

July 21, 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, and Larry Riney, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Thomas Ludwig, City Attorney. Absent: Alderman David J. Schumer.

Mayor Baer opens the meeting. Alderman Martin leads the Pledge of Allegiance and 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.

City Clerk Prost introduces Kaysea Stortz as the Utility Billing Clerk. Parks & Recreation Director Cadwell introduces Derek Boxdorfer as the Perry Park Center Theater and Concessions Supervisor.

At this time, Mayor Baer acknowledges the issuance of the following employee tenure awards:

- 5 Years** - Jordan Bain; Terri Murray; Misty Medlin; Ben Neff; Jim Cadwell; Richard O'Leary
- 10 Years** - Dustin Miller; Tamara Whistler
- 15 Years** - Floyd Cox, Jr.; David Yamnitz
- 20 Years** - Randy Finger
- 25 Years** - Alan Morris

CONSENT AGENDA ITEMS

5. Approve minutes from meeting of July 7, 2020.
6. Approve Financial Report for June, 2020.

CITY OF PERRYVILLE									
STATEMENT OF CASH POSITION									
JUNE 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	\$ 3,246,813.20	\$ (1,611,268.45)	\$ 1,635,544.75	\$ 2,845,950.38	\$ 2,107.67	\$ 11,192.72	\$ 2,855,035.43
105	FSA Administration	\$ 7,801.17	\$ 17.79	\$ -	\$ 17.79	\$ 7,818.96	\$ -	\$ -	\$ 7,818.96
106	Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99	\$ -	\$ -	\$ 53.99
204	Airport	\$ 139,208.64	\$ 112,105.16	\$ (199,663.28)	\$ (87,558.12)	\$ 51,650.52	\$ 1,477.50	\$ 3,399.92	\$ 53,572.94
206	Trans Trust	\$ 870,811.82	\$ 265,814.54	\$ (283,939.27)	\$ (18,124.73)	\$ 852,687.09	\$ -	\$ 2,237.71	\$ 854,924.80
207	Perry Park Ctr.	\$ 2,623.61	\$ 592,401.60	\$ (581,412.00)	\$ 10,989.60	\$ 13,613.21	\$ 1,691.54	\$ 10,774.79	\$ 22,696.46
211	Veterans Field	\$ 19,989.03	\$ 298.59	\$ (2,537.68)	\$ (2,239.09)	\$ 17,749.94	\$ -	\$ -	\$ 17,749.94
213	Field Improvement	\$ 7,149.99	\$ 18.24	\$ -	\$ 18.24	\$ 7,168.23	\$ -	\$ -	\$ 7,168.23
307	Debt Service	\$ 1,878.22	\$ 77.91	\$ -	\$ 77.91	\$ 1,956.13	\$ 234.57	\$ (258.00)	\$ 1,463.56
308	Cap Imp Sls Tax Rev	\$ 732,757.66	\$ 188,487.77	\$ -	\$ 188,487.77	\$ 921,245.43	\$ -	\$ -	\$ 921,245.43
409	Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
414	TIF 1-Hwy 51/61	\$ 338,711.06	\$ 543.29	\$ (200,000.00)	\$ (199,456.71)	\$ 139,254.35	\$ -	\$ -	\$ 139,254.35
415	Economic Develop	\$ 4,552.05	\$ 12.26	\$ -	\$ 12.26	\$ 4,564.31	\$ -	\$ -	\$ 4,564.31
416	TIF 2-Downtown	\$ 122,792.29	\$ 348.69	\$ (301.92)	\$ 46.77	\$ 122,839.06	\$ -	\$ -	\$ 122,839.06
417	TIF 3-I55/HWY 51	\$ 820,146.25	\$ (20,251.34)	\$ -	\$ (20,251.34)	\$ 799,894.91	\$ -	\$ -	\$ 799,894.91
513	Street Imp	\$ 611,983.69	\$ 71,497.69	\$ (476,144.11)	\$ (404,646.42)	\$ 207,337.27	\$ -	\$ -	\$ 207,337.27
612	Refuse	\$ 383,424.11	\$ 216,760.86	\$ (352,736.02)	\$ (135,975.16)	\$ 247,448.95	\$ 103,206.54	\$ 2,078.56	\$ 146,320.97
614	CWSS Op	\$ 2,927,889.77	\$ 1,359,592.40	\$ (1,290,068.86)	\$ 69,523.54	\$ 2,997,413.31	\$ 367,942.23	\$ 122,478.51	\$ 2,751,949.59
641	WWTP Improvements	\$ 253,270.62	\$ 664.88	\$ (25,819.91)	\$ (25,155.03)	\$ 228,115.59	\$ -	\$ -	\$ 228,115.59
619	Gas Op	\$ 3,005,331.77	\$ 1,073,897.89	\$ (1,849,118.89)	\$ (775,221.00)	\$ 2,230,110.77	\$ 296,679.20	\$ 204,594.28	\$ 2,138,025.85
	TOTAL	\$ 11,460,781.37	\$ 7,109,101.42	\$ (6,873,010.39)	\$ 236,091.03	\$ 11,696,872.40	\$ 773,339.25	\$ 356,498.49	\$ 11,280,031.64

7. Verify Receipt of Petition for Voluntary Annexation from Missouri's National Veterans Memorial for property described as a 41.43 acre tract and a 2.67 acre tract as described in Document No. 2018R00062 of the Perry County Deed Records and set a public hearing for August 4, 2020, at 6:30 p.m.
8. Set Public Hearing date for 2020 Property Tax Rates – August 4, 2020, at 6:30 p.m.
9. Accept bids received for the 2020 Street Improvement Project (Trade Winds and Robb Streets) and award to Lappe Cement Finishing, Inc., per the recommendation of City Engineer Baer - \$785,474.49.
10. Approve Pay Estimate 8 from Lappe Cement Finishing, Inc., relative to Sycamore Road Improvements Project - \$75,811.88.
11. Approve Invoice from Worldwide Industries Corp. relative to 550,00 Gallon Potable Water Standpipe Painting and Repairs - \$240,364.25.
12. Approve purchase of sludge truck from City of Fulton - \$35,000.00.
13. Approve specifications for three warning sirens and approve request from Asst. Chief Jones to purchase the sirens through the cooperative agreement program.
14. Approve purchase of replacement generator for Wastewater Treatment Plant - \$53,215.00.
15. Approve Mayor's appointments for:
 - (a) Planning and Zoning – 4 year term
C.C. Carron - reappointment (alternate)
Luis Talamantes - appointment (alternate) (replacement for Ralph Schamburg)
 - (b) Board of Adjustments – 5 year term
Ron Herman - reappointment
 - (c) Airport Advisory Board – 3 year term

- Curt Buerck** - reappointment
- Larry Riney** - reappointment
- (d) Park Board – 5 year term
 - Chris Schemel** - reappointment
 - Wayne Pohlman** - reappointment
- (e) Cablecast Board – 3 year term
 - Brenda Nelson** - reappointment
- (f) Perry County EDA Board – 2 year term
 - Ken Baer** - reappointment
- (g) Perry County IDA Board – 6 year term
 - Francis E. Robinson** - reappointment
- (h) Higher Ed Advisory Council – 3 year term
 - Frank Wideman** - reappointment

END OF CONSENT AGENDA

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

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

RESOLUTION:

After discussion and review, Alderman Buerck makes a motion accepting Voluntary Annexation Petition from Missouri’s National Veterans Memorial . Motion is seconded by Alderman Martin, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2020-05

A RESOLUTION RELATIVE TO VOLUNTARY ANNEXATION UNDER THE PROVISIONS OF SECTION 71.012 RSMO. 1986, AS AMENDED.

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, have received an annexation petition filed under the provisions of Section 71.012 RSMo; and

WHEREAS, said voluntary annexation petition is within an area sought to be annexed by the City of Perryville; and

WHEREAS, the Mayor and Board of Aldermen believe it is in the best interests of the citizens of the City of Perryville, Missouri, to proceed with the annexation of said parcel of real estate.

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

Section 1. That there has been presented, on the 21st day of July, 2020, to the Board of Aldermen of the City of Perryville, Missouri, a verified petition signed by **R. David Crader, President of Missouri’s National Veterans Memorial**, the owner of all fee interests of record in the tract of real property located within the area described in said petition, which area is proposed to be annexed to the City of Perryville, Missouri, and which petition requests the annexation of such area into the city limits of the City of Perryville, Missouri; a copy of said petition is attached hereto and made a part hereof by reference.

Section 2. No part of said real property sought to be annexed by the petition attached hereto is included in any incorporated municipality.

Section 3. That real property described in the annexation petition attached hereto is contiguous to the existing corporate limits of the City of Perryville, Missouri.

Section 4. That, in accordance with the provisions of Section 71.012, RSMo., a public hearing shall be held concerning this matter on the 4th day of August, 2020, at 6:30 p.m. at the City Hall in the City of Perryville, Missouri.

Section 5. That the City Clerk is hereby authorized and directed to cause a notice of such hearing to be published at least seven days prior to the date of the hearing in a newspaper of general circulation in Perry County, Missouri, which is qualified to publish legal matters.

PASSED by the Board of Aldermen of the City of Perryville, Missouri, this 21st day July, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

SECOND READINGS AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 6062, AN ORDINANCE AMENDING TITLE 17 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO ZONING OF CREMATORIIUMS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH . Bill No. 6062 is read a second time on motion by Alderman Riney, seconded by Alderman Guth. Thereupon on motion by Alderman Hudson, 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, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6280 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6062

ORDINANCE NO. 6280

AN ORDINANCE AMENDING TITLE 17 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO ZONING OF CREMATORIIUMS; 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 the definition of "Crematorium" to read as follows:

"17.04.020 Definitions.

* * *

'Crematorium' means a venue for the cremation of the dead. A crematorium contains at least one cremator (also known as a crematory, retort, or cremation chamber) which is a furnace that is purpose-built for the cremation of the bodies of the dead."

Section 2. 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 adding Subsection K to read as:

"17.44.020 Use regulations.

* * *

- K. Crematorium located at least five hundred (500) feet from a residential zone, school, daycare facility, or city park;"

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

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: July 7, 2020.

SECOND READING: July 21, 2020.

PASSED AND APPROVED this 21st day of July, 2020, 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. 6063, AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.20, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, AND SPECIFICALLY THE "PROHIBITED PARKING SCHEDULE" ADOPTED THEREIN AND ESTABLISHED BY ORDINANCE NO. 3618 RELATING TO ADDITIONAL PARKING RESTRICTIONS IN THE CITY OF PERRYVILLE, MISSOURI; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH. Bill No. 6063 is read a second time on motion by Alderman Buerck, seconded by Alderman Martin. 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; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6281 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6063

ORDINANCE NO. 6281

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.20, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, AND SPECIFICALLY THE "PROHIBITED PARKING SCHEDULE" ADOPTED THEREIN AND ESTABLISHED BY ORDINANCE NO. 3618 RELATING TO ADDITIONAL PARKING RESTRICTIONS 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 "Prohibited Parking Schedule" adopted under the authority of the Code of Ordinances of the City of Perryville, Missouri, and specifically set forth in Ordinance Number 3618, is hereby amended by deleting therefrom the following prohibited parking designations:

- (hhhh) On the south side of Rosati Court from its intersection with South Waters Street west for a distance of 142 feet from said intersection between the hours of 2:00 p.m. and 3:00 p.m. Monday through Friday.
- (iiii) On the north side of Rosati Court from its intersection with South Waters Street west for a distance of 412 feet from said intersection between the hours of 2:00 p.m. and 3:00 p.m. Monday through Friday.

Section 2. 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 3618 passed and approved by the Mayor and Board of Aldermen of the City of Perryville, Missouri, on the 21st day of April, 1998.

Section 3. That the City Administrator shall cause removal of the marking or signage of the areas designated.

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 7, 2020.

SECOND READING: July 21, 2020.

PASSED AND APPROVED this 21st day of July, 2020, 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. 6064, AN ORDINANCE REQUIRING THAT THE VIOLATIONS OF THE MUNICIPAL ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, BE HEARD AND DETERMINED BY AN ASSOCIATE CIRCUIT JUDGE OF THE CIRCUIT WITHIN WHICH THE CITY OF PERRYVILLE, MISSOURI, IS LOCATED; AMENDING TITLES 1 AND 2 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE THERETO; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH. Bill No. 6064 is read a second time on motion by Alderman Martin, seconded by Alderman Buerck. Thereupon on motion by Alderman Martin, seconded by Alderman Hudson, 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, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6282 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6064

ORDINANCE NO. 6282

AN ORDINANCE REQUIRING THAT THE VIOLATIONS OF THE MUNICIPAL ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, BE HEARD AND DETERMINED BY AN ASSOCIATE CIRCUIT JUDGE OF THE CIRCUIT WITHIN WHICH THE CITY OF PERRYVILLE, MISSOURI, IS LOCATED; AMENDING TITLES 1 AND 2 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE THERETO; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, Section 479.040 of the Revised Statutes of the State of Missouri authorizes any city with a population of less than four hundred thousand to elect to have the violations of its municipal ordinances heard and determined by an associate circuit judge of the circuit within which the city is located; and

WHEREAS, the City of Perryville, Missouri, is currently located within the Thirty-Second Judicial Circuit; and

WHEREAS, after a municipality elects to have the violations of its municipal ordinances heard and determined by an associate circuit judge, the associate circuit judge shall commence hearing and determining such violations six months after the municipality notifies the presiding judge of the circuit of its election; and

WHEREAS, the City of Perryville, Missouri, has previously established a municipal court but now elects to have all violations of its municipal ordinances heard and determined by an associate circuit judge of the circuit within which the city is located.

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

Section 1. That Title 1, Chapter 1.12, Section 1.12.020, Subsection A, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“1.12.020 Date of general election.

* * *

- A. On the first Tuesday after the first Monday in April of even-numbered years, an election shall be held by the qualified voters of each ward in the city for mayor and for one alderman for each ward who shall hold their respective offices for the term of two years and until their successors shall be elected and qualified.”

Section 2. That Title 2, Chapter 2.08, Section 2.08.010, Subsection A, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“2.08.010 Officers elected—Terms.

- A. The mayor and board of aldermen shall be elected by the qualified voters of the city and shall hold office for a term two years and until their successors are elected and qualified.”

Section 3. That Title 2, Chapter 2.08, Section 2.08.040, Subsection B, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“2.08.040 Bond requirements.

* * *

- B. City officers shall be bonded in the following amounts:

1. City clerk: Twelve thousand dollars (\$12,000.00);
2. Utility collection clerks: Ten thousand dollars (\$10,000.00);
3. Deputy city clerk: Twelve thousand dollars (\$12,000.00);
4. City treasurer: Twenty-five thousand dollars (\$25,000.00);
5. Deputy city treasurer: Fifteen thousand dollars (\$15,000.00);
6. City administrator: Ten thousand dollars (\$10,000.00);
7. Police officers: Two thousand five hundred dollars (\$2,500.00);

8. City hall secretary collecting funds for occupational and liquor licenses: Two thousand five hundred dollars (\$2,500.00)."

Section 4. That Title 2, Chapter 2.08, Section 2.08.130, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

"2.08.130 Defense of city officers.

The board of aldermen shall purchase such insurance as the board of aldermen in its absolute discretion deems prudent and necessary to cover any liability claims made or brought against any city officers as a result of the city officers performing their duties or responsibilities on behalf of the city. To the extent that the actions of any city officer in the performance of the city officer's duties or responsibilities to the city are not covered by a policy of liability insurance, then the city shall employ and pay for the legal representation of any city officer in the defense of the city officer's actions to carry out the city officer's duties and responsibilities on behalf of the city. If the board of aldermen deems that any payment, judgment amount or settlement amount against any city officer is the result of the performance of the city officer's duties and responsibilities to the city and if the actions of the city officer are not covered by a policy of liability insurance, then the board of aldermen may allocate such sums as are necessary to pay such payment, judgment amount or settlement amount against any city officer. City officers shall include, but not be limited to, the mayor, members of the board of aldermen, the city administrator, the city attorney, the city clerk, the city treasurer, the building official, the city engineer, and the city's fire and police officers."

Section 5. That Title 2, Chapter 2.28, Section 2.28.150, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

"2.28.150 Appointment of substitute during temporary disability.

In case of sickness, absence from the city, or other temporary inability of the city attorney to discharge the duties of his office, he may, with the approbation of the mayor and at his own expense, appoint some competent attorney to act in his stead during such sickness, absence from the city, or other temporary inability. If such appointment is not made as aforesaid, then it shall be the duty of the mayor to appoint some competent attorney to represent the city in all cases pending such temporary inability of the city attorney to perform the duties of his office, and the person so appointed shall possess the same powers and receive the same fees as the regular city attorney would if he were present."

Section 6. That Title 2, Chapter 2.40, Section 2.40.060, of the Code of Ordinances of the City of Perryville, Missouri, is hereby DELETED IN ITS ENTIRETY.

Section 7. That Title 2, Chapter 2.68, Section 2.68.030, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

"2.68.030 Selection of judge.

All violations of the city's ordinances shall be heard and determined before an associate circuit judge or judges of the circuit within which the city is located as authorized in Section 479.040 of the Revised Statutes of Missouri. All references to 'municipal judge' in this code of ordinances of the city shall refer to the associate circuit judge assigned to hear the case or issue."

Section 8. That Title 2, Chapter 2.68, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by DELETING IN THEIR ENTIRETY Section 2.68.040, Section 2.68.050, Section 2.68.060,

Section 2.68.070, Section 2.68.080, Section 2.68.090, Section 2.68.110, Section 2.68.250, Section 2.68.260, Section 2.68.265, Section 2.68.290, and Section 2.68.310.

Section 9. 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 10. 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 11. That this ordinance shall take effect and be in force from and after December 31, 2020.

Section 12. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: July 7, 2020.

SECOND READING: July 21, 2020.

PASSED AND APPROVED this 21st day of July, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6065, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ROBINSON INDUSTRIAL AND HEAVY CONTRACTING** RELATIVE TO **WASTEWATER TREATMENT FACILITY IMPROVEMENTS PROJECT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6065 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, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6283 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6065

ORDINANCE NO. 6283

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ROBINSON INDUSTRIAL AND HEAVY CONTRACTING** RELATIVE TO **WASTEWATER TREATMENT FACILITY IMPROVEMENTS 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 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 **Robinson Industrial and Heavy Contracting**. 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 7, 2020.

SECOND READING: July 21, 2020.

PASSED AND APPROVED this 21st day of July, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6066, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **BURNS & MCDONNELL** RELATIVE TO **ENGINEERING SERVICES FOR WATER TREATMENT PLANT INTAKE STUDY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6066 is read a second time on motion by Alderman Martin, seconded by Alderman Guth. Thereupon on motion by Alderman Martin, seconded by Alderman Guth, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6284 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6066

ORDINANCE NO. 6284

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **BURNS & MCDONNELL** RELATIVE TO **ENGINEERING SERVICES FOR WATER TREATMENT PLANT INTAKE STUDY**; 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 **Burns & McDonnell**. 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 7, 2020.

SECOND READING: July 21, 2020.

PASSED AND APPROVED this 21st day of July, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6067, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTIES DEDICATED TO THE CITY, WHICH SAID PROPERTIES ARE PARTICULARLY SET FORTH IN THE ATTACHED QUIT-CLAIM DEEDS. Bill No. 6067 is read a second time on motion by Alderman Buerck, seconded by Alderman Martin. 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; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6285 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6067

ORDINANCE NO. 6285

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTIES DEDICATED TO THE CITY, WHICH SAID PROPERTIES ARE PARTICULARLY SET FORTH IN THE ATTACHED QUIT-CLAIM DEEDS.

WHEREAS, **TG MISSOURI CORPORATION** and **PATRICIA WIBBENMEYER AND KATHERINE WELKER** have generously dedicated to the City of Perryville, Missouri, the properties described in the Quit-Claim Deeds attached hereto.

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 Quit-Claim Deeds which are attached hereto, subject to all of the terms and conditions therein expressed.

Section 2. That the Mayor and the 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 above Quit-Claim Deeds.

Section 3. That the City Clerk is hereby directed to file a copy of the Quit-Claim Deeds with the Recorder of Deeds of Perry County, Missouri.

Section 4. This ordinance shall take effect from and after its passage and approval.

FIRST READING: July 7, 2020.

SECOND READING: July 21, 2020.

PASSED AND APPROVED this 21st day of July, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

FIRST READINGS:

Alderman Riney presents motion, seconded by Alderman Martin, and on vote carried Bill No. 6068, entering into an agreement with Lappe Cement Finishing, Inc., for the 2020 Street Improvement Project (Trade Winds and Robb Streets), 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 **LAPPE CEMENT FINISHING, INC.**, RELATIVE TO **2020 STREET IMPROVEMENTS PROJECT**; 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. 6069, amending Title 6, Chapter 6.08 of the Code of Ordinances relative to animal impound and dangerous dogs, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 6, CHAPTER 6.08, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO ANIMAL IMPOUNDMENT AND DANGEROUS DOGS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Mayor Baer asks for Committee Reports.

Alderman Guth, as Chairman of the Public Works Committee, asks staff to look into a complaint about limbs accumulating on the right-of-way at the end of Wichern Road. It appears that people from the apartment building are placing the limbs in that location. It is noted that the apartment building does not pay for City trash.

Alderman Guth, as Chairman of the Economic Development Committee, asks Economic Development Director Scott Sattler to update the Board on recent activities. He informs the Board that the tractor museum is having their grand opening on August 8th. He also notes that the Governor is allocating \$30M to small businesses with less than 50 employees and to family farms. His office will assist with this process. Money is also being allocated for tourism.

City Administrator Report:

- **Downtown Plaza Flowers** – Aquatics Supervisor Julie King has done a great job planting the new flower boxes at the Downtown Plaza. She will be changing the flowers for the Autumn season. My compliments to Julie.
- **Virtual Building Inspections** – A recent MML communication suggested the possibility of municipalities doing their building inspections virtually. Our Building Inspector, Ray Jackson, informs me that he is already using this format. My compliments to him for his forward thinking. This process saves time and money.

City Engineer Report:

- **Perryville Shared Use Path Project (concrete trail from Miget Park to Soccer Complex)**
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This project is 95% complete. Remaining items include: electrical at the intersection; handrail installation; concrete island work; seeding and strawing.
- **Trenchless Sewer Main Rehabilitation Project** – The next phase of this project is to improve the service line connections.
- **North Parkview Lift Station** – Robinson Construction has installed one new pump. The control panel will be installed soon.
- **2020 Street Improvement Project** - This project will start in mid-August.

Alderman Riney asks if the disconnected hydrants in the Crestview Project will be removed. City Engineer Baer says that some of the hydrants will be reconnected to the new main. Others will be removed. If a new hydrant has been installed near an old hydrant, the old hydrant will be removed.

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

Alderman Hudson asks staff to check on the weeds growing along Plaza Drive.

Alderman Martin informs staff that he was contacted by the owner of a home on East Ste. Marie Street that would like to get a curb cut. Staff advises that curb cut permits are issued and the street department cuts the curb. After the curb is cut, it is up to the owner to remove the curb. Alderman Martin will inform the homeowner.

Alderman Martin notes that the alley way that he reported on at a previous meeting looks good.

Now, at this time, upon motion by Alderman Buerck, seconded by Alderman Riney, it is ordered that the Board now convene into closed session to discuss contractual matters in accordance with Section 610.021(9) RSMo; litigation matters in accordance with Section 610.021(12) RSMo; real estate matters in accordance with Section 610.021(2) RSMo; and 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, absent. Totals: aye, five; nay, none; absent, one.

Following discussion and review, it is upon motion by Alderman Hudson, seconded by Alderman Riney, 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, absent. Totals: aye, six; nay, none; absent, one.

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, August 4, 2020, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK