted:
 - a. A warning that the diversion of marijuana for non-medical purposes is a violation of state law;
 - b. A warning that the use of medical marijuana may impair a person's ability to drive a motor vehicle or operate machinery and that it is illegal under state law to drive a motor vehicle or operate machinery when under the influence of or impaired by marijuana;
 - c. A warning that possession and distribution of marijuana is a violation of federal law.

- C. Qualifying Patient Cultivation: A qualifying patient may obtain an identification card from the State of Missouri to cultivate up to six flowering marijuana plants for the exclusive use of that qualifying patient. All qualifying patient cultivation shall take place in an enclosed, locked facility that is equipped with security devices that permit access only by the qualifying patient or such qualifying patient's primary caregiver.

- D. Signage: All signage for a medical marijuana dispensary facility shall comply with the requirements for signage in other portions of this Code.
- E. Prohibitions on Use: The following uses shall be prohibited and a violation of the zoning code and will result in the business activity being terminated and/or prosecution and punishment under Section 1.16.010 of this Code. Prohibited activities shall be:
 - 1. All medical marijuana cultivation facilities and medical marijuana-infused products manufacturing facilities shall be designed and maintained to contain all odors that are generated from the marijuana cultivation or manufacturing activities. Any odor perceptible to two or more individuals 50 feet from the boundary line of the property shall be a violation of this section.
 - 2. There shall be no public use of medical marijuana on any street, park, school, or other public facility.
 - 3. Any other prohibited uses set forth in this section.”

Section 3. That Title 17, Chapter 17.16, Section 17.16.020, Subsection O, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“17.16.020 Use regulations.

- O. Commercial uses allowed in C-2 general commercial districts, with a special use permit only, but not including shipping container storage units or medical marijuana dispensary facilities;”

Section 4. That Title 17, Chapter 17.24, Section 17.24.020, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by inserting a new Subsection F to read as follows:

“17.24.020 Use regulations.

- F. Medical marijuana dispensary facility.”

Section 5. That Title 17, Chapter 17.40, Section 17.40.020, Subsection F, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“17.40.020 Use regulations.

- F. Research, design and development firms, experimental or testing laboratory; including medical marijuana testing facilities.”

Section 6. That Title 17, Chapter 17.44, Section 17.44.020, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by inserting a new Subsection L to read as follows:

“17.44.020 Use regulations.

- L. Medical marijuana cultivation facility and medical marijuana-infused products manufacturing facility.”

Section 7. 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 8. 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 9. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 10. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: May 21, 2019.

SECOND READING: June 4, 2019.

PASSED AND APPROVED this 4th day of June, 2019, by a vote of 5 ayes, 0 nays, 0 abstentions and 1 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 5936, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **COUNTY OF PERRY, PERRY COUNTY ECONOMIC DEVELOPMENT AUTHORITY, EAST PERRY COUNTY CULTURAL ALLIANCE (EPCCA), AND GREATER PERRYVILLE AREA CHAMBER OF COMMERCE** RELATIVE TO **FIRST AMENDMENT TO THE PERRY COUNTY CULTURAL HERITAGE TOURISM COOPERATIVE AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 5936 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, absent; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6156 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5936

ORDINANCE NO. 6156

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **COUNTY OF PERRY, PERRY COUNTY ECONOMIC DEVELOPMENT AUTHORITY, EAST PERRY COUNTY CULTURAL ALLIANCE (EPCCA), AND GREATER PERRYVILLE AREA CHAMBER OF COMMERCE** RELATIVE TO **FIRST AMENDMENT TO THE PERRY COUNTY CULTURAL HERITAGE TOURISM COOPERATIVE AGREEMENT**; 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 **COUNTY OF PERRY, PERRY COUNTY ECONOMIC DEVELOPMENT AUTHORITY, EAST PERRY COUNTY CULTURAL ALLIANCE (EPCCA), AND GREATER PERRYVILLE AREA CHAMBER OF COMMERCE**. 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: May 21, 2019.

SECOND READING: June 4, 2019.

PASSED AND APPROVED this 4th day of June, 2019, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

ATTEST:
Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 5937, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **PERRYVILLE DEVELOPMENT CORPORATION** RELATIVE TO **SALE AND FUND DISBURSEMENT AGREEMENT TO ADDENDUM TO COOPERATIVE AGREEMENT (HOUSING)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 5937 is read a second time on motion by Alderman Martin, seconded by Alderman Schumer. Thereupon on motion by Alderman Martin, 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, absent; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6157 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5937

ORDINANCE NO. 6157

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **PERRYVILLE DEVELOPMENT CORPORATION** RELATIVE TO **SALE AND FUND DISBURSEMENT AGREEMENT TO ADDENDUM TO COOPERATIVE AGREEMENT (HOUSING)**; 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 **Perryville Development Corporation**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said 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: May 21, 2019.

SECOND READING: June 4, 2019.

PASSED AND APPROVED this 4th day of June, 2019, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

ATTEST:
Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 5938, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ALLGEIER, MARTIN AND ASSOCIATES, INC.** RELATIVE TO **DESIGN-BUILD CONSULTANT SERVICES FOR THE WASTEWATER TREATMENT PLANT PROJECT** ; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 5938 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, absent; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6158 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5938

ORDINANCE NO. 6158

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ALLGEIER, MARTIN AND ASSOCIATES, INC.** RELATIVE TO **DESIGN-BUILD CONSULTANT SERVICES FOR THE WASTEWATER TREATMENT PLANT PROJECT** ; 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 **Allgeier, Martin and Associates, 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: May 21, 2019.

SECOND READING: June 4, 2019.

PASSED AND APPROVED this 4th day of June, 2019, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

ATTEST:
Tracy Prost, City Clerk

FIRST READINGS:

Alderman Riney makes a motion to remove from the agenda Bill No. 5939, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **LB TECHNOLOGY, INC.** RELATIVE TO **VEHICLE GPS TELEMATICS FLEET TRACKING SYSTEM**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Alderman Schumer seconds the motion, and upon vote the motion carries.

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 5940, [granting a right-of-way easement to Citizens Electric Corporation](#), 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 **RIGHT-OF-WAY EASEMENT DEED** BY AND BETWEEN THE CITY OF PERRYVILLE AND **CITIZENS ELECTRIC CORPORATION** FOR **INSTALLATION OF ELECTRICAL LINES AT THE PERRY COUNTY LANDFILL**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5941, [entering into an agreement with Horner & Shifrin, Inc. relative to repairs and painting Industrial Park standpipe](#), 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 **HORNER & SHIFRIN, INC.** RELATIVE TO **DESIGN SERVICES FOR INDUSTRIAL PARK STANDPIPE REPAIRS AND PAINTING**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 5942, [amending Title 8, Chapter 8.05, Section 8.05.010 of the Code of Ordinances relative to Open Burning Permit](#), is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 8, CHAPTER 8.05, SECTION 8.05.010, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO OPEN BURNING PERMIT; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 5943, [amending Title 8, Chapter 8.06, Section 8.06.010 of the Code of Ordinances relative to Fireworks](#), is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 8, CHAPTER 8.06, SECTION 8.06.010, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO FIREWORKS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 5944, [accepting easement deeds from TG Missouri relative to TG Trail](#), is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY KNOWN AS **TG TRAIL**, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEEDS.

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5945, [accepting easement deed from Mark and Deborah Steinbecker and David and Doris Steinbecker relative to the NE Outfall Sewer Replacement Project](#), is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEED.

Alderman Buerck, as Chairman of the Public Safety Committee, asks when the streets will be patched in Ward 2. Public Works Director Brown informs the Board that the asphalt has been purchased to fill these holes; however, crews are waiting for the weather to cooperate.

Alderman Guth, as Chairman of the Economic Development Committee, asks Economic Development Director Scott Sattler to update the Board on any economic development activity. ED Director Sattler informs the Board that he will have guests in town for the next several days.

City Administrator Buerck reports:

- **573 Film Festival Schedule** - This weekend's 573 film festival will provide a unique cultural experience for city residents. Venues include downtown and the park center. Of particular interest is the youth program for developing movies. Please share the word.

- **MEDC Conference** - I will be at the Missouri Economic Development Council most of next week presenting on Perryville and our economic development success. Also, we will present at the MML conference to statewide elected officials. Both are great opportunities to promote Perryville, our culture and many of our assets.

- **Laid Back on I-55** - The bridge closure necessitated this event being rescheduled for August 23 & 24. Staff have been advised, including the PD. Is the Board agreeable to this change.

- **MML Event** - MML is scheduled to occur September 8-11 at St. Charles. As mentioned above, we will be doing a session on Perryville. We would like to make reservations immediately if we are going to stay on site. Please let us know your intentions.

- **MoDot Sidewalk Project** – MoDot will begin re-construction of the sidewalks along Highway 61 from Sutterer Place to Highway 51 beginning June 10 through September.

City Engineer Baer reports:

- **Sewer Trunk Line Project** – The preconstruction meeting on this project was held last week. Construction is expected to begin on June 17th.

- **Water Line Replacement Projects** – Moulton and Ste. Marie Street projects are complete. La Petite project should begin tomorrow.

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

Alderman Guth thanks Parks & Recreation Department for the updates to the men's showers at the Perry Park Center. He also congratulates Mayor Baer and City Engineer Baer on the presentation of the St. Vincent DePaul Award to Tim's son, Joseph.

Alderman Martin comments on the popularity of the new splash pad. Alderman Schumer notes that it was a good idea to include a parking lot for the splash pad.

Mayor Baer asks Parks & Recreation Director Cadwell for an update. Director Cadwell thanks the Board for their support of the PPC 20th Anniversary celebrations. He informs the Board that baseball and softball begins in the park this evening and should run to the end of July. He comments that five new teams have been formed this year, possibly due to discontinuing our membership in the Little League program.

Alderman Buerck asks Parks & Recreation Director Cadwell if local businesses are sponsoring the teams. He notes that in the past, local businesses would provide the t-shirts for teams. Director Cadwell will look into the possibility for next year.

Now, at this time, upon motion by Alderman Schumer, seconded by Alderman Guth, it is ordered that the Board now convene into closed session to discuss real estate matters in accordance with Section 610.021(2) RSMo; personnel matters in accordance with Section 610.021(3) RSMo; contractual matters in accordance with Section 610.021(9) RSMo; and litigation matters in accordance with Section 610.021(12) RSMo. Roll call showed the aye and nay votes as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, absent; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one.

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

Alderman Guth asks for an update on private sewers. City Administrator Buerck informs the Board that staff cannot find legal papers that the sewer on Grand Avenue is owned by the city; however, it was found on a city map in 1992 and appears that we accepted the sewer at some point in time. He informs the Board that City Engineer Baer will be preparing a memorandum on this matter for the Board. City Administrator Buerck notes that there is no record of the sewer line in Ward 1 ever being maintained or owned by the city.

There being no further business, it is upon motion by Alderman Martin, seconded by Alderman Buerck, and on vote carried, ordered that the Board now adjourn until Tuesday, June 18, 2019, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK