

**August 18, 2020**

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

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

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

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

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

Public Works Director Layton now introduces Larry Pellikan, new WTP and WWTP Maintenance employee.

**CONSENT AGENDA ITEMS**

4. Approve minutes from meeting of August 4, 2020.
5. Approve Financial Report for July, 2020.
6. Approve Missouri Department of Transportation Aviation Section Agreement for Transfer of Entitlements.
7. Approve renewal of the Airport Snow Removal Agreement with Todd Schilli Farms, LLC for an additional one-year period as outlined in Article IV of the agreement.
8. Approve request to close Perry Park Center at 5:00 pm on September 6, 2020, due to fireworks display.
9. Approve request from Robynne Duvall to include a truck convoy at the conclusion of the Laid-Back on I55 event.
10. Approve Brenda Avenue Parking Study.

**END OF CONSENT AGENDA**

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

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

The Community Survey discussion is now opened by City Administrator Buerck. He notes that he has concerns about adding a question about green strips next to sidewalks in the survey, which was requested by Alderman Hudson at the previous meeting. Alderman Riney informs the Board that he has viewed the green strips and believes that they provide access for fire hydrants, light poles, etc., as well as additional safety. Alderman Riney notes that the current Street Policy includes the green strips, and he suggests that the Board stay with the current plan. Alderman Hudson notes that there are still city services in the street and agrees that the strip should be used for maintenance of services. City Administrator Buerck notes that the goal for services is to go behind the curb where possible. Alderman Guth states that the strip is not big enough to hold all of the utilities, but will be an asset for mailboxes if the post office ever decides to

make all households put a mailbox at the curb. Alderman Buerck agrees. It is the consensus of the Board to leave the green strip question off of the survey.

Alderman Buerck reviews other questions for the survey and asks the Board's opinion on questions regarding the community's response to the COVID-19 pandemic. The Board agrees to remove those questions from the survey. They also ask that a question about the need for a skate park and/or bike park be added to the survey.

Regarding the downtown tree issue, City Administrator Buerck informs the Board that he will have more information for their review at the next meeting.

## **SECOND READINGS AND FINAL PASSAGE:**

Now, at this time, the Board proceeds to approve Bill No. 6070, 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 21<sup>ST</sup> DAY OF AUGUST, 1991. Bill No. 6070 is read a second time on motion by Alderman Martin, seconded by Alderman Riney. Thereupon on motion by Alderman Martin, 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. 6288 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6070

ORDINANCE NO. 6288

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 21<sup>ST</sup> DAY OF AUGUST, 1991.

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

Section 1. That Title 2 of Chapter 2.48 of the Code of Ordinances of the City of Perryville, Missouri, is hereby readopted and confirmed in compliance with Section 105.485.4 RSMo, 1986, as amended. Copy of same is attached hereto and incorporated herein by reference as if fully set forth.

Section 2. That the City Clerk is hereby directed to forward a certified copy of this Ordinance and the attachment to the Missouri Ethics Commission within ten (10) days of passage and approval.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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

FIRST READING: August 4, 2020.

SECOND READING: August 18, 2020.

PASSED AND APPROVED this 18<sup>th</sup> day of August, 2020, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

Ken Baer, Mayor

ATTEST:  
Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 6071, AN ORDINANCE ESTABLISHING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION FOR GENERAL REVENUE PURPOSES AND FOR THE PARK FUND DURING THE ENSUING FISCAL YEAR 2020-21; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT. Bill No. 6071 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; 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. 6289 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6071

ORDINANCE NO. 6289

AN ORDINANCE ESTABLISHING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION FOR GENERAL REVENUE PURPOSES AND FOR THE PARK FUND DURING THE ENSUING FISCAL YEAR 2020-21; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

WHEREAS, in accordance with Sections 94.190 through 94.330 the City is empowered to establish taxation upon the assessed valuation of property within the City for general revenue purposes; and

WHEREAS, under the provisions of Sections 90.010 and 90.500, et. seq., the City is empowered to establish the rate of levy on the assessed valuation of property within the City for the purpose of providing a park fund; and

WHEREAS, in accordance with the aforesaid sections, the City must establish said rates after holding a public hearing for the ensuing fiscal year; and

WHEREAS, the City has held a public hearing as required by statute.

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

Section 1. That the amount of money necessary to be raised by taxation during the ensuing fiscal year on the assessed valuation of all properties situated in the City of Perryville, Missouri, for general revenue purposes is Five Hundred Ninety-One Thousand Dollars and No Cents (\$591,000.00) and for park purposes is Two Hundred Forty-Eight Thousand Four Hundred Dollars and No Cents (\$248,400.00).

Section 2. That the total assessed valuation of all the property in the City, as shown by a certified abstract transmitted to the Board of Aldermen of the City by the County Clerk of Perry County, Missouri, is One Hundred Fifty-One Million One Hundred Eighty-Four Thousand Five Hundred Thirty-Five Dollars and No Cents (\$151,184,535.00).

Section 3. That the Board of Aldermen of the City hereby establishes the rate of levy for general revenue purposes at Forty Cents (\$0.40) on each One Hundred Dollars (\$100) assessed valuation on all property situated in the City of Perryville, Missouri.

Section 4. That the Board of Aldermen of the City hereby establishes the rate of levy for park fund purposes at Seventeen Cents (\$0.17) on each One Hundred Dollars (\$100) assessed valuation on all property situated in the City of Perryville, Missouri.

Section 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 portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 6. That this ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: August 4, 2020.

SECOND READING: August 18, 2020.

PASSED AND APPROVED this 18<sup>th</sup> day of August, 2020, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI  
Ken Baer, Mayor

ATTEST:  
Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 6072, AN ORDINANCE ESTABLISHING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION DURING THE ENSUING FISCAL YEAR ON THE ASSESSED VALUATION OF ALL PROPERTY SITUATED IN THE CITY OF PERRYVILLE, COUNTY OF PERRY, STATE OF MISSOURI, FOR THE PURPOSE OF PAYING THE BOND PRINCIPAL AND INTEREST FALLING DUE IN THE FISCAL YEAR 2020-21 IN GENERAL OBLIGATION BOND ISSUE INDEBTEDNESS; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT. Bill No. 6072 is read a second time on motion by Alderman Buerck, seconded by Alderman Martin. 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; 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. 6290 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6072

ORDINANCE NO. 6290

AN ORDINANCE ESTABLISHING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION DURING THE ENSUING FISCAL YEAR ON THE ASSESSED VALUATION OF ALL PROPERTY SITUATED IN THE CITY OF PERRYVILLE, COUNTY OF PERRY, STATE OF MISSOURI, FOR THE PURPOSE OF PAYING THE BOND PRINCIPAL AND INTEREST FALLING DUE IN THE FISCAL YEAR 2020-21 IN GENERAL OBLIGATION BOND ISSUE INDEBTEDNESS; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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

Section 1. That the amount of money necessary to be raised by taxation during the ensuing fiscal year on the assessed valuation of all property situated in the City of Perryville, County of Perry, State of Missouri, for the purpose of paying bond principal and interest falling due in the fiscal year 2020-21 on the General Obligation Bond issue indebtedness of the City is Zero Dollars and No Cents (\$0.00).

Section 2. That the total assessed valuation of all property in the City of Perryville, Missouri, as shown by a certified abstract transmitted to the Board of Aldermen by the County Clerk of Perry County, Missouri, is One Hundred Fifty-One Million One Hundred Eighty-Four Thousand Five Hundred Thirty-Five Dollars and No Cents (\$151,184,535.00).

Section 3. That based upon the assessed valuation of property in the City of Perryville, Missouri, and the money necessary to be raised to pay bond principal and interest falling due in the ensuing fiscal year, the Board of Aldermen hereby establishes the rate of levy at Zero Dollars and No Cents (\$0.00) on each One Hundred Dollars (\$100) assessed valuation.

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.

FIRST READING: August 4, 2020.

SECOND READING: August 18, 2020.

PASSED AND APPROVED this 18<sup>th</sup> day of August, 2020, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI  
Ken Baer, Mayor

ATTEST:  
Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 6073, AN ORDINANCE AMENDING TITLE 9, CHAPTER 9.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO TOW TRUCK ARRIVING AT SCENE WITHOUT BEING CALLED; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH . Bill No. 6073 is read a second time on motion by Alderman Martin, seconded by Alderman Riney. Thereupon on motion by Alderman Martin, 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. 6291 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6073

ORDINANCE NO. 6291

AN ORDINANCE AMENDING TITLE 9, CHAPTER 9.04, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO TOW TRUCK ARRIVING AT SCENE WITHOUT BEING CALLED; 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. Title 9, Chapter 9.04, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by adding Section 9.04.310 to read as follows:

**"9.04.310 Tow truck arriving at scene without being called.**

A. As used in this section the following terms shall mean:

'Law enforcement officer' means any public servant, other than a patrol officer, who is defined as a law enforcement officer under Section 556.061 of the Revised Statutes of Missouri.

'Motor club' means an organization which motor vehicle drivers and owners may join that provide certain benefits relating to driving a motor vehicle.

'Tow truck' means a rollback or car carrier, wrecker, or tow truck as defined under Section 301.010 of the Revised Statutes of Missouri.

'Towing' means moving or removing, or the preparation therefor, of a vehicle by another vehicle for which a service charge is made, either directly or indirectly, including any dues or other charges of clubs or associations which provide towing services.

'Towing company' means any person, partnership, corporation, fiduciary, association, or other entity that operates a wrecker or towing service as defined under Section 301.010 of the Revised Statutes of Missouri.

- B. It shall be unlawful for any towing company or tow truck arriving at the scene of an accident that has not been called by a police officer, a law enforcement officer, a Missouri department of transportation employee, the driver or owner of the motor vehicle or his or her authorized agent, including a motor club of which the driver or owner is a member, to tow the vehicle from the scene of the accident unless the towing company or tow truck operator is rendering emergency aid in the interest of public safety or is operating during a declared state of emergency under Section 44.100 of the Revised Statutes of Missouri.
- C. Violations of this section shall be punishable as provided in Section 1.16.010 of this code."

Section 2. It is the intent of the Mayor and Board of Aldermen of the City of Perryville, Missouri, and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: August 4, 2020.

SECOND READING: August 18, 2020.

PASSED AND APPROVED this 18<sup>th</sup> day of August, 2020, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 6074, AN ORDINANCE TO CORRECT A SCRIVENER'S ERROR IN BILL NO. 904, ORDINANCE NO. 1021, PASSED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, ON MARCH 20, 1958. Bill No. 6074 is read a second time on motion by Alderman Schumer, seconded by Alderman Hudson. Thereupon on motion by Alderman Schumer, 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, aye. Totals: aye, six; nay, none. 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. 6074

ORDINANCE NO. 6292

AN ORDINANCE TO CORRECT A SCRIVENER'S ERROR IN BILL NO. 904, ORDINANCE NO. 1021, PASSED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, ON MARCH 20, 1958.

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

Section 1. That there appeared in Bill No. 904, Ordinance No. 1021, a scrivener's error in the final ordinance.

Section 2. That Bill No. 904, Ordinance No. 1021, was to vacate a portion of a dedicated street in Hart's Addition to the City of Perryville, Missouri.

Section 3. That a portion of the area described to be vacated was in the paved portion of the intersection of Oak Street and Robb Street and that it was not the intent of the Board of Aldermen to vacate the area within the intersection of Oak Street and Robb Street.

Section 4. That the Board of Aldermen states and declares that the following described portion of Oak Street and Robb Street should not have been vacated and that it continues to be used as a city street within the city limits of the City of Perryville, Missouri, to-wit:

PART OF A 30 FEET WIDE STREET OR ALLEY OF HART'S ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 17 OF THE PERRY COUNTY SUBDIVISION RECORDS AS VACATED BY CITY OF PERRYVILLE BY ORDINANCE NO. 1021 AND BEING PART OF UNITED STATES SURVEY 2129, TOWNSHIP 35 NORTH, RANGE 11 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF PERRYVILLE, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID HART'S ADDITION, BEING THE MOST SOUTHERN CORNER OF KILLIAN & GREENWELL'S ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 21 OF SAID SUBDIVISION RECORDS; THENCE ALONG THE EAST LINE OF SAID HART'S ADDITION SOUTH 17 DEGREES 57 MINUTES 29 SECONDS WEST 24.67 FEET TO THE MOST NORTHERN CORNER OF A TRACT AS RECORDED IN DOCUMENT #2007R03527 OF THE PERRY COUNTY DEED RECORDS; THENCE LEAVING SAID EAST LINE NORTH 52 DEGREES 04 MINUTES 55 SECONDS WEST 31.93 FEET TO A POINT ON THE EAST LINE OF LOT 25 OF SAID HART'S ADDITION; THENCE NORTH 17 DEGREES 57 MINUTES 29 SECONDS EAST 10.86 FEET TO THE NORTHEAST CORNER OF SAID LOT 25 BEING ON THE SOUTHERLY LINE OF SAID KILLIAN & GREENWELL'S ADDITION; THENCE SOUTH 77 DEGREES 35 MINUTES 24 SECONDS EAST 30.14 FEET TO THE POINT OF BEGINNING AND CONTAINING 533 SQUARE FEET.

Section 5. That the Mayor and Board of Aldermen of the City of Perryville, Missouri, declare this ordinance to be an ordinance nunc pro tunc correcting Ordinance No. 1021 previously passed and approved on March 20, 1958.

Section 6. That this ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: August 4, 2020.

SECOND READING: August 18, 2020.

PASSED AND APPROVED this 18<sup>th</sup> day of August, 2020, by a vote of 6 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI  
Ken Baer, Mayor

ATTEST:  
Tracy Prost, City Clerk

**FIRST AND SECOND READING AND FINAL PASSAGE:**

Now, at this time, Bill No. 6075, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ANTHEM BLUE CROSS BLUE SHIELD** RELATIVE TO **HEALTH AND LIFE INSURANCE**; 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 Riney. On motion by Alderman Buerck, seconded by Alderman Riney, and on vote carried, Bill No. 6075 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. 6293 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6075

ORDINANCE NO. 6293

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ANTHEM BLUE CROSS BLUE SHIELD** RELATIVE TO **HEALTH AND LIFE INSURANCE**; 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 **Anthem Blue Cross Blue Shield**. 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: August 18, 2020.

SECOND READING: August 18, 2020.

PASSED AND APPROVED this 18<sup>th</sup> day of August, 2020, by a vote of 6 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF PERRYVILLE, MISSOURI  
Ken Baer, Mayor

ATTEST:  
Tracy Prost, City Clerk

**FIRST READINGS:**

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 6076, accepting request for Voluntary Annexation from Missouri's National Veteran Memorial for property described as part of a 62.35 acre tract containing 2.67 acres and 41.43 acres respectively, is read for the first time by title only. The heading is as follows:

AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY LIMITS OF THE CITY OF PERRYVILLE, MISSOURI UNDER THE PROVISIONS OF SECTION 71.012 RSMO.

Alderman Guth presents motion, seconded by Alderman Schumer, and on vote carried Bill No. 6077, entering into an agreement with ETC Institute relative to Community Survey, 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 **ETC INSTITUTE** RELATIVE TO **ADMINISTRATION OF CITY-WIDE COMMUNITY SURVEY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Guth presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 6078, entering into an agreement with ACRS, LLC relative to Broadband Feasibility Study, 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 **ACRS, LLC** RELATIVE TO **BROADBAND FEASIBILITY STUDY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Riney, and on vote carried Bill No. 6079, entering into an agreement with Missouri Highways and Transportation Commission relative to Amendment 4 to State Block Grant Agreement for Project 16-063A-1 Update Exhibit A at the Perryville Regional Airport, 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 STATE BLOCK GRANT AGREEMENT BY AND BETWEEN THE CITY AND **MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION** RELATIVE TO **AMENDMENT #4 TO AGREEMENT PROVIDING NON-PRIMARY ENTITLEMENT FUNDS PROJECT 16-063A-1 FOR RECONSTRUCTION OF T-HANGAR APRON PAVEMENT AND UPDATE/ DEVELOP EXHIBIT A PROPERTY LINE MAP AT THE PERRYVILLE MUNICIPAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Martin presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6080, entering into an Aviation Project Consultant Supplement Agreement No. 2 with Crawford, Murphy & Tilly, Inc., relative to Project 16-063A-1 regarding Update of Exhibit A at the Perryville Regional Airport, 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 **CRAWFORD, MURPHY & TILLY, INC.** RELATIVE TO **AVIATION PROJECT CONSULTANT SUPPLEMENT AGREEMENT NO. 2 RE PROJECT 16-063A-1 REGARDING RECONSTRUCTION OF T-HANGAR APRON PAVEMENT AND UPDATE/DEVELOP EXHIBIT A PROPERTY LINE MAP AT THE PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Riney, and on vote carried Bill No. 6081, entering into an agreement with Missouri Highways and Transportation Commission relative to Project 20-063A-2 regarding Reconstruction of the Perryville Regional Airport Southeast Taxiway and East Apron Taxilane at the Perryville Regional Airport – first reading. (copy enclosed, 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 STATE BLOCK GRANT AGREEMENT BY AND BETWEEN THE CITY AND **MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION** RELATIVE TO **STATE BLOCK AGREEMENT FOR DESIGN OF SOUTHEAST TAXIWAY AND EAST APRON TAXILANE AT THE PERRYVILLE MUNICIPAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Riney, and on vote carried Bill No. 6082, entering into an Aviation Project Consultant Agreement with Crawford, Murphy & Tilly, Inc., relative to Project 20-063A-2 regarding Reconstruction of the Perryville Regional Airport Southeast Taxiway and East Apron Taxilane at the Perryville Regional Airport, 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 **CRAWFORD, MURPHY & TILLY, INC.** RELATIVE TO **AVIATION PROJECT CONSULTANT AGREEMENT RE PROJECT 20-063A-2 REGARDING RECONSTRUCTION OF THE SOUTHEAST TAXIWAY AND EAST APRON TAXILANE AT THE PERRYVILLE REGIONAL AIRPORT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Martin presents motion, seconded by Alderman Schumer, and on vote carried Bill No. 6083, entering into a cooperative agreement with County of Perry Missouri, regarding municipal court transition, 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 **COUNTY OF PERRY, MISSOURI**, RELATIVE TO **MUNICIPAL COURT TRANSITION COOPERATIVE AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Mayor Baer asks for Committee Reports.

Alderman Buerck, as Chairman of the Public Safety Committee, asks the Parks & Recreation Department to monitor the PPC weight room at noon. He has a report that the businesses that are using the area during the noon hour are leaving it in disarray.

Alderman Guth, as Chairman of the Economic Development Committee, asks EDA Director Sattler to update the Board on any economic development activity. Director Sattler tells the Board that 400 visitors attended the American Tractor Museum open house and they are seeing a daily traffic of approximately 40 individuals.

City Administrator Report:

- **Tornado Siren Easement** - We will be needing an easement to relocate a tornado siren from behind the building at UEI to a place closer to the street. Over the years, the UEI buildings expanded to the point we can no longer access and maintain the tower there. The UEI board was agreeable last evening. Next we will approach the SB40 Board which owns the property.
- **Mural Call for Artist** - I sent this information to the Board via email. Trish Erzfeld is leading this effort again, having successfully done the previous billboard. She and I will be meeting soon to review proposals. The suggested location is the blank wall of the United Land Title building, located across from the Presbyterian Church next to Rozier's. Eventually, we hope each entrance to the downtown square has a welcoming billboard of different types and styles.
- **Tank for Sludge Truck** - The truck was really better than I expected. We are now evaluating how best to proceed with a replacement tank. With the Board's permission, we are thinking it might be best to solicit proposals from companies as tank specifications could be hard to put together.

After discussion, it is the consensus of the Board to see proposals rather than bids.

- **Brenda Ochs Retirement – August 27, 2020** - Brenda's career with the City is fast approaching 42 years. While her last day is August 27, she has agreed to stay on as a part-time employee through the end of the year to allow for a smooth court transition. Keeping someone already fully trained was a much better option than trying to higher the right part-time employee for a job expected to last only 4-5 months.

- **Trash Cans** - We have budgeted to replace the downtown trash cans. The cans are an older style, open top and in poor repair. Many are crooked or missing slats. Staff was unable to find a suitable replacement in the marketplace for what they wanted but have fabricated a very attractive solution. It will match the downtown decor, have a covered roof and fit our 96-gallon Toter carts. We believe this is a cost-effective solution and will allow us to get exactly what we desire.

It is the consensus of the Board to replace the downtown trash cans with the design created by the Public Works Department employees.

Alderman Guth asks for an update on the missing light poles around the Square. City Administrator Buerck says the replacements are in the Capital Improvement Plan.

- **Insurance Meetings** - We have scheduled group insurance meetings for August 25. There will be a 10:30 session and a 3pm session. All employees are expected to attend one or the other and the Board is invited to join us if they would like. We will also include a session on internet/network security as hosted by Forward Slash.

- **COVID Update** - As of last count, the County has 34 active cases. We continue to see both new cases and new recoveries. SV started school today; Saxony begins tomorrow; ILS on Thursday and District #32 on the 26<sup>th</sup> of next week. Each school is using a slightly different approach focusing on their environment and the safety of their students.

Also, after a recent part-time staff was infected with COVID, the administrative team of the Park Center would like to discuss the possibility of requiring masks be worn by staff.

Parks & Recreation Director Cadwell outlines the need for Park Center staff to wear masks. After discussion, it is the consensus of the Board to make this mask requirement at the start of next week.

City Engineer Report:

- **Perryville Shared Use Path Project (concrete trail from Miget Park to Soccer Complex)**  
This project is near completion. Electrical work on the traffic signals and striping will begin next week.

Alderman Hudson asks staff to check with MoDot to see if we could reduce traffic in the area of the intersection of St. Joseph and Highway 51.

- **Tradewinds and Robb Street** – The contractor will begin with sidewalks, first on Tradewinds, and then move to Robb Street.

- **North Parkview Lift Station** – We are still using the old panel; however, the new panel will be shipped next week.

- **Lining Project** - This project has progressed well.

Alderman Guth asks for an update on the sewer trunk line project. Engineer Baer reports that the design work is being completed, easements need to be acquired, and then the projects will go out for bid.

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

Alderman Riney informs the Board that he will contact Mr. Schilling regarding his curb question.

Alderman Guth asks about the placement of the scoreboard at Field 8 and questions why the scoreboards are not used during tournaments.

P&R Director Cadwell notes that the new scoreboard at Field 8 is donated by Gary Wengert's family and has been placed. He also tells the Board that the tournament directors do not use the scoreboards because they would need to hire people to monitor them.

Alderman Schumer notes that the Statement of Cash for the first quarter looks to be doing well.

Now, at this time, upon motion by Alderman Riney, seconded by Alderman Guth, it is ordered that the Board now convene into closed session to discuss real estate matters in accordance with Section 610.021(2) RSMo. 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 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, aye. Totals: aye, six; nay, none.

There being no further business, it is upon motion by Alderman Buerck, seconded by Alderman Guth, and on vote carried, ordered that the Board now adjourn until Tuesday, September 1, 2020, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK