

July 19, 2022

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

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

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

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

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

Parks & Recreation Director Cadwell introduces new Park and Recreation employee, Sara Brown.

**CONSENT AGENDA ITEMS**

3. Approve minutes from meeting of July 5, 2022.
4. Approve financial reports for June 2022.

CITY OF PERRYVILLE STATEMENT OF CASH POSITION JUNE, 2022									
FUND NAME	April 1, 2022 Fund Balance	REVENUE Y-T-D	EXPENSE Y-T-D	NET INCOME	CURRENT FUND BALANCE	ACCOUNTS RECEIVABLE	CURRENT LIABILITIES	CURRENT CASH BALANCE	
101 Gen Rev	\$ 2,545,792.43	\$ 1,086,820.03	\$ (2,011,561.71)	\$ (924,741.68)	\$ 1,621,050.75	\$ (700,320.35)	\$ (693,027.72)	\$ 1,628,343.38	
105 FSA Administration	\$ 9,563.70	\$ 31.82	\$ -	\$ 31.82	\$ 9,595.52		\$ -	\$ 9,595.52	
106 Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99		\$ -	\$ 53.99	
204 Airport	\$ 55,945.55	\$ 368,591.59	\$ (278,496.91)	\$ 90,094.68	\$ 146,040.23	\$ 3,110.00	\$ 5,040.21	\$ 147,970.44	
206 Trans Trust	\$ 394,390.90	\$ 300,455.06	\$ (206,474.35)	\$ 93,980.71	\$ 488,371.61	\$ -	\$ 3,108.74	\$ 491,480.35	
207 Perry Park Ctr.	\$ 287,537.17	\$ 474,029.93	\$ (721,047.28)	\$ (247,017.35)	\$ 40,519.82	\$ (286,959.35)	\$ (278,574.16)	\$ 48,905.01	
211 Veterans Field	\$ 22,677.55	\$ 1,973.10	\$ (14,703.43)	\$ (12,730.33)	\$ 9,947.22		\$ -	\$ 9,947.22	
213 Field Improvement	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -	
307 Debt Service	\$ 201,650.91	\$ 2,638.33	\$ (112,313.13)	\$ (109,674.80)	\$ 91,976.11	\$ (207,889.83)	\$ (208,382.40)	\$ 91,483.54	
308 Cap Imp Sls Tax Rev	\$ 904,314.60	\$ 225,319.51	\$ (201,521.54)	\$ 23,797.97	\$ 928,112.57		\$ -	\$ 928,112.57	
409 Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
414 TIF 1-Hwy 51/61	\$ 233,422.20	\$ 331.32	\$ -	\$ 331.32	\$ 233,753.52		\$ -	\$ 233,753.52	
415 Economic Develop	\$ (193,916.42)	\$ 3,654,783.24	\$ (3,457,959.41)	\$ 196,823.83	\$ 2,907.41	\$ -	\$ -	\$ 2,907.41	
416 TIF 2-Downtown	\$ 85,475.46	\$ 186,652.06	\$ (122,875.96)	\$ 63,776.10	\$ 149,251.56	\$ -	\$ -	\$ 149,251.56	
417 TIF 3-I55/HWY 51	\$ 1,127,129.99	\$ 1,071.63	\$ (116,238.21)	\$ (115,166.58)	\$ 1,011,963.41	\$ -	\$ -	\$ 1,011,963.41	
513 Street Imp	\$ 322,450.22	\$ 93,446.23	\$ (72,169.19)	\$ 21,277.04	\$ 343,727.26	\$ -	\$ -	\$ 343,727.26	
612 Refuse	\$ 524,049.70	\$ 232,189.19	\$ (176,008.71)	\$ 56,180.48	\$ 580,230.18	\$ 111,637.50	\$ 3,105.55	\$ 471,698.23	
614 CWSS Op	\$ 4,141,181.29	\$ 1,426,638.81	\$ (1,093,869.36)	\$ 332,769.45	\$ 4,473,950.74	\$ 438,995.58	\$ 116,830.60	\$ 4,151,785.76	
641 WWTP Improvements	\$ 370,895.85	\$ 5,727,083.30	\$ (5,121,475.85)	\$ 605,607.45	\$ 976,503.30	\$ -	\$ -	\$ 976,503.30	
619 Gas Op	\$ 4,069,575.23	\$ 1,802,374.90	\$ (1,179,882.96)	\$ 622,491.94	\$ 4,692,067.17	\$ 310,487.32	\$ 214,563.50	\$ 4,596,143.35	
<b>TOTAL</b>	<b>\$ 15,102,190.32</b>	<b>\$ 15,584,430.05</b>	<b>\$ (14,886,598.00)</b>	<b>\$ 697,832.05</b>	<b>\$ 15,800,022.37</b>	<b>\$ (330,939.13)</b>	<b>\$ (837,335.68)</b>	<b>\$ 15,293,625.82</b>	

5. Set Public Hearing date for 2022 Property Tax Rates – August 2, 2022, at 6:30 p.m.
6. Set Public Hearing date for 2022 Land and Water Conservation Fund Grant application relative to Phase 2 of the Lucas and Friends Backyard Adventure Playground – August 16, 2022, at 6:30 p.m.
7. Approve Pay Application 22 from Robinson Industrial and Heavy Contracting and HDR for the WWTP Facility Improvement Project - \$1,512,509.95.

8. Approve Pay Application 4 to Zoellner Construction relative to Impound Building Project - \$221,508.06.
9. Approve Pay Estimate 6 from Lappe Cement Finishing, Inc., relative to NE Outfall Sewer Replacement – Phase 2 - \$152,243.01
10. Approve quote from Durkin relative to repairs to lagoon pump station repairs at the WWTP - \$24,857.11.
11. Approve specifications for the 2022 Lift Stations Generators.
12. Approve specifications for the 2022 Perry Park Center Interior Flooring project
13. Approve specifications for the 2022 Perry Park Center Interior Painting project.
14. Approve Schindler Road Parking Study recommendation from Assistant Chief Bill Jones.
15. Approve Rambling Hills Road Parking Study recommendation from Assistant Chief Bill Jones.
16. Accept appraisal from Seabaugh Appraisal & Consulting relative to utility easements.

**END OF CONSENT AGENDA**

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

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

**SECOND AND FINAL READINGS:**

Now, at this time, the Board proceeds to approve Bill No. 6307, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **EMERY SAPP & SONS, INC.** RELATIVE TO **STATE BLOCK GRANT PROJECT 20-063A-2 REGARDING RECONSTRUCTION OF THE SOUTHEAST TAXIWAY AND EAST APRON TAXILANE: ADDITIVE ALTERNATE RECONSTRUCT SOUTHWEST TAXIWAY AT THE PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6307 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; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6526 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6307

ORDINANCE NO. 6526

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **EMERY SAPP & SONS, INC.** RELATIVE TO **STATE BLOCK GRANT PROJECT 20-063A-2 REGARDING RECONSTRUCTION OF THE SOUTHEAST TAXIWAY AND EAST APRON TAXILANE: ADDITIVE ALTERNATE RECONSTRUCT SOUTHWEST TAXIWAY AT THE PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

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

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

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

1. That the Mayor and Board of Aldermen of the City of Perryville approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Emery Sapp & Sons, 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. 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 21, 2022.

SECOND READING: July 19, 2022.

PASSED AND APPROVED this 19<sup>th</sup> day of July, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6308, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CRAWFORD, MURPHY & TILLY, INC.** RELATIVE TO **AVIATION PROJECT CONSULTANT SUPPLEMENTAL AGREEMENT NO. 2 RE CONSTRUCTION SERVICES FOR REHABILITATION OF T-HANGAR APRON AT THE PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6308 is read a second time on motion by Alderman Martin, seconded by Alderman Buerck. Thereupon on motion by Alderman Martin, seconded by Alderman Rice, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6527 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6308

ORDINANCE NO. 6527

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CRAWFORD, MURPHY & TILLY, INC.** RELATIVE TO **AVIATION PROJECT CONSULTANT SUPPLEMENTAL AGREEMENT NO. 2 RE CONSTRUCTION SERVICES FOR REHABILITATION OF T-HANGAR APRON AT THE PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

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

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

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

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

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

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

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

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

FIRST READING: June 21, 2022.

SECOND READING: July 19, 2022.

PASSED AND APPROVED this 19<sup>th</sup> day of July, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, upon motion by Alderman Schumer, seconded by Alderman Buerck, and on vote carried, Bill No. 6311, Accepting the Final Plat of Deer Run Minor Subdivision, is postponed until the first meeting after the easements are acquired. City Engineer Baer informs the Board that it was discovered after the Planning & Zoning meeting that utilities were not available on this property. It is the property owner's responsibility to ensure that the lot has access to utilities.

Now, at this time, the Board proceeds to approve Bill No. 6312, 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. Bill No. 6312 is read a second time on motion by Alderman Buerck, seconded by Alderman Schumer. Thereupon on motion by Alderman Buerck, seconded by Alderman Martin, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, nay; David J. Schumer, aye. Totals: aye, five; nay, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6528 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6312

ORDINANCE NO. 6528

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 9 Rambling Hills Road, 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 for a home occupation/massage in an R-1 Single-Family Residential 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 Kimberly Hager, Applicant.

Section 2. That the property set forth in Exhibit A is hereby granted a special use permit for a home occupation/massage in an R-1 Single-Family Residential 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 attached hereto as Exhibit B are the formal findings and conclusions of the Board of Aldermen.

Section 4. 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 5. 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 6. This special use permit is issued to the applicant and shall not be assigned or otherwise transferred by said applicant. This special use permit runs with the applicant and not the land.

Section 7. 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 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. 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 planning and zoning commission, and for that reason this ordinance may be acted on in one meeting.

Section 10. That this ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 5, 2022.

SECOND READING: July 19, 2022.

PASSED AND APPROVED this 19<sup>th</sup> day of July, 2022, by a vote of 5 ayes, 1 nay, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6313, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **GARRETT AND LILLIAN PREVALLET, d/b/a PETUNIA & LILLY'S FLOWER SHOP**, RELATIVE TO **2022-23 DOWNTOWN FAÇADE IMPROVEMENT GRANT AWARD (119 NORTH JACKSON STREET)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6313 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; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, five; nay, none; abstentions, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6529 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6313

ORDINANCE NO. 6529

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **GARRETT AND LILLIAN PREVALLET, d/b/a PETUNIA & LILLY'S FLOWER SHOP**, RELATIVE TO **2022-23 DOWNTOWN FAÇADE IMPROVEMENT GRANT AWARD (119 NORTH JACKSON STREET)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, 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, Missouri, approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, Missouri, a municipal corporation, and **Garrett and Lillian Prevallet, d/b/a Petunia and Lilly's Flower Shop**. 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, Missouri, that the City enter into said contract.

2. That the Mayor of the City of Perryville, Missouri, 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, Missouri, 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. 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: July 5, 2022.

SECOND READING: July 19, 2022.

PASSED AND APPROVED this 19<sup>th</sup> day of July, 2022, by a vote of 5 ayes, 0 nays, 1 abstention, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6314, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **STEPHANIE STARK, d/b/a SMS INVESTMENT GROUP, LLC**, RELATIVE TO **2022-23 DOWNTOWN FAÇADE IMPROVEMENT GRANT AWARD (101 and 103 WEST ST. JOSEPH STREET)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6314 is read a second time on motion by Alderman Guth, seconded by Alderman Schumer. Thereupon on motion by Alderman Guth, 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; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6530 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6314

ORDINANCE NO. 6530

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **STEPHANIE STARK, d/b/a SMS INVESTMENT GROUP, LLC**, RELATIVE TO **2022-23 DOWNTOWN FAÇADE IMPROVEMENT GRANT AWARD (101 and 103 WEST ST. JOSEPH STREET)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, 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, Missouri, approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, Missouri, a municipal corporation, and **Stephanie Stark, d/b/a SMS Investment Group, LLC**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, Missouri, that the City enter into said contract.

2. That the Mayor of the City of Perryville, Missouri, 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, Missouri, 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. 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: July 5, 2022.

SECOND READING: July 19, 2022.

PASSED AND APPROVED this 19<sup>th</sup> day of July, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6315, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **AARON AND LEZLIE MEYER, d/b/a THE BEAUTY ROOM**, RELATIVE TO **2022-23 DOWNTOWN STRUCTURAL IMPROVEMENT GRANT AWARD (7 NORTH MAIN STREET)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6315 is read a second time on motion by Alderman Buerck,



seconded by Alderman Martin. Thereupon on motion by Alderman Buerck, seconded by Alderman House, 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; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6531 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6315

ORDINANCE NO. 6531

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **AARON AND LEZLIE MEYER, d/b/a THE BEAUTY ROOM**, RELATIVE TO **2022-23 DOWNTOWN STRUCTURAL IMPROVEMENT GRANT AWARD (7 NORTH MAIN STREET)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, 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, Missouri, approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, Missouri, a municipal corporation, and **Aaron and Lezlie Meyer, d/b/a The Beauty Room**. 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, Missouri, that the City enter into said contract.

2. That the Mayor of the City of Perryville, Missouri, 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, Missouri, 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. 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: July 5, 2022.

SECOND READING: July 19, 2022.

PASSED AND APPROVED this 19<sup>th</sup> day of July, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

ATTEST:  
Tracy Prost, City Clerk

By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6316, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CARDINAL FLYERS, L.L.C.**, RELATIVE TO **RENTAL OF T-HANGAR SPACE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6316 is read a second time on motion by Alderman Buerck, seconded by Alderman Rice. Thereupon on motion by Alderman Buerck, seconded by Alderman Martin, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6532 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6316

ORDINANCE NO. 6532

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CARDINAL FLYERS, L.L.C.**, RELATIVE TO **RENTAL OF T-HANGAR SPACE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

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

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

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

1. That the Mayor and Board of Aldermen of the City of Perryville approve the contract in its substantial form, marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Cardinal Flyers, L.L.C.** 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: July 5, 2022.

SECOND READING: July 19, 2022.

PASSED AND APPROVED this 19<sup>th</sup> day of July, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:  
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI  
By: Larry Riney, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6317, AN ORDINANCE AMENDING TITLE 10 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, AND SPECIFICALLY THE "STOP SIGN SCHEDULE" ADOPTED THEREIN AND ESTABLISHED BY ORDINANCE NO. 1738 RELATING TO DELETING A STOP SIGN DESIGNATION IN THE CITY OF PERRYVILLE, MISSOURI; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH. Bill No. 6317 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; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6533 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6317

ORDINANCE NO. 6533

AN ORDINANCE AMENDING TITLE 10 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, AND SPECIFICALLY THE "STOP SIGN SCHEDULE" ADOPTED THEREIN AND ESTABLISHED BY ORDINANCE NO. 1738 RELATING TO DELETING A STOP SIGN DESIGNATION IN THE CITY OF PERRYVILLE, MISSOURI; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

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

Section 1. That the "Stop Sign Schedule" adopted under the authority of Section 10.12.210 of the Code of Ordinances of the City of Perryville, Missouri, and specifically set forth in Ordinance Number 1738, is hereby amended by **DELETING THEREFROM** the following stop sign designation:

**PINE STREET:**

**On the north side of Pine Street at its intersection with Rand Avenue.**

Section 2. That it is the intent of the Mayor and Board of Aldermen of the City of Perryville, Missouri, that this ordinance shall amend and become part of Ordinance Number 1738, passed and approved by the Mayor and Board of Aldermen of the City of Perryville, Missouri, on the 16th day of July, 1981.

Section 3. That the City Administrator of the City of Perryville, Missouri, is hereby directed to cause the stop sign to be removed at the above streets in accordance herewith.

Section 4. That this ordinance shall not be codified in the Code of Ordinances of the City of Perryville, Missouri, but kept on file in the office of the City Clerk.

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

FIRST READING: July 5, 2022.

SECOND READING: July 19, 2022.

PASSED AND APPROVED this 19<sup>th</sup> day of July, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Larry Riney, Mayor

ATTEST:

Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 6318, 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 GENERAL WARRANTY DEED. Bill No. 6318 is read a second time on motion by Alderman Schumer, seconded by Alderman Guth. Thereupon on motion by Alderman Schumer, seconded by Alderman House, 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; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6534 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6318

ORDINANCE NO. 6534

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 GENERAL WARRANTY DEED.

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

Section 1. The Mayor and Board of Aldermen of the City of Perryville, Missouri, do hereby accept the General Warranty Deed from **Prost Implement Company, LLC**, which is attached hereto, subject to all of the terms and conditions therein expressed.

Section 2. The Mayor and City Clerk of the City of Perryville be, and they are, hereby authorized to do all acts and execute all instruments appropriate or necessary to accept the General Warranty Deed.

Section 3. The City Clerk is hereby directed to file a copy of the General Warranty Deed with the Recorder of Deeds of Perry County, Missouri.

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

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

FIRST READING: July 5, 2022.

SECOND READING: July 19, 2022.

PASSED AND APPROVED this 19<sup>th</sup> day of July, 2022, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Larry Riney, Mayor

ATTEST:

Tracy Prost, City Clerk

**FIRST READINGS:**

Alderman Rice presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 6319, accepting an easement deed from Roger and Amy Naeger, 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 presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6320, amending Title 5, Chapter 5.04 and Title 17, Chapter 17.04 of the Code of Ordinances relative to No-impact, Home-based Businesses, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 5, CHAPTER 5.04 AND TITLE 17, CHAPTER 17.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO HOME-BASED BUSINESSES; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Mayor Riney asks for Committee Reports.

Alderman Martin, as Chairman of the Economic Development Committee, updates the Board on economic development matters in EDA Director Jones' absence. He notes that event planning is underway for the August Cruise In and the Farm to Table Dinner, as well as Christmas on the Square. Also, a joint effort between the EDA, Chamber, and Perry County Downtown Organization to gain 5(c)(3) designation is underway.

City Engineer Report:

- **NE Sewer Project** – The construction continues to progress smoothly.
- **PATH Grant** – MoDot has approved the plans for the PATH project from Star Street to Old St. Mary's Road.

Alderman Guth asks if the Star Street intersection will be widened during MoDot's 51 by-pass project. City Engineer Baer tells the Board that MoDot does not have this project included in their plans. He notes that this will need probably be a city project, not a MoDot project.

- **Technical Ed Building** – The steel is being erected on this project.

Mayor Riney asks Parks & Recreation Director Cadwell for an update on parks and recreation activities. Director Cadwell tells the Board that the dirt pile at Miget Park has been moved through the Public Works' Spoils Program; the last big tournament in the park was held last week; Little League is nearly finished; the projector in the theater is not working. The new projector is still in the shipping process.

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

Alderman Schumer notes that he has seen several trash cans sitting at the curb over an extended period of time. It was suggested that a reminder about trash cans be placed on the utility bill.

Now, at this time, upon motion by Alderman Schumer, seconded by Alderman Buerck, it is ordered that the Board now convene into closed session to discuss 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; Dennis House, aye; Douglas K. Martin, aye; Clint Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

Following discussion and review, it is upon motion by Alderman Buerck, seconded by Alderman House, 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; Dennis House, aye; Douglas K. Martin, aye; Clinton Rice, aye; David J. Schumer, aye. Totals: aye, six; nay, none.

Mayor Riney informs the Board members about the recent neighborhood meeting held with the residents of Oak Lane Subdivision regarding Moore Drive.

There being no further business, it is upon motion by Alderman Buerck, second by Alderman Rice, and on vote carried, ordered that the Board now adjourn until Tuesday, August 2, 2022, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK