

September 15, 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: Curt Buerck, Prince Hudson, Douglas K. Martin, Larry Riney, and David J. Schumer, Aldermen; Tracy Prost, City Clerk; and Thomas Ludwig, City Attorney. Remote: City Administrator Brent Buerck; Absent: Mayor Ken Baer and Alderman Tom Guth.

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

Alderman Riney now opens the meeting for citizens' participation from the floor.

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

CONSENT AGENDA ITEMS

3. Approve minutes from meeting of September 1, 2020.
4. Approve Financial Report for August, 2020.

CITY OF PERRYVILLE STATEMENT OF CASH POSITION August 31, 2020									
		April 1, 2020	REVENUE	EXPENSE		CURRENT	ACCOUNTS	CURRENT	CURRENT
	FUND NAME	Fund Balance	Y-T-D	Y-T-D	NET INCOME	FUND BALANCE	RECEIVABLE	LIABILITIES	CASH BALANCE
101	Gen Rev	\$ 1,210,405.63	\$ 3,841,722.40	\$ (2,831,253.47)	\$ 1,010,468.93	\$ 2,220,874.56	\$ (890.27)	\$ 12,461.12	\$ 2,234,225.95
105	FSA Administration	\$ 7,801.17	\$ 32.92	\$ -	\$ 32.92	\$ 7,834.09	\$ -	\$ -	\$ 7,834.09
106	Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99	\$ -	\$ -	\$ 53.99
204	Airport	\$ 139,208.64	\$ 219,276.57	\$ (268,078.62)	\$ (48,802.05)	\$ 90,406.59	\$ 1,795.00	\$ 3,634.88	\$ 92,246.47
206	Trans Trust	\$ 870,811.82	\$ 444,553.25	\$ (369,130.17)	\$ 75,423.08	\$ 946,234.90	\$ -	\$ 3,364.65	\$ 949,599.55
207	Perry Park Ctr.	\$ 2,623.61	\$ 1,257,028.21	\$ (939,582.71)	\$ 317,445.50	\$ 320,069.11	\$ 765.49	\$ 12,042.07	\$ 331,345.69
211	Veterans Field	\$ 19,989.03	\$ 1,825.15	\$ (4,919.06)	\$ (3,093.91)	\$ 16,895.12	\$ -	\$ -	\$ 16,895.12
213	Field Improvement	\$ 7,149.99	\$ 25.27	\$ (2,500.00)	\$ (2,474.73)	\$ 4,675.26	\$ -	\$ -	\$ 4,675.26
307	Debt Service	\$ 1,878.22	\$ 129.57	\$ -	\$ 129.57	\$ 2,007.79	\$ 185.46	\$ (307.11)	\$ 1,515.22
308	Cap Imp Sls Tax Rev	\$ 732,757.66	\$ 322,967.00	\$ -	\$ 322,967.00	\$ 1,055,724.66	\$ -	\$ -	\$ 1,055,724.66
409	Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
414	TIF 1-Hwy 51/61	\$ 338,711.06	\$ 784.53	\$ (200,000.00)	\$ (199,215.47)	\$ 139,495.59	\$ -	\$ -	\$ 139,495.59
415	Economic Develop	\$ 4,552.05	\$ 20.17	\$ -	\$ 20.17	\$ 4,572.22	\$ -	\$ -	\$ 4,572.22
416	TIF 2-Downtown	\$ 122,792.29	\$ 558.50	\$ (2,052.45)	\$ (1,493.95)	\$ 121,298.34	\$ -	\$ -	\$ 121,298.34
417	TIF 3-155/HWY 51	\$ 820,146.25	\$ (18,868.72)	\$ (3,877.00)	\$ (22,745.72)	\$ 797,400.53	\$ -	\$ -	\$ 797,400.53
513	Street Imp	\$ 611,983.69	\$ 130,915.36	\$ (628,879.55)	\$ (497,964.19)	\$ 114,019.50	\$ -	\$ -	\$ 114,019.50
612	Refuse	\$ 383,424.11	\$ 364,889.93	\$ (446,500.83)	\$ (81,610.90)	\$ 301,813.21	\$ 104,136.22	\$ 3,561.76	\$ 201,238.75
614	CWSS Op	\$ 2,927,889.77	\$ 2,310,042.34	\$ (2,260,830.87)	\$ 49,211.47	\$ 2,977,101.24	\$ 384,897.43	\$ 129,445.20	\$ 2,721,649.01
641	WWTP Improvements	\$ 253,270.62	\$ 1,011.24	\$ (66,005.47)	\$ (64,994.23)	\$ 188,276.39	\$ -	\$ -	\$ 188,276.39
619	Gas Op	\$ 3,005,331.77	\$ 1,457,509.65	\$ (2,047,389.36)	\$ (589,879.71)	\$ 2,415,452.06	\$ 279,978.16	\$ 205,127.43	\$ 2,340,601.33
	TOTAL	\$ 11,460,781.37	\$ 10,334,423.34	\$ (10,070,999.56)	\$ 263,423.78	\$ 11,724,205.15	\$ 770,867.49	\$ 369,330.00	\$ 11,322,667.66

5. Approve Pay Estimate 1 to Lappe Cement Finishing, Inc., relative to 2020 Street Improvement Project - \$252,687.84.
6. Approve plans and specifications for Perry Park Center Locker Room Renovation Project and authorize staff to advertise for bids.
7. Approve recommendation from Parks & Recreation Director Cadwell regarding after-hour-use of PPC by law enforcement agencies.

8. Approve request from Mary Jane Burgers and Brew to have outdoor music for a Daddy/Daughter Dance at their location on the northeast corner of the intersection of Jackson Street and North Street – Friday, September 25, 2020, from 6:30 – 9:00 p.m.
9. Approve request from Chamber of Commerce regarding Moonlight Madness/Truck or Treat – October 29, 2020.
10. Approve minimum requirements relative to request for quotes to outfit sludge truck.

END OF CONSENT AGENDA

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

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

The Board of Aldermen consider a request from the Perry County Republican Club to close streets for a parade on October 17, 2020. Assistant Chief Jones informs the Board that he has spoken with the parade organizers regarding their request. The Police Department recommends that the parade route be altered to remove Highway 51 from the route, with the alternate route being French Lane. The Police Department also recommends that walkers be excluded from the parade, noting that the parade route is at least four miles and any walkers would not be able to keep up with vehicles in the parade. It is expected the parade will last approximately an hour.

After discussion and review, Alderman Buerck makes a motion to approve the request from the Perry County Republican Club to host a parade on October 17, 2020, with the recommendation from the Police Department. Alderman Schumer 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. 6084, 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. 6084 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, absent; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent one. The bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6302 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6084

ORDINANCE NO. 6302

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 designation:

(bbbb) On the north side of Brenda Avenue starting at its intersection with Missouri Highway 51 in an easterly direction for a distance of 325 feet from said intersection and terminating at the first entry into the combined entrance of the properties on the north side of Brenda Avenue.

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: September 1, 2020.

SECOND READING: September 15, 2020.

PASSED AND APPROVED this 15th day of September, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions and 1 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 6085, AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.16, SECTION 10.16.100, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO PROTECTIVE HEADGEAR; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH. Bill No. 6085 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, absent; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent one. The bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6303 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6085

ORDINANCE NO. 6303

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.16, SECTION 10.16.100, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO PROTECTIVE HEADGEAR; 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 10, Chapter 10.16, Section 10.16.100, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

"10.16.100 Protective headgear.

No person shall operate or ride on as a passenger any motorcycle or motortricycle without wearing protective headgear in the same manner as required of riders or passengers under the statutes of the State of Missouri. As long as there is no state statute requiring the wearing of protective headgear, then no protective headgear shall be required within the city.”

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: September 1, 2020.

SECOND READING: September 15, 2020.

PASSED AND APPROVED this 15th day of September, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6086, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **BEST FENCING, LLC**. RELATIVE TO **FENCE REPLACEMENT PROJECT AT BALL FIELDS 4 AND 8**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6086 is read a second time on motion by Alderman Buerck, seconded by Alderman Riney. 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 showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, absent; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent one. The bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6304 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6086

ORDINANCE NO. 6304

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **BEST FENCING, LLC**. RELATIVE TO **FENCE REPLACEMENT PROJECT AT BALL FIELDS 4 AND 8**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

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

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

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

1. That the Mayor and Board of Aldermen of the City of Perryville approve the contract in its substantial form, marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Best Fencing, LLC**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, 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: September 1, 2020.

SECOND READING: September 15, 2020.

PASSED AND APPROVED this 15th day of September, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6087, AN ORDINANCE LEVYING A SPECIAL ASSESSMENT FOR THE IMPROVEMENT OF SYCAMORE ROAD IN THE CITY OF PERRYVILLE FROM ITS INTERSECTION WITH STATE HIGHWAY T, NORTHERLY 3,100 FEET TO THE END OF THE CITY LIMITS IN THE CITY OF PERRYVILLE, MISSOURI, AND AUTHORIZING THE ISSUING OF TAX BILLS THEREFOR. Bill No. 6087 is read a second time on motion by Alderman Buerck, seconded by Alderman Hudson. 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 showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, absent; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent one. The bill was thereupon declared passed and approved and the bill thereupon became Ordinance No. 6305 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6087

ORDINANCE NO. 6305

AN ORDINANCE LEVYING A SPECIAL ASSESSMENT FOR THE IMPROVEMENT OF SYCAMORE ROAD IN THE CITY OF PERRYVILLE FROM ITS INTERSECTION WITH STATE HIGHWAY T, NORTHERLY 3,100 FEET TO THE END OF THE CITY LIMITS IN THE CITY OF PERRYVILLE, MISSOURI, AND AUTHORIZING THE ISSUING OF TAX BILLS THEREFOR.

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

Section 1. That the work of repairing and resurfacing Sycamore Road from its intersection with State Highway T, northerly 3,100 feet to the end of the city limits, in the City of Perryville, Missouri, was authorized by Ordinance No. 6170, passed and approved on the 2nd day of July, 2019.

Section 2. That there is hereby levied a special assessment against the lots and tracts of land fronting and abutting on each side of the above-named street in said City of Perryville, to pay the cost of improving said above-named street, the distance improved and assessed as set forth in Section 3 hereof.

Section 3. The lots and tracts of land fronting and abutting on each side of the aforesaid improvements are hereby assessed as follows:

(a) Against part of United States Survey 845, Township 35 North, Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Document No. 2009R02023 of the Perry County Deed Records

Abutting 354.10 feet on the improvement and belonging to Perryville Senior Housing L.P., a Missouri Limited Partnership.

Assessment – \$15,956.31

(b) Against all of Lot No. 1 of Little Wonders Minor Subdivision, and part of United States Survey 845, Township 35 North, Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Document No. 2015R02615 of the Perry County Deed Records.

Abutting 170.00 feet on the improvement and belonging to Christina Marie and Eric Craig Paisley, Sr., wife and husband.

Assessment – \$7,660.47

(c) Against all of Lots 18, 19, 20, 20A and 21 of the Amended Plat of Redbud Court Subdivision, United States Survey 845, Township 35 North, Range 10 East of the Fifth Principal Meridian, Perryville, Missouri, as described in Document 2020R01340 of the Perry County Deed Records.

Abutting 416.94 feet on the improvement and belonging to United Real Estate, LLC, a Delaware Limited Liability Company.

Assessment – \$18,787.98

(d) Against all of Lot No. 17 of Redbud Court Subdivision, United States Survey 845, Township 35 North, Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Document 2019R00874 of the Perry County Deed Records.

Abutting 120.49 feet on the improvement and belonging to United Real Estate, LLC, a Delaware Limited Liability Company.

Assessment – \$5,429.47

(e) Against all of Lot No. 1 of Redbud Court Subdivision, United States Survey 845, Township 35 North, Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Document 2019R00874 of the Perry County Deed Records.

Abutting 119.65 feet on the improvement and belonging to United Real Estate, LLC, a Delaware Limited Liability Company.

Assessment – \$5,391.62

(f) Against all of Lot No. 17 of Sycamore Hills to the City of Perryville, Missouri, as described in Document No. 2004R03899 of the Perry County Deed Records.

Abutting 132.68 feet on the improvement and belonging to Norbert W. Myers and Gail L. Myers, husband and wife.

Assessment – \$5,978.77

(g) Against all of Lot No. 1 of Sycamore Hills to the City of Perryville, Missouri, as described in Document No. 2009R00326 of the Perry County Deed Records.

Abutting 147.21 feet on the improvement and belonging to Douglas W. Gladden and Jamie K. Gladden, husband and wife.

Assessment – \$6,633.52

(h) Against part of United States Surveys 840 and 845, all in Township 35 North, Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Document No. 2018R01100 of the Perry County Deed Records.

Abutting 599.71 feet on the improvement and belonging to Lappe Cement Finishing, Inc.

Assessment - \$27,023.89

(i) Against part of United States Survey 840, Township 35 North, Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Document No. 2016R02709 of the Perry County Deed Records.

Abutting 711.33 feet on the improvement and belonging to Perryville Senior Housing II., L.P., a Missouri Limited Partnership.

Assessment – \$32,053.67

(j) Against part of Fractional Section 13 and part of United States Survey 840, Township 35 North, Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Document No. 2000-728 and Book 381, Page 996 of the Perry County Deed Records.

Abutting 10.69 feet on the improvement and belonging to Citizens Electric Corporation, a Missouri Corporation.

Assessment – \$481.71

(k) Against part of United States Surveys 840 and 845, all in Township 35 North, Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Document No. 2019R01537 of the Perry County Deed Records.

Abutting 175.05 feet on the improvement and belonging to the City of Perryville, Missouri.

Assessment – \$7,888.03

(l) Against part of United States Surveys 840 and 845, all in Township 35 North, Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Document No. 2007R02055 of the Perry County Deed Records.

Abutting 667.50 feet on the improvement and belonging to Mount Hope Cemetery Association, a Missouri Benevolent Corporation.

Assessment – \$30,078.62

(m) Against part of United States Surveys 840 and 845, all in Township 35 North, Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Book 425, Page 622 of the Perry County Deed Records.

Abutting 736.74 feet on the improvement and belonging to Mount Hope Cemetery Association, a Corporation.

Assessment - \$33,198.68

(n) Against part of United States Surveys 840 and 845, all in Township 35 North, Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Book 318, Page 708, and Book 317, Page 690 of the Perry County Deed Records.

Abutting 448.35 feet on the improvement and belonging to Robert L. Roy and Gladys E. Roy Trust Under Agreement dated the 14th day of August, 1992.

Assessment – \$20,203.37

(o) Against part of United States Survey 840, Township 35 North , Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Document No. 2002-3491 of the Perry County Deed Records.

Abutting 166.83 feet on the improvement and belonging to Kent A. Kemner and Sharon M. Kemner, husband and wife.

Assessment – \$7,517.63

(p) Against part of United States Survey 840, Township 35 North, Range 10 East of the Fifth Principal Meridian, City of Perryville, Missouri, as described in Document No. 2000-2326 of the Perry County Deed Records.

Abutting 478.90 feet on the improvement and belonging to Winkler Investments, Inc., a Missouri Corporation.

Assessment - \$21,580.00

Section 4. The City Clerk is hereby authorized to make out and issue special assessments against the lots and tracts of land herein described for the amounts assessed against them in evidence of such assessments and payable to the contractor doing the work. Said special assessment tax bills shall be paid in accordance with the provisions of Section 88.812 RSMo and shall bear interest at a rate established by Section 88.812 RSMo from sixty (60) days after issue. The said tax bills shall be signed by the City Clerk, under the seal of the City, recorded in the City records and delivered to the contractor.

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

FIRST READING: September 1, 2020.

SECOND READING: September 15, 2020.

PASSED AND APPROVED this 15th day of September, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

FIRST AND SECOND READING AND FINAL PASSAGE:

At this time, the Board of Aldermen discuss the Final Plat for Pirates Pointe Subdivision. Alderman Riney and Alderman Schumer express their concerns that a surety bond was not required for this plat. City Attorney Ludwig and City Administrator Buerck inform the Board that they did their due diligence to ensure that funding was guaranteed for this project through the State of Missouri. Alderman Riney asks if other contractors would receive the same benefit. Attorney Ludwig states that staff would certainly review another contractor's request to ensure that the funds were properly guaranteed before they would allow them to forego a surety for the project.

Now, at this time, Bill No. 6088, AN ORDINANCE ACCEPTING THE PLAT OF PIRATES POINTE; ACCEPTING DEDICATION OF EASEMENTS, STREETS AND PROPERTIES DESCRIBED; ACCEPTING RESTRICTIONS, IF ANY, FILED THEREWITH; AUTHORIZING THE RECORDING OF SAID PLAT; ACCEPTING IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED AND INDICATED ON SAID PLAT; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, is read for the first time with an expedite clause for matters related to zoning as found in Title 17 of the Code of Ordinances upon motion by Alderman Schumer with the contingency that a letter of credit or surety bond is received by the developer. Motion is seconded by Alderman Buerck. On motion by Alderman Schumer, seconded by Alderman Buerck, and on vote carried, Bill No. 6088 is read for the second time. Thereupon on motion by Alderman Schumer, 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, five; nay, 0; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6306 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6088

ORDINANCE NO. 6306

AN ORDINANCE ACCEPTING THE PLAT OF PIRATES POINTE; ACCEPTING DEDICATION OF EASEMENTS, STREETS AND PROPERTIES DESCRIBED; ACCEPTING RESTRICTIONS, IF ANY, FILED THEREWITH; AUTHORIZING THE RECORDING OF SAID PLAT; ACCEPTING IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED AND INDICATED ON SAID PLAT; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, Senior Housing Specialists, LLC, has platted Pirates Pointe as located within the corporate limits of the City of Perryville, Missouri; and,

WHEREAS, the developer has installed required improvements; and,

WHEREAS, the developer has complied with all of the city ordinances and, in particular, Title 17 of the Code of Ordinances of the City of Perryville, Missouri.

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

Section 1. The Mayor and Board of Aldermen of the City of Perryville, Missouri, do hereby accept the final plat of Pirates Pointe, which is attached hereto as Exhibit A, including all easements, right-of-way streets and improvements indicated thereon and subject to the terms and conditions expressed therein.

Section 2. The Mayor and City Clerk of the City of Perryville, Missouri, are hereby authorized to do all acts and execute all instruments appropriate and necessary to accept said plat.

Section 3. The City Clerk of the City of Perryville, Missouri, is hereby directed to file a copy of said plat with the Recorder of Deeds, Perry County, Missouri.

Section 4. That the Mayor and Board of Aldermen of the City of Perryville, Missouri, hereby declare this ordinance to be a matter related to zoning as found in Title 17 of this Code which has previously been reviewed and approved by the City Planning and Zoning Commission and for that reason this ordinance may be acted on in one meeting.

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

FIRST READING: September 15, 2020.

SECOND READING: September 15, 2020.

PASSED AND APPROVED this 15th day of September, 2020, by a vote of 5 ayes, 0 nays, 0 abstentions and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

FIRST READINGS:

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 6089, accepting General Warranty Deed from Kenneth D. Layton and Miriam T. Layton, 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 Hudson, and on vote carried Bill No. 6090, entering into an agreement with OptumHealth Care Solutions, LLC relative to Optum Fitness Passport Program, 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 **OPTUMHEALTH CARE SOLUTIONS, LLC** RELATIVE TO **OPTUM FITNESS PASSPORT PROGRAM**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 6091, entering into an agreement with Western Diesel Services, Inc., d/b/a CK Power relative to generator maintenance, 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 **WESTERN DIESEL SERVICES, INC. d/b/a CK POWER** RELATIVE TO **GENERATOR MAINTENANCE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Riney asks for Committee Reports.

Economic Development Director Scott Sattler informs the Board that the Catalyst Center will host the SBDC counseling for small businesses.

City Administrator Report:

- **November Election held at Perry Park Center** – The Perry Park Center will be used as a polling place for the November election. The County Clerk's office is combining several polling locations so that social distances can be maintained. One side of the gymnasium floor will be set up for voting.
- **Perryville Area Chamber of Commerce Quarterly Meeting – October 22, 2020** – Please call the City Clerk if you plan to attend this event so she can make reservations.
- **Softball Tournament Request** – The Parks & Recreation Department has received a request from Mr. Jake Dobbelare to allow their adult slow pitch softball tournament to use the ball field past the park's curfew time on September 19th. Due to the Covid, the teams would like to hold the entire tournament in one day rather than spend the night and play a second day on Sunday.

Parks & Recreation Director Cadwell notes that the final games will be held on Field 2. This field is a good distance away from homes near the park, which should eliminate concerns about late night noise.

After discussion and review, it is the consensus of the Board to allow the tournament to use the fields in the park after the curfew time on September 19.

City Engineer Report:

- **Perryville Shared Use Path Project (concrete trail from Miget Park to Soccer Complex)**

-
Staff joined MoDot for the semi-final walk through on this project. The punch list has been sent to the contractor and they should be making a few minor repairs. The final walk through with MoDot is the next requirement and then we will close the project.

- **2020 Street Improvement Project** – The north half of Trade Winds is open to traffic and the crews are working on the south side. The water main is being installed on Robb Street and it should be ready to connect service lines at the end of next week. State Street is open for the Covid testing event to be held in the park this weekend.

Alderman Riney asks about sidewalks on Robb Street. City Engineer Baer tells the Board that staff is working to obtain easements from property owners so that sidewalks can be built along Robb Street; however, not all property owners have agreed to give the City an easement, which means we will not be able to put a sidewalk at that location.

City Attorney Ludwig reports that our court staff is complying with the Missouri Supreme Court's decision regarding social distancing in the courtroom.

Parks & Recreation Director Cadwell informs the Board that we should be notified if we have received a TRIM grant next week. He also informs the Board that the new scoreboards will be going up in the gym next week.

Public Works Director Layton reports that staff has improved the route for the mosquito spray and is turning the sprayer off when people are outside. He notes that this spray is used nationally and is not harmful to people or pets.

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

Alderman Riney asks City Administrator Buerck to look into the condition of Miles Road. He suggests that a meeting with the property owners along that road should be invited to a meeting to discuss the road and the City's Street Policy.

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

MAYOR

ATTEST:

CITY CLERK