

**June 16, 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 at City Hall in said City on the above date in regular session pursuant to adjournment. Present: Ken Baer, Mayor; Curt Buerck, Tom Guth, Prince Hudson, Douglas K. Martin, Larry Riney, and David J. Schumer, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Thomas Ludwig, City Attorney.

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

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

Rev. Tom Handrick, of 103 Meadowbrook Drive, Perryville, comes forth. Rev. Handrick notes his recent loss in his run for Mayor and he congratulates Mayor Baer on his victory in the recent election. He tells the Board that he will support them and pray for them.

Mr. Mark Hunsacker, of 2225 Highway B, Perryville, informs the Board that he owns Hunsacker Towing and that he believes his company is being treated unfairly by the Police Department because he feels the competing towing company is called more frequently for towing vehicles. He relates a recent incident wherein he was told to unload a vehicle by a Police Officer when the other towing company arrived.

The Board of Aldermen asks for an explanation from the Police Department. Assistant Chief Jones informs the Board that the Police Department was called today to keep the peace between the two owners of the towing companies. It appears that both companies were called by different individuals to remove an abandoned vehicle. He states that he will contact the on-duty officer in the morning to get the facts from the incident. He also informs the Board that the Police Department does not call the towing company, but they do give the contact information of the towing companies to the individuals with both names of the companies listed side-by-side.

The Board asks for a report on the incident at a later time and assure Mr. Hunsacker that they will look into the matter.

Ms. Caitlin Pistorio, Vice President of the Chamber of Commerce, now approaches the Board to inform them about the precautions planned for the upcoming Mayfest Celebration, which has been postponed until July this year due to the Corona-19 pandemic. She assures the Board that the Chamber chooses to abide by the Governor's plans for safety.

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

Mayor Baer requests approval from the Board of Aldermen to re-appoint Jeremy Triller as Fire Chief for the City of Perryville per the recommendation of the members of the Fire Department.

Alderman Buerck presents motion, seconded by Alderman Riney, and on vote carried, to approve the re-appointment of Jeremy Triller as Fire Chief.

Now, Tracy Prost, City Clerk, proceeds to administer the Oath of Office to Chief Triller.

At this time, Mayor Baer presents a Letter of Commendation to Police Department Corporal Dustin Miller setting forth his quick thinking and ready action which recently saved a life.

Mayor Baer now opens a public hearing relative to amending Code of Ordinances regarding zoning requirements for crematoriums.

City Administrator Buerck states that, at the direction of the Board, staff considered the most appropriate location for a crematorium. After review, an I-2 (heavy industrial zone) was suggested, along with the requirements that it be "located at least five hundred (500) feet from a residential zone, school, daycare facility, or city park." This suggestion was reviewed and approved by Planning and Zoning.

There being no one else, Mayor Baer now closes the public hearing relative to amending the Code of Ordinances regarding zoning requirements for crematoriums.

Mayor Baer now opens a public hearing regarding a special use permit request from MidAmerica Hotels Corporation relative to installation of a high-rise sign for new Burger King at 1205 Vincent Street.

City Administrator Buerck informs the Board that this is a request from MidAmerica Hotels for a Special Use Permit to allow a sign height greater than 30' in the C-2 General Commercial District. The request is for a 77' sign. The ordinance allows up to 80' with a special use permit.

Mr. Dan Drury, of MidAmerica Hotels, informs the Board that this will be a different sign than what is currently at the Burger King, but will be relatively the same type. He notes that the sign should be visible from both the north and south directions before the vehicles exit the interstate. He also informs the Board that they hope to open their new restaurant at the new location in the next couple of months; however, he expects it to be drive-through only because of the pandemic.

There being no one else coming forth, Mayor Baer closes the public hearing 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.

At this time City Attorney Ludwig reads the Certificate of Election from the County Clerk for the municipal election held on June 2, 2020. 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 June 2, 2020.

<b>Office or Issue</b>	<b>Candidates Name or Yes/No</b>	<b>Votes Received</b>
Mayor	Thomas Handrick Ken Baer	253 495
Municipal Judge	Wayne Keller	602
Alderman Ward One	Tom Guth	251
Alderman Ward Two	Curt Buerck	191
Alderman Ward Three	Prince Edward Hudson	172

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 2<sup>nd</sup> day of June, 2020.

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

**Ken Baer** received a majority of the votes cast for the office of **Mayor**;  
**Wayne Keller** received a majority of the votes cast for the office of **Municipal Judge**;  
**Tom Guth** received a majority of the votes cast for the office of **Alderman Ward One**;  
**Curt Buerck** received a majority of the votes cast for the office of **Alderman Ward Two**;  
**Prince Edward Hudson** 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 Mayor and Aldermen.

The Board now convenes with the newly elected Mayor and members of the Board of Aldermen.

At this time, Alderman Hudson nominates Alderman Larry Riney as President of the Board of Aldermen. Nomination is seconded by Alderman Buerck, and on vote carried.

Alderman Hudson presents motion to elect Alderman Larry Riney as President of the Board of Aldermen. Motion is seconded by Alderman Martin, and on vote carried.

Mayor Baer now makes the following committee appointments:

#### **2020-2021 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, Hudson, Martin (Fire/Police)</b>
<b><u>FINANCE</u></b>	-	<b>RINEY, Schumer (Budget)</b>
<b><u>LIAISON</u></b>	-	<b>MARTIN, Hudson, Riney (P&amp;Z/Board of Adjustments/Park Board)</b>
<b><u>ECONOMIC DEV</u></b>	-	<b>GUTH, Buerck, Hudson (Airport/Industrial Work)</b>

Alderman Riney makes a motion to approve the committee appointments. Motion is seconded by Alderman Hudson, and on vote the motion carries.

Mayor Baer expresses his desire to reappoint Alderman Martin to serve as the Board's representative on the Planning & Zoning Commission Board for the next year.

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

#### **CONSENT AGENDA ITEMS**

14. Approve minutes from meeting of June 2, 2020.
15. Approve Financial Report for May, 2020.

CITY OF PERRYVILLE									
STATEMENT OF CASH POSITION									
May 2020									
		April 1, 2020	REVENUE	EXPENSE		CURRENT	ACCOUNTS	CURRENT	CURRENT
	FUND NAME	Fund Balance	Y-T-D	Y-T-D	NET INCOME	FUND BALANCE	RECEIVABLE	LIABILITIES	CASH BALANCE
101	Gen Rev	\$ 1,210,405.63	\$ 2,973,012.44	\$ (1,059,784.13)	\$ 1,913,228.31	\$ 3,123,633.94	\$ 4,381.76	\$ 6,525.28	\$ 3,125,777.46
105	FSA Administration	\$ 7,801.17	\$ 10.58	\$ -	\$ 10.58	\$ 7,811.75	\$ -	\$ -	\$ 7,811.75
106	Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99	\$ -	\$ -	\$ 53.99
204	Airport	\$ 139,208.64	\$ 83,111.24	\$ (166,968.10)	\$ (83,856.86)	\$ 55,351.78	\$ 1,575.00	\$ 3,350.05	\$ 57,126.83
206	Trans Trust	\$ 870,811.82	\$ 172,360.61	\$ (245,819.41)	\$ (73,458.80)	\$ 797,353.02	\$ -	\$ 872.03	\$ 798,225.05
207	Perry Park Ctr.	\$ 2,623.61	\$ 269,566.90	\$ (259,563.45)	\$ 10,003.45	\$ 12,627.06	\$ 2,429.82	\$ 11,176.66	\$ 21,373.90
211	Veterans Field	\$ 19,989.03	\$ 285.73	\$ (550.08)	\$ (264.35)	\$ 19,724.68	\$ -	\$ -	\$ 19,724.68
213	Field Improvement	\$ 7,149.99	\$ 13.05	\$ -	\$ 13.05	\$ 7,163.04	\$ -	\$ -	\$ 7,163.04
307	Debt Service	\$ 1,878.22	\$ 69.40	\$ -	\$ 69.40	\$ 1,947.62	\$ 305.95	\$ (186.62)	\$ 1,455.05
308	Cap Imp Sls Tax Rev	\$ 732,757.66	\$ 118,840.62	\$ -	\$ 118,840.62	\$ 851,598.28	\$ -	\$ -	\$ 851,598.28
409	Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
414	TIF 1-Hwy 51/61	\$ 338,711.06	\$ 426.74	\$ (200,000.00)	\$ (199,573.26)	\$ 139,137.80	\$ -	\$ -	\$ 139,137.80
415	Economic Develop	\$ 4,552.05	\$ 8.44	\$ -	\$ 8.44	\$ 4,560.49	\$ -	\$ -	\$ 4,560.49
416	TIF 2-Downtown	\$ 122,792.29	\$ 245.88	\$ -	\$ 245.88	\$ 123,038.17	\$ -	\$ -	\$ 123,038.17
417	TIF 3-I55/HWY 51	\$ 820,146.25	\$ (20,920.84)	\$ -	\$ (20,920.84)	\$ 799,225.41	\$ -	\$ -	\$ 799,225.41
513	Street Imp	\$ 611,983.69	\$ 51,900.28	\$ (245,892.69)	\$ (193,992.41)	\$ 417,991.28	\$ -	\$ -	\$ 417,991.28
612	Refuse	\$ 383,424.11	\$ 143,610.50	\$ (314,830.75)	\$ (171,220.25)	\$ 212,203.86	\$ 103,789.78	\$ 2,920.63	\$ 111,334.71
614	CWSS Op	\$ 2,927,889.77	\$ 974,536.43	\$ (1,134,912.13)	\$ (160,375.70)	\$ 2,767,514.07	\$ 353,692.71	\$ 119,932.50	\$ 2,533,753.86
641	WWTP Improvements	\$ 253,270.62	\$ 479.62	\$ (13,519.36)	\$ (13,039.74)	\$ 240,230.88	\$ -	\$ -	\$ 240,230.88
619	Gas Op	\$ 3,005,331.77	\$ 860,187.61	\$ (1,736,739.77)	\$ (876,552.16)	\$ 2,128,779.61	\$ 336,483.08	\$ 209,410.09	\$ 2,001,706.62
	TOTAL	\$ 11,460,781.37	\$ 5,627,745.23	\$ (5,378,579.87)	\$ 249,165.36	\$ 11,709,946.73	\$ 802,658.10	\$ 354,000.62	\$ 11,261,289.25

16. Approve Application for Federal/State Assistance from MoDot Aviation Section regarding Southeast Taxiway and East Apron Taxi Lane Reconstruction Project.
17. Approve amended Part-Time Pay Plan.
18. Approve Pay Estimate 1 from Fronabarger Concreters, Inc. for the Perryville Blvd. Shared Use Path Project – MoDot TAP 5000(008) - \$172,513.00. (amount subject to be altered pending approval by MoDot).
19. Approve Pay Estimate 2 (Final) to Pollock Landscaping, LLC for the Baseball Fields 2 and 3 Improvements - \$15,014.87.
20. Approve Change Order 2 relative to 550,000 Gallon Portable Water Standpipe Paining and Repair Project - \$1,400.00 addition.
21. Approve plans and specifications for the 2020 Street Improvement Project – Tradewinds and Robb Streets.
22. Approve recommendation from Public Works Director Layton to accept the Statement of Qualifications from Burns & McDonnell regarding engineering study for the Intake Structure Evaluation/Modification at the Perryville Water Treatment Plant.
23. Approve recommendation from City Administrator Buerck to accept the proposal from Robinson Construction Company/HDR as the Design Build Team for the Wastewater Treatment Facility Improvements Project.
24. Approve request from Chamber of Commerce for Mayfest in July carnival plans.
25. Approve request from Robynne Duvall to hold the Laid-Back on I-55 Truck Show on August 21 and 22, 2020.
26. Approve update to Police Department Operations Manual (GO-10-0801).

**END OF CONSENT AGENDA**

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

Alderman Schumer makes a motion to approve the Consent Agenda. Alderman Riney 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. 6059, 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. Bill No. 6059 is read a second time on motion by Alderman Schumer, seconded by Alderman Riney. Thereupon on motion by Alderman Schumer, seconded by Alderman Riney, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6277 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6059

ORDINANCE NO. 6277

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.

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 17.56, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by adding Section 17.56.035 to read as follows:

### **“17.56.035 Succession of special use permits.**

A special use permit issued to an applicant under Section 17.56.030 for a specific location may be transferred. If the holder of a special use permit transfers the real estate, the special use permit shall remain with the real estate. However, if the special use is discontinued for more than sixty (60) days or the new owner of the real estate uses the real estate for an activity not authorized by the special use permit, then the special use permit shall be void and the owner of the real estate must apply for a new special use permit.”

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: June 2, 2020.

SECOND READING: June 16, 2020.

PASSED AND APPROVED this 16<sup>th</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 AND SECOND READING AND FINAL PASSAGE:**

Now, at this time, Bill No. 6060, AN ORDINANCE APPROVING THE PROPOSED REZONING FOR A SPECIAL USE PERMIT FOR CERTAIN PROPERTY IN THE CITY OF PERRYVILLE, MISSOURI, DESCRIBED IN EXHIBIT A; SETTING FORTH THE AREA FOR SPECIAL USE AND THE CONDITIONS OF SPECIAL USE; ALL IN ACCORDANCE WITH THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, 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. 6060 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 Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6278 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6060

ORDINANCE NO. 6278

AN ORDINANCE APPROVING THE PROPOSED REZONING FOR A SPECIAL USE PERMIT FOR CERTAIN PROPERTY IN THE CITY OF PERRYVILLE, MISSOURI, DESCRIBED IN EXHIBIT A; SETTING FORTH THE AREA FOR SPECIAL USE AND THE CONDITIONS OF SPECIAL USE; ALL IN ACCORDANCE WITH THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI.

WHEREAS, the City Board and the Planning and Zoning Commission have considered a proposed rezoning and/or special use permit for property described as 1205 Vincent Street, as set out in Exhibit A which is attached hereto and incorporated herein by reference; and,

WHEREAS, a public hearing was held on said rezoning and/or special use permit in accordance with the Code of Ordinances of the City of Perryville, Missouri; and,

WHEREAS, a special use permit to allow a sign height greater than thirty feet in a C-2 General Commercial District may be granted by virtue of the Code of Ordinances of the City of Perryville, Missouri; and,

WHEREAS, after duly considering the recommendations of the City Planning and Zoning Commission and other input received at the required public hearing, the Board of Aldermen of the City of Perryville, Missouri, has decided it is in the best interests of the citizens of the City of Perryville, Missouri, to grant a special use for said property.

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

Section 1. That an application for a special use permit, which said application is marked Exhibit A and attached hereto, is hereby approved, and a special use permit is hereby issued to Midamerica Hotels Corporation, Applicant.

Section 2. That the property set forth in Exhibit A is hereby granted a special use permit to allow a sign height greater than thirty feet in a C-2 General Commercial District.

The aforesaid special use permit is subject to the following specific conditions: compliance with all ordinances of the City of Perryville, Missouri.

Section 3. That the City Clerk of the City of Perryville, Missouri, shall and is hereby directed to indicate on the "Official Zoning District Map" of the City of Perryville, Missouri, the above special use permit and the date of issuance thereof and to certify same and to keep said map on file in the office of the City Clerk and a copy displayed in City Hall, City of Perryville, Missouri; and that said City Clerk is further directed to indicate on said "Official Zoning District Map" the existence of special conditions on the use of the aforesaid property.

Section 4. Violation of the special conditions listed above shall result in revocation of the special use permit and/or prosecution and/or fine under the zoning ordinances.

Section 5. This special use permit is issued to the applicant. In the event the applicant sells the property, the special use permit for the property may remain with the real estate. However, if the special use activity is discontinued for more than sixty (60) days or the new owner of the real estate uses the real estate for an activity not authorized by the special use permit, then the special use permit shall be void and the owner of the real estate must apply for a new special use permit.

Section 6. If construction is required for the special use granted hereunder, this special use permit shall expire in the event construction does not commence within six (6) months of the date of issuance of this special use permit and is not completed within two (2) years of the issuance of this permit.

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

FIRST READING: June 16, 2020.

SECOND READING: June 16, 2020.

PASSED AND APPROVED this 16<sup>th</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, Bill No. 6061, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A QUIT CLAIM DEED BY AND BETWEEN THE CITY OF PERRYVILLE AND **PATRICIA A. WIBBENMEYER AND KATHERINE I. WELKER**, FOR A PORTION OF PROPERTY LOCATED NEAR THE INTERSECTION OF ROUTE AC AND TG WAY; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR, is read with an emergency clause for the first time upon motion by Alderman Buerck,

seconded by Alderman Guth. On motion by Alderman Buerck, seconded by Alderman Guth, and on vote carried, Bill No. 6061 is read for the second time. 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 showing the aye and nay vote showed as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6279 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6061

ORDINANCE NO. 6279

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A QUIT CLAIM DEED BY AND BETWEEN THE CITY OF PERRYVILLE AND **PATRICIA A. WIBBENMEYER AND KATHERINE I. WELKER**, FOR A **PORTION OF PROPERTY LOCATED NEAR THE INTERSECTION OF ROUTE AC AND TG WAY**; 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 Quit Claim Deed, 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 execute said Quit Claim Deed;

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 Quit Claim Deed marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the **City of Perryville**, a municipal corporation, and **Patricia A. Wibbenmeyer and Katherine I. Welker**. 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 Quit Claim Deed.

2. That the Mayor be and he is hereby authorized and directed to execute said Quit Claim Deed 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 Quit Claim Deed.

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. The Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville. and for that reason, this ordinance may be acted on in one meeting.

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

FIRST READING: June 16, 2020.

SECOND READING: June 16, 2020.

PASSED AND APPROVED this 16<sup>th</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

Mayor Baer asks for Committee Reports.

Alderman Buerck, as Chairman of the Public Safety Committee, asks staff to check on a report he received regarding the recent viewing of snakes near the TG Trail.

Alderman Guth, as Chairman of the Economic Development Committee, updates the Board on recent activities. He also informs the Board that it is expected that TG will have 100% of their employees back to work by the end of the week.

City Administrator Report:

- **Boeing Project at Airport** From time to time, Boeing will contact Perryville and use our airport for testing. This is a great relationship and we have enjoyed working with them in the past. This military trainer project was no different. Because the project went so well, they hope to bring back other aircraft for testing right here in Perryville. Very exciting that we are able to participate in this and similar projects.

- **COVID-19 General Update** - The Governor's order expired yesterday. The County's order expired a couple weeks earlier. At this time, this seems to be about individual choice and responsibility. Everyone is encouraged to take the steps and precautions they feel are necessary to keep themselves and others safe. Social distancing appears to be here to stay, as is enhanced hygiene. Most likely, we will be presenting Phase 3 of the City's plans at our next meeting which would discontinue temperature and similar screenings.

- **Downtown Mural** – The mural is complete and has turned out great. If you have not seen it, please check it out. It includes: Pirate and Indian; Tower Rock; Eclipse; Mule Jumping at Fair; Seminary Church; Vietnam Wall; Tractor Museum and barn quilt; and the Courthouse. We hope to do more murals in the future.

- **Mayfest Military Banners** - Staff will be hanging these banners next week. Depending on how it is received and how many requests are made, we might do a second offering.

- **June Fly-In Postponed** - The Airport Board has decided to postpone this event until later in the fall. Date TBD.

City Engineer Report:

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

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The concrete work on this project is moving along very well. The signal work at St. Joseph Street should be soon.

- **Sycamore Road Project** - The backfill work is complete. All that is left of the project is the paint striping, punch list, and loose ends.

- **Crestview Water Main Project** - This project is complete. The water test has been approved and the lines have been energized. We are now connecting service lines.

Alderman Riney asks about the street repair plans for Crestview. City Engineer Baer says that asphalt will be placed on the street this summer.

- **Trenchless Sewer Main Rehabilitation Project** – The lining work should begin next week. Crews are dye tracing the lines to see which lines are active.

City Attorney Report:

- **Municipal Court** – The Perryville Municipal Court is almost caught up after the pandemic delay. The Court Clerk, Judge, and Police Department did a great job of handling the amount of people that attended court. The docket is in good shape.

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

Alderman Guth comments on the Sycamore Road Project, noting that the new pavement looks very nice and should increase property development in that area.

Alderman Martin asks staff to check on a request he received from Scott Gibbar regarding the alley way behind his house. He has asked that the alley be graded.

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

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

Alderman Riney asks staff to check into a property on Kingshighway that needs to be mowed. City Administrator Buerck informs the Board that this piece of property is a large tract and, if it is two acres or greater, would not be required to be mowed except next to the street. Staff will look into the matter and inform the Board.

There being no further business, it is upon motion by Alderman Riney, seconded by Alderman Hudson, and on vote carried, ordered that the Board now adjourn until Tuesday, July 7, 2020, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK