

August 20, 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.

Parks & Recreation Director Cadwell recognizes and introduces four lifeguards from the Perry Park Center who rescued a swimmer in the pool. These lifeguards are Gretchen Asselmeier, Heidi Asselmeier, Isaac Layton, and Elise Melchoir.

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.

CONSENT AGENDA ITEMS

4. Approve minutes from meeting of August 6, 2019.
5. Approve Financial Reports for July 2019.

CITY OF PERRYVILLE									
STATEMENT OF CASH POSITION									
JULY, 2019									
		April 1, 2019	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	\$ 2,290,297.09	\$ 3,121,648.34	\$ (3,111,360.76)	\$ 10,287.58	\$ 2,300,584.67	\$ 7,895.02	\$ 30,296.90	\$ 2,322,986.55
105	FSA Administration	\$ 6,225.15	\$ 1,485.07	\$ -	\$ 1,485.07	\$ 7,710.22	\$ -	\$ -	\$ 7,710.22
106	Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99	\$ -	\$ -	\$ 53.99
204	Airport	\$ 8,929.74	\$ 293,707.85	\$ (269,586.88)	\$ 24,120.97	\$ 33,050.71	\$ 1,215.00	\$ 3,011.68	\$ 34,847.39
206	Trans Trust	\$ 1,208,736.02	\$ 331,706.53	\$ (241,770.20)	\$ 89,936.33	\$ 1,298,672.35	\$ -	\$ 1,711.51	\$ 1,300,383.86
207	Perry Park Ctr.	\$ (30,942.49)	\$ 1,845,018.42	\$ (1,784,980.44)	\$ 60,037.98	\$ 29,095.49	\$ 2,706.93	\$ 19,585.87	\$ 45,974.43
211	Veterans Field	\$ 21,171.45	\$ 8,546.58	\$ (5,015.57)	\$ 3,531.01	\$ 24,702.46	\$ -	\$ (148.40)	\$ 24,554.06
213	Field Improvement	\$ 9,788.95	\$ 58.39	\$ (2,775.00)	\$ (2,716.61)	\$ 7,072.34	\$ -	\$ -	\$ 7,072.34
307	Debt Service	\$ 418,823.91	\$ 3,427.68	\$ 872.87	\$ 4,300.55	\$ 423,124.46	\$ 342.81	\$ 342.81	\$ 423,124.46
308	Cap Imp Sls Tax Rev	\$ 997,235.69	\$ 247,153.65	\$ (709,554.58)	\$ (462,400.93)	\$ 534,834.76	\$ -	\$ -	\$ 534,834.76
409	Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
414	TIF 1-Hwy 51/61	\$ 251,366.92	\$ 10,055.78	\$ (19,394.03)	\$ (9,338.25)	\$ 242,028.67	\$ -	\$ -	\$ 242,028.67
415	Economic Develop	\$ 37,660.38	\$ 176.06	\$ (33,333.34)	\$ (33,157.28)	\$ 4,503.10	\$ -	\$ -	\$ 4,503.10
416	TIF 2-Downtown	\$ 97,428.47	\$ 769.23	\$ (170.90)	\$ 598.33	\$ 98,026.80	\$ -	\$ -	\$ 98,026.80
417	TIF 3-I55/HWY 51	\$ 315,587.56	\$ 17,048.11	\$ (75,808.62)	\$ (58,760.51)	\$ 256,827.05	\$ -	\$ -	\$ 256,827.05
513	Street Imp	\$ 482,027.23	\$ 115,141.60	\$ (105,026.46)	\$ 10,115.14	\$ 492,142.37	\$ -	\$ -	\$ 492,142.37
612	Refuse	\$ 263,746.00	\$ 294,170.05	\$ (281,412.51)	\$ 12,757.54	\$ 276,503.54	\$ 98,462.84	\$ 3,904.44	\$ 181,945.14
614	CWSS Op	\$ 3,091,157.59	\$ 2,325,852.76	\$ (1,822,322.81)	\$ 503,529.95	\$ 3,594,687.54	\$ 335,309.35	\$ 121,886.88	\$ 3,381,265.07
619	Gas Op	\$ 2,848,521.54	\$ 1,597,598.42	\$ (2,885,167.90)	\$ (1,287,569.48)	\$ 1,560,952.06	\$ 279,853.83	\$ 188,635.30	\$ 1,469,733.53
	TOTAL	\$ 12,317,815.19	\$ 10,213,564.52	\$ (11,346,807.13)	\$ (1,133,242.61)	\$ 11,184,572.58	\$ 725,785.78	\$ 369,226.99	\$ 10,828,013.79

6. Confirm payment of Pay Estimate 1 to Ryan Construction Company, LLC relative to the Northeast Outfall sewer Replacement Project - \$268,722.50.
7. Approve estimate work order from Citizens Electric Corporation regarding transmission lines on Sycamore Road.
8. Approve donation of old street striping machine to the City of Piedmont.

9. Approve request from Perryville Fire Department to close the city parking lot on September 7th from 4pm to 10pm for the September Cruise In.
10. Approve recommendation from Asst. Chief Jones relative to North Highway 61 Street Light.
11. Acknowledge termination of Big River contract.
12. Approve Wastewater Metals Translator Evaluation.
13. Approve renewal with United Healthcare for 2019-20 employee health insurance – 5% increase.

END OF CONSENT AGENDA

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

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

City Administrator Buerck informs the Board of Aldermen that the City has been approached by several individuals, including Mike Lundy and most recently, Representative Rick Francis, regarding our becoming a POW-MIA city. This particular designation seems logical with the Missouri National Veteran's Memorial and their upcoming event on POW-MIA day, which includes a motorcycle ride from Springfield to Perryville. Upon Board approval, staff will pursue the designation.

After discussion and review, Alderman Buerck makes a motion to authorize staff to pursue the POW-MIA City designation. Alderman Hudson seconds the motion, and on vote the motion carries.

SECOND READINGS AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 5964, 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. Bill No. 5964 is read a second time on motion by Alderman Guth, seconded by Alderman Riney. Thereupon on motion by Alderman Riney, 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. 6183 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5964

ORDINANCE NO. 6183

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.

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 6, 2019.

SECOND READING: August 20, 2019.

PASSED AND APPROVED this 20th 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. 5965, 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. Bill No. 5965 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, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6184 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5965

ORDINANCE NO. 6184

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.

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 **Jokerst, 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: August 6, 2019.

SECOND READING: August 20, 2019.

PASSED AND APPROVED this 20th 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. 5966, 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. Bill No. 5966 is read a second time on motion by Alderman Martin, seconded by Alderman Schumer. Thereupon on motion by Alderman Martin, seconded by Alderman Schumer, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; 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. 6185 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5966

ORDINANCE NO. 6185

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.

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 **Zoellner Construction Company, 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: August 6, 2019.

SECOND READING: August 20, 2019.

PASSED AND APPROVED this 20th 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. 5967, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED GENERAL WARRANTY DEED. Bill No. 5967 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, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6186 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5967

ORDINANCE NO. 6186

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED GENERAL WARRANTY DEED.

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

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

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

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

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

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

FIRST READING: August 6, 2019.

SECOND READING: August 20, 2019.

PASSED AND APPROVED this 20th 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. 5968, 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. Bill No. 5968 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. 6187 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5968

ORDINANCE NO. 6187

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.

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 Deeds from:

- 1) **Tayon Living Trust, and**
- 2) **Perry County Properties, LLC**

which are 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 Deeds.

Section 3. The City Clerk is hereby directed to file a copy of the Easement Deeds 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: August 6, 2019.

SECOND READING: August 20, 2019.

PASSED AND APPROVED this 20th 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. 5969, 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. Bill No. 5969 is read a second time on motion by Alderman Martin, seconded by Alderman Schumer. Thereupon on motion by Alderman Martin, seconded by Alderman Schumer, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; 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. 6188 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5969

ORDINANCE NO. 6188

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.

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

Section 1. That Title 8, Chapter 8.16, Section 8.16.130, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

"8.16.130 Residential disposal of large solid waste.

The city shall provide for residential collection of large items of solid waste provided that the city of Perryville resident meets the requirements set forth in this section:

- A. **Bulk Items.** Items of large solid waste shall be limited to and defined as bulk items, including furniture, washing machines, clothes dryers, residential stoves and ranges, water heaters, refrigerators, freezers, dishwashers, air conditioners, furnaces, or other large appliances that would normally be found in a residential setting. Prior to the collection of any bulk item under this subsection, the resident shall pay a ten dollar (\$10.00) collection fee to the city. Televisions and computer monitors may be collected curbside provided the resident shall prepay to the city the proper fee as established by the Perry County Recycling

Center or may be delivered by the resident to the Perry County Recycling Center in accordance with established fees.

- B. **Spring and Fall Cleaning.** The city shall offer its residential customers one large trash service twice a year at no additional charge. Prior to collection, the residential customer must contact the city of Perryville to schedule large trash pickup. These pickups shall occur during the second full week of both April and October. This shall not include items listed as bulk or electronic in Section 8.16.060(K) or Section 8.16.130(A). Individual large volumes of trash pickups may be scheduled outside of those times with public works for a prepaid fee of one hundred fifty dollars (\$150.00). Prepayment of this fee shall be required for all individual pickups estimated to be larger than four hundred (400) cubic gallons.

- C. **Commercial and Industrial Excluded.** Nothing in this section shall be construed to provide for the collection of any large item of solid waste from a commercial or industrial site and shall apply exclusively to residential collections.”

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 6, 2019.

SECOND READING: August 20, 2019.

PASSED AND APPROVED this 20th 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. 5970, 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 2019-20; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT, 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 Martin, and on vote carried, Bill No. 5970 is read for the second

time. Thereupon on motion by Alderman Buerck, seconded by Alderman Riney, 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. 6189 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5970

ORDINANCE NO. 6189

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 2019-20; 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 Sixty-Six Thousand Six Hundred Sixty Dollars and No Cents (\$566,660.00) and for park purposes is Two Hundred Forty Thousand Seven Hundred Fifty Dollars and No Cents (\$240,750.00).

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, One Hundred Forty Million Four Hundred Fifty-Six Thousand Eight Hundred Thirty-Three Dollars and No Cents (\$140,456,833.00).

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. 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.

Section 6. 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 7. That this ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: August 20, 2019.

SECOND READING: August 20, 2019.

PASSED AND APPROVED this 20th 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. 5971, 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 2019-20 IN GENERAL OBLIGATION BOND ISSUE INDEBTEDNESS; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT, 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. 5971 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. 6190 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5971

ORDINANCE NO. 6190

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 2019-20 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 2019-20 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 Forty Million Four Hundred Fifty-Six Thousand Eight Hundred Thirty-Three Dollars and No Cents (\$140,456,833.00).

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. 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.

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 20, 2019.

SECOND READING: August 20, 2019.

PASSED AND APPROVED this 20th 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 states that he would like more information regarding Bill No. 5972 relative to entering into an agreement with CK Power regarding generator services. Alderman Guth makes a motion to remove the bill from the agenda. Alderman Schumer seconds the motion, and on vote the motion carries.

At this time, Bill No. 5973 becomes Bill No. 5972.

Alderman Buerck presents motion, seconded by Alderman Guth, and on vote carried Bill No. 5972, entering into an Electric Facilities Relocation Agreement with Citizens Electric Corporation, 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 **CITIZENS ELECTRIC CORPORATION** RELATIVE TO **ELECTRIC FACILITIES RELOCATION AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 5973, amending Title 10, Chapter 10.20 of the Code of Ordinances relative to Parking Regulations (blocking US mailbox prohibited and repealing taxicab stands), is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.20, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO PARKING REGULATIONS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5974, accepting General Warranty Deed from Perryville Senior Housing, 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 Guth, as Chairman of the Economic Development Committee, asks EDA Director Sattler to update the Board on any economic development activity. Director Sattler informs the Board that two houses are framed at Redbud Court; four foundations have been poured; and 5 more lots are scheduled to be purchased in September.

The Board now discusses the question regarding rezoning for lots 8-21 in Redbud Court. City Attorney Ludwig informs the Board that the statutes dictate zoning requirements. When asked about subdivision covenants, Attorney Ludwig informs the Board that cities do not enforce subdivision covenants.

City Administrator Buerck reports:

- **Christmas on the Square** - Last year, the Chamber notified the City and others it would no longer be organizing a Christmas Parade and downtown event. True to form, the Downtown Revitalization Committee adopted the event as their own. Attached is a preview of the exciting activities they have planned. Going forward, the City may need to eventually purchase new Christmas decorations for the city as well.

- **Tornado Siren Easement** - Bill Jones met with the school board last week, who agreed to donate an easement to the City for our new tornado siren. The City Engineer will put this easement together over the upcoming weeks and, once in place, we will proceed with the installation of the new siren.

- **Memorial Scoreboard for PFY** - Scott Elder's family has offered to share in the cost of a score board for the PYF field, along with the PYF and City. This is a desired improvement for PYF and the City is happy to support their efforts. This will vastly improve the football experience for kids and families.

- **T-Hangar Repairs** - The feedback from contractors on our RFP hasn't been good. Staff feels it best to have our engineers help draw up plans for the project. We have retracted the recently approved RFP and will soon replace it with another.

- **City Flu Clinic – Sep 9, 2019 (noon to 2pm)** - The Board, as well as employees, are encouraged to stop by Chambers to get a flu shot. This shot is covered by city insurance and may help keep us healthy this winter.

City Engineer Baer reports:

- **Sewer Trunk Line Project** – This project is moving along well.

- **Field 9 Project** – The Notice to Proceed on this project is being issued for August 26.

- **Sycamore Road Project** – Lappe Cement is ordering materials and submitting shop drawings. They will work with Citizens Electric Corporation to determine where to begin the project. Sewer lines are already installed. Water and gas lines are being installed.

Parks & Recreation Director Cadwell informs the Board that the Park Center was struck by lightning over the weekend, which caused the loss of telephones and internet. Repairs should be

completed on Wednesday. He also notes that there were 125 participants in the recent Senior Olympics held in the park by Park Center staff.

Alderman Riney states that the conservation area in the park looks like it needs to be improved. City Administrator Buerck believes the Conservation Department intends to burn off the area this year. He will contact them to discover their plans.

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

Alderman Guth asks City Engineer Baer about the manhole at Doerr and Kingshighway. He also states that he is concerned about the inlet in that area and asks that staff take a look at these areas. City Engineer Baer will contact MoDot about the manhole and inlet.

Now, at this time, upon motion by Alderman Schumer, seconded by Alderman Buerck, it is ordered that the Board now convene into closed session to discuss contractual matters in accordance with Section 610.021(9) RSMo; security matters in accordance with Section 610.021(19) 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, aye. Totals: aye, six; nay, none.

Following discussion and review, it is upon motion by Alderman Riney, seconded by Alderman Hudson, 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.

At this time, Aldermen Buerck makes a motion to accept the resignation of Public Works Director Mark Brown. Alderman Guth seconds the motion, and on vote the motion carries.

Alderman Schumer asks if the Planning and Zoning Commission can approve a rezoning with a stipulation on the lot sizes. City Attorney Ludwig suggests that he meet with staff to review the question.

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, September 3, 2019, at 6:30 p.m., the regular meeting in course.

ATTEST:

MAYOR

CITY CLERK