

August 6, 2019

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

The Board of Aldermen of the City of Perryville, Perry County, Missouri, met at City Hall in said City on the above date in regular session pursuant to adjournment. Present: Ken Baer, Mayor; Curt Buerck, Tom Guth, 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 the invocation.

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

Mr. Steve Keller, of 817 West Ste. Marie Street, Perryville, comes before the Board. Mr. Keller says he saw an article in the newspaper about the City issuing summons for loose rock on sidewalks and in the streets. He distributes pictures taken in 2017 of rocks washed onto West Ste. Marie Street from the city alley behind his house. He notes that there is a lot of traffic on this alley and that a motorcycle once had an accident because of the loose gravel. He suggests that the City should fix this problem before "getting after" citizens.

Mayor Baer says staff will look into this matter.

Mr. Richard Smalley, of 310 Feltz Street, Perryville, tells the Board of Aldermen that he would like to thank Public Works Director Brown for going above and beyond the call of duty by helping him when he had a problem with his wheelchair while traveling near the Knights of Columbus and fixing the sidewalk.

Mr. Smalley also states that he has been working with the City about sidewalks and that he has seen progress.

Ms. Judy Ernst, of 1029 Michael Street, Perryville, explains the Pedal the Cause request before the Board this evening, noting that she hopes this is the start of an annual event.

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

At this time, Mayor Baer opens a public hearing for 2019 Property Tax Rates. There being no one present, Mayor Baer closes the 2019 Property Tax Rates public hearing.

CONSENT AGENDA ITEMS

4. Approve minutes from meeting of July 16, 2019.
5. Approve bills for July 2019.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of July, 2019, vendor checks numbered 112480-112807; and 7 ACH transfers; payroll checks numbered: 658301 - 658309.

The following bills are presented to be paid for the month of July, 2019. Board finds that \$587,430.98 is chargeable to and payable out of the General Revenue Account; \$47,910.69 is out of Airport; \$50,335.64 is out of Transportation Trust; \$169,632.36 is out of Perry Park Center; \$3,348.82 is out of Veterans Memorial Field; \$2,250.00 is out of Field Improvement Committee; \$1,186.35 is out of Debt Service; \$1,221.24 is out of Capital Improvement Sales Tax; \$376.75 is out of TIF #3; \$19,950.45 is out of Street Improvement; \$45,765.05 is out of Refuse; \$264,908.92

is out of CWSS; and \$144,839.17 is out of Gas Operation. The Board, upon investigation, found the sum to be \$1,339,156.42.

6. Acknowledge City Administrator Buerck's approval of staffing agreement with Express Employment Professionals regarding temporary security.
7. Approve bids received for Sycamore Road Improvement Project and award to Lappe Cement Finishing, Inc., per recommendation of City Engineer Baer - \$1,318,091.63.
8. Approve bids received for Baseball Field 9 Redevelopment Project and award to Jokerst, Inc., per recommendation of City Engineer Baer - \$117,902.00
9. Approve bids received for Public Works Facility Entry Gate and Fencing Project and award to Zoellner Construction Company per recommendation of Gas Superintendent Britt - \$17,900.00.
10. Approve bids received for a backhoe and award to Erb Equipment company per recommendation of Gas Superintendent Britt - \$103,760.00.
11. Approve 2019 Safety Playground Surface specifications and authorize staff to advertise for bids.
12. Approve Airport T-Hangar Improvements and Repairs specifications and authorize staff to advertise for bids.
13. Approve request to apply for a VW (Volkswagen) Grant to replace sludge truck and sweeper.
14. Approve request from Mid America Rehab to hold a 5K Rally Run on September 14, 2019, on the TG Trail and to provide restrooms for the event.
15. Approve request from Popeye Pedalers to hold its 1st Annual "Pedal the Cause" bike ride on Saturday, September 7, 2019.
16. Approve request from Tourism Director Erzfeld to provide accommodations for the Big BAM (Bikes Across Missouri) overnight stay in Perryville on June 3-4, 2020.
17. Approve revisions to Police Department Operations Manual Policy GO-98-0801 re uniform policy and regulations; and Policy GO-06-0202 re motor vehicle inventories.
18. Approve recommendation from the Airport Advisory Board to allow the installation of a Shell sign at the Perryville Regional Airport.
19. Approve recommendation from Airport Systems Operator Maxwell to convert one of the fuel tanks at the Perryville Municipal Airport from MoGas to AvGas.
20. Approve recommendation from Lead Mechanic Finger to cancel the generator maintenance contract with Southeast Services and enter into a contract with CK Power.

END OF CONSENT AGENDA

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

Item 20 – Alderman Guth asks what the procedure is for staff to ensure that the generators have been properly serviced. Public Works Director Brown explains the process and that staff found the technicians were inexperienced. He informs the Board that CK Power also services the hospital.

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

At this time, City Administrator Buerck informs the Board that Redbud Court Subdivision developers have requested the city reconsider changing our street frontage requirements for R-1 from 100' to 80'. Redbud Court is currently zoned R-1, which requires at least a 100 foot frontage with 15 foot side yards. The houses that are being built in Redbud are two story houses and the R-1 requirements leave bigger side yards than necessary.

Alderman Schumer explains that revising the lot sizes will be better, visually, since the current sizes will make it look like there is an additional lot between the houses.

City Administrator Buerck asks that the Board request the Planning and Zoning Commission review this matter under the leadership of the Planning and Zoning Administrator and make a recommendation to the Board of Aldermen. He notes that he does not expect an overall change to the zone sizes. He suggests that a zone between R-1 and R-2 may be created.

After discussion and review, Alderman Riney makes a motion to request the Planning & Zoning Commission study the existing ordinances and make a recommendation to the Board of Aldermen regarding potential changes. Alderman Guth seconds the motion, and on vote the motion carries. City Administrator Buerck notes that this process will take time to do correctly.

RESOLUTION:

After discussion and review, Alderman Schumer makes a motion to accept the Mobile Phone Policy. Motion is seconded by Alderman Riney, and on vote carried. Said Resolution is as follows:

**RESOLUTION NO. 2019-07
ADOPTING THE MOBILE PHONE STIPEND POLICY**

WHEREAS, the Board of Aldermen of the City of Perryville desires to establish a policy for issuance of stipends to City employees for their personal mobile phone use; and

WHEREAS, the City Administrator will administer this policy; and

WHEREAS, it is the intent of the City of Perryville to formalize this policy by the adoption of a resolution.

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

That the Board of Aldermen of the City of Perryville, Missouri, after consideration of the need to establish a policy for issuances of stipends to City employees for their personal mobile phone use, hereby approves and adopts the **Mobile Phone Stipend Policy** as follows:

MOBILE PHONE STIPEND POLICY

This policy establishes that a monthly stipend may be issued to City of Perryville supervisors and employees for maintaining a personal mobile phone on which the employee shall be willing to take calls outside of standard business hours and occasionally during regular business hours when the City-owned radio is not convenient.

Eligible Employees: Supervisors shall submit the name of each employee they deem eligible for a mobile phone stipend to the City Administrator. Upon his approval, the City Treasurer shall issue a monthly stipend to the employee in an amount determined by the City Administrator based on the following criteria:

4. Employees who are required to have out-of-office voice service in the course of job performance shall be given a \$20.00 per month stipend.
2. Employees who are required to have out-of-office voice service and need access to Supervisory Control and Data Acquisition (SCADA) equipment remotely shall be given a \$35.00 per month stipend.
3. Employees who are required to have remote voice service, access to their City e-mail account, access to technical city equipment or require significant internet access on a regular basis outside of normal working hours shall be given a \$50.00 per month stipend.

Availability: Said employees that receive a stipend are required to provide a suitable mobile phone of their choosing and to be available by their personal mobile phone with the exception of an extended leave under the Family Medical Leave Act or leave covered by Workers' Compensation Insurance.

PASSED AND APPROVED this 6TH day of August, 2019, 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

SECOND READINGS AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 5958, 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. Bill No. 5958 is read a second time on motion by Alderman Guth, seconded by Alderman Riney. Thereupon on motion by Alderman Guth, seconded by Alderman Riney, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, 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. 6177 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5958

ORDINANCE NO. 6177

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.

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 Easement Deed from **Lappe Cement Finishing, Inc.**, 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 Easement Deed.

Section 3. The City Clerk is hereby directed to file a copy of the Easement 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 16, 2019.

SECOND READING: August 6, 2019.

PASSED AND APPROVED this 6th day of August, 2019, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 5959, 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. 5959 is read a second time on motion by Alderman Martin, seconded by Alderman Buerck. Thereupon on motion by Alderman Martin, 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, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6178 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5959

ORDINANCE NO. 6178

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 adding thereto the following prohibited parking designations:

- (vvvv) On the east side of TG Way for a distance of 75 feet north and 75 feet south of the extended centerline of the TG Missouri rear entrance drive.
- (wwww) On the west side of TG Way for a distance of 55 feet north and 55 feet south of the edge of the entrance to the TG Missouri rear entrance drive.

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 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 16, 2019.

SECOND READING: August 6, 2019.

PASSED AND APPROVED this 6th day of August, 2019, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 5960, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CNG SOURCE SOLUTIONS, INC.**, RELATIVE TO **UPGRADE OF COMPRESSED NATURAL GAS TIME FILL FUELING STATION AT 304 SOUTH KINGSHIGHWAY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 5960 is read a second time on motion by Alderman Guth, seconded by Alderman Riney. Thereupon on motion by Alderman Guth, seconded by Alderman Riney, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, 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. 6179 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5960

ORDINANCE NO. 6179

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CNG SOURCE SOLUTIONS, INC.**, RELATIVE TO **UPGRADE OF COMPRESSED NATURAL GAS TIME FILL FUELING STATION AT 304 SOUTH KINGSHIGHWAY**; 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 **CNG Source Solutions, 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: July 16, 2019.

SECOND READING: August 6, 2019.

PASSED AND APPROVED this 6th day of August, 2019, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

FIRST AND SECOND READINGS AND FINAL PASSAGE:

Now, at this time, Bill No. 5961, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND THE **MISSOURI DEPARTMENT OF NATURAL RESOURCES RELATIVE TO 2019 FINANCIAL ASSISTANCE AGREEMENT FOR A NON-PLAYGROUND SCRAP TIRE SURFACE MATERIAL GRANT**; 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 Hudson. On motion by Alderman Buerck, seconded by Alderman Hudson, and on vote carried, Bill No. 5961 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. 6180 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5961

ORDINANCE NO. 6180

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND THE **MISSOURI DEPARTMENT OF NATURAL RESOURCES RELATIVE TO 2019 FINANCIAL ASSISTANCE AGREEMENT FOR A NON-PLAYGROUND SCRAP TIRE SURFACE MATERIAL GRANT**; 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 **Missouri Department of Natural Resources**. 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 enter 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. 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.

5. 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.

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

FIRST READING: August 6, 2019.

SECOND READING: August 6, 2019.

PASSED AND APPROVED this 6th day of August, 2019, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

Now, at this time, Bill No. 5962, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND THE **MISSOURI DEPARTMENT OF NATURAL RESOURCES** RELATIVE TO **2019 FINANCIAL ASSISTANCE AGREEMENT FOR A PLAYGROUND SCRAP TIRE SURFACE MATERIAL GRANT**; 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 Martin, seconded by Alderman Buerck. On motion by Alderman Martin, seconded by Alderman Buerck, and on vote carried, Bill No. 5962 is read for the second time. Thereupon on motion by Alderman Martin, seconded by Alderman Buerck, 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. 6181 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5962

ORDINANCE NO. 6181

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND THE

MISSOURI DEPARTMENT OF NATURAL RESOURCES RELATIVE TO **2019 FINANCIAL ASSISTANCE AGREEMENT FOR A PLAYGROUND SCRAP TIRE SURFACE MATERIAL GRANT**; 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 **Missouri Department of Natural Resources**. 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 enter 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. 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.

5. 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.

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

FIRST READING: August 6, 2019.

SECOND READING: August 6, 2019.

PASSED AND APPROVED this 6th day of August, 2019, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

Now, at this time, Bill No. 5963, 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 **SYCAMORE ROAD IMPROVEMENTS PROJECT**; 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 Martin. On motion by Alderman Buerck, seconded by Alderman Riney, and on vote carried, Bill No. 5963 is read for the second time. 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 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. 6182 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5963

ORDINANCE NO. 6182

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 **SYCAMORE ROAD 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 marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Lappe Cement Finishing, 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. 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.

5. 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.

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

FIRST READING: August 6, 2019.

SECOND READING: August 6, 2019.

PASSED AND APPROVED this 6th day of August, 2019, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

FIRST READINGS:

Alderman Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 5964, readopting Title 2 of Chapter 2.48 of the Code of Ordinances regarding Personal Financial Disclosure, is read for the first time by title only. The heading is as follows:

AN ORDINANCE READOPTING CURRENT TITLE 2, CHAPTER 2.48 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, ORIGINALLY PASSED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN ON THE 21ST DAY OF AUGUST, 1991.

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 5965, entering into an agreement with Jokerst, Inc., relative to Baseball Field 9 Redevelopment Project, 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 **JOKERST, INC.** RELATIVE TO **BASEBALL FIELD #9 REDEVELOPMENT PROJECT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5966, entering into an agreement with Zoellner Construction Company relative to Public Works Facility Entry Gate and Fencing, 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 **ZOELLNER CONSTRUCTION COMPANY, INC.**, RELATIVE TO **PUBLIC WORKS FACILITY ENTRY GATE AND FENCING 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. 5967, accepting General Warranty Deed from Zeno Development LLC relative to Zeno Trailer Park, 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 GENERAL WARRANTY DEED.

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5968, accepting Easement Deeds from Tayon Living Trust and Perry County Properties LLC relative to sinkhole maintenance, 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 DEEDS.

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 5969, amending Title 8, Chapter 8.16, Section 8.16.130 of the Code of Ordinances relative to Residential Disposal of Large Solid Waste, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 8, CHAPTER 8.16, SECTION 8.16.130, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO RESIDENTIAL DISPOSAL OF LARGE SOLID WASTE; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Guth, as Chairman of the Public Works Committee, asks staff if there is a list of duties and responsibilities for the Aldermen as they serve on the Mayor's various committees. He notes that he looked through the Code of Ordinances and did not find anything in this regard. Staff will check into his question and return with an answer at a future meeting.

Alderman Guth, as Chairman of the Economic Development Committee, informs the Board that there were two applicants for the Habitat for Humanity house, but they were both rejected.

City Administrator Buerck reports:

- **2020 Decennial Census Ltr** - We are working with Cape Girardeau to coordinate a regional effort aimed at promoting the census and highlighting the civic duty and importance of completing the census every 10 years.

- **Mobile Home Reporting** - Our new form has been developed by staff to help ensure accurate counts of existing mobile homes throughout the city. It has been reviewed by the city attorney, along with the county assessor. We will send the letters out in the next couple days and allow ample time for them to be completed, having them due October 31.

- **WWTP Design Process** - We are the first city in Missouri using the new law for design/build. We continue to meet with DNR regarding the SRF funding schedule. They have been excellent to work with. As we sit currently, the SRF loan would close after the 30% design is completed and approved.

- **PW Items of Interest** - Staff proposes replacing the biweekly newsletter with an items of interest summary, hoping the summary would be easier to put together, more accurate, and easier to read since it will be in a dot point format. A sample is provided here and, if approved, will continue going forward.

City Engineer Baer reports:

- **Sycamore Road Project** – We received good bids on the Sycamore Road Project; Lappe Cement will begin ordering materials right away; the stormwater pipe will be laid first; the project will be set up in sections; Citizens Electric will stay ahead of the contractor.

Alderman Buerck questions who will mow the grass strip. Alderman Hudson notes that he does not like the grass strip. City Administrator Buerck states that Citizens Electric Corporation prefers using the green space and it helps with the size of the easement necessary.

- **Field 9** – Good bids were received for the Baseball Field 9 project. It is expected the project will be completed this fall.

City Administrator Buerck notes that the website's "notify me" helps publicize our bid projects.

- **Sewer Line Project** – This project is moving along well; hopefully, 500 feet a day.

Mayor Baer asks Parks & Recreation Director Cadwell for an update. Director Cadwell notes that Comic-Con was a big success in the Park Center on July 27; Senior Olympic Games start on August 7; and the Civic Rec software is now offering on-line registration.

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

Alderman Hudson expresses his concern about the condition of North Moulton Street. He says the street cuts made for the utility line installation have not been patched very well and should be fixed as soon as possible. Staff informs the Board that they have new asphalt mix and the new compactor should help.

Staff reviews process for prioritizing streets for the concrete schedule.

When discussing where water lines should be placed, City Engineer Baer explains how the location is determined. He notes that the terrain plays a factor in its placement. Also, where the other utilities are located in the street play a factor as well.

Now, at this time, upon motion by Alderman Schumer, seconded by Alderman Hudson, it is ordered that the Board now convene into closed session to discuss personnel matters in accordance with Section 610.021(3) RSMo; and contractual matters in accordance with Section 610.021(9) 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 Buerck, seconded by Alderman Schumer, 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.

There being no further business, it is upon motion by Alderman Buerck, seconded by Alderman Hudson, and on vote carried, ordered that the Board now adjourn until Tuesday, August 20, 2019, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK