

March 1, 2016

**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 Martin, Larry Riney, and Gary J. Schumer, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Thomas Ludwig, City Attorney.

Mayor Baer opens the meeting and leads the Pledge of Allegiance and invocation. During the invocation, Mayor Baer honors Mr. Norbert Schumer who recently passed away. Mr. Schumer is the father of Alderman Gary Schumer and has been a life-long businessman and contributor to the success of the City of Perryville.

Mayor Baer now opens the meeting for citizens' participation from the floor. There being no one coming forth, Mayor Baer closes this portion of the meeting.

**CONSENT AGENDA ITEMS**

3. Approve minutes from meeting of February 16, 2016.
4. Approve bills for February, 2016.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of February 2016, vendor checks numbered: 200092 - 100328, and 4 ACH transfers; payroll checks numbered: 6657502 - 6657510.

The following bills are presented to be paid for the month of February, 2016. Board finds that \$336,895.57 is chargeable to and payable out of the General Revenue Account; \$110,913.79 is out of Transportation Trust; \$155,969.29 is out of Perry Park Center; \$3,009.25 is out of Ball Field Improvements; \$2,601.77 is out of TIF #1; \$982.83 is out of Street Improvement; \$56,604.52 is out of Debt Service; \$58,208.72 is out of Capital Improvement Sales Tax; \$68,128.43 is out of Refuse; \$260,264.84 is out of CWSS; and \$684,745.55 is out of Gas Operation. The Board, upon investigation, found the sum to be \$1,738,324.56.

5. Approve Collector's Report for February, 2016; Supplement No.4 for 2015; and Supplement No. 15 for 2014.

The Collector's Report for the period of February 1, 2016, through February 29, 2016, shows \$119,899.75 due the City to be credited to several funds of the City as follows: General Revenue Account \$115,034.54; Special Revenue (Park) Account \$2,294.97, and Debt Service Account (CWSS) \$2,570.24. Treasurer's receipt of the amount is filed.

**2015 SUPPLEMENT #4**

**Charges**

Personal Property	\$ 435.89
TOTAL	\$ 435.89

**Credits**

Personal Property	\$ 33.59
TOTAL	\$ 33.59

**2014 SUPPLEMENT #15**

**Charges**

Personal Property	\$ 20.82
TOTAL	\$ 20.82

**Credits**

Personal Property	\$ 9.35
TOTAL	\$ 9.35

6. Approve Pay Estimate 4 to CE Contracting, Inc. relative to St. Joseph and French Lane Water Main Project- \$67,154.45

7. Approve Change Order 3 for St. Joseph and French Lane Water Main Project - \$21,055.50 Increase.
8. Approve request for Sunday Original Package (SOP) and Original Package Liquor (OPL) licenses for Joshua S. Grant, d/b/a Perryville Pit Stop at 312 S. Kingshighway.
9. Approve request for music in the City Park on August 20, 2016.
10. Approve recommendation from Parks & Recreation Director Cadwell regarding modification of hours for the City Park.
11. Approve plan of action presented by Parks & Recreation Director Cadwell regarding Chamber of Commerce Park on Feltz Street.
12. Approve bids received for 2016 Neighborhood Mini-Parks and Lots Mowing and award to Green View Lawn Care per recommendation of Parks & Recreation staff.
13. Approve bids received for Scada Modification Project and award to R.E. Pedrotti Company, Inc., per recommendation of Hurst-Rosche Engineers.
14. Approve Request for Qualifications and Proposals (RFQP) for Energy Savings Contract for the Perry Park Center and authorize staff to seek proposals.
15. Approve Request for Qualifications (RFQ) for Downtown Pavilion/Bandstand and authorize staff to see proposals.
16. Approve request for reimbursement of 2015 Downtown Structural Improvement Grant to Mary Jane Burgers & Brew, LLC - \$20,000.
17. Approve requests for Biosolid Land Applications for property owned by Florence Aubuchon (PCR 200), Mary Ann Rutledge (PCR 208), and Michael C. Prost (PCR 501).
18. Approve plans and specifications for 2016 Water System Improvements - Grand Avenue, Progress Center/Dogwood Court, and Route AC and authorize City Clerk to advertise for bids.

#### **END OF CONSENT AGENDA**

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

Regarding Item 10 relative to hours of operation in the City Park, Alderman Riney asks if people will be allowed to drive through the park after 11:00. Staff states that it will be okay to drive through, and that sanctioned events will allow people to be in the park after 11:00, but people will not be able to hang out in the park after that time.

Alderman Hudson presents motion to approve the Consent Agenda. Alderman Riney seconds the motion, and on vote the motion passes.

Parks & Recreation Director Cadwell reviews the Park System Master Plan as prepared by the SEMO Regional Planning Commission. He notes that this is a 20 year plan and that 450 surveys were received and numerous interested citizens showed up at the various meetings held for input on the plan. He notes that the top items on the plan are trails and a splash pad.

City Administrator Buerck opens a conversation regarding proposed changes to allow non-conforming mobile home parks to be seamlessly converted to new, multi-family developments. To accomplish this, he states that staff proposes establishing a "+ 1" standard, where

the developer could add one more unit than the existing number of mobile homes (allowing for duplex development).

After review, it is the Board's consensus that staff thoroughly review the issue with the Planning & Zoning Commission to finalize the language for the Board's approval.

The Board now considers a suggestion to establish an Airport Commission. City Administrator Buerck informs the Board that the Airport Board would like the Board of Aldermen to consider this move. He states that the Airport Commission would handle the day-to-day operations of the Perryville Municipal Airport with the operating budget established by the City.

After discussion and review, the Board of Aldermen authorizes staff to prepare documents for their review regarding the establishment of such a Commission.

## **SECOND READING AND FINAL PASSAGE:**

Now, at this time, the Board proceeds to approve Bill No. 5503, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ARAMARK UNIFORM SERVICES** RELATIVE TO **JANITORIAL SUPPLIES AND UNIFORMS FOR THE PUBLIC WORKS DEPARTMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 5503 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; Gary J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 5733 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5503

ORDINANCE NO. 5733

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **ARAMARK UNIFORM SERVICES** RELATIVE TO **JANITORIAL SUPPLIES AND UNIFORMS FOR THE PUBLIC WORKS DEPARTMENT**; 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 **Aramark Uniform Services**. 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: February 16, 2016.

SECOND READING: March 1, 2016.

PASSED AND APPROVED this 1<sup>st</sup> day of March, 2016, 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. 5504, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **INTERSTATE MUNICIPAL GAS AGENCY** RELATIVE TO **TERMINATION OF NATURAL GAS LONG TERM SUPPLY AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 5504 is read a second time on motion by Alderman Martin, seconded by Alderman Buerck. Thereupon on motion by Alderman Martin, seconded by Alderman Buerck, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; Gary J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 5734 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5504

ORDINANCE NO. 5734

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **INTERSTATE MUNICIPAL GAS AGENCY** RELATIVE TO **TERMINATION OF NATURAL GAS LONG TERM SUPPLY AGREEMENT**; 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 **Interstate Municipal Gas Agency**. 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: February 16, 2016.

SECOND READING: March 1, 2016.

PASSED AND APPROVED this 1<sup>st</sup> day of March, 2016, 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 Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 5505, entering into an agreement with Heartland Farm & Land LP relative to compensation for utility easements, 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 **HEARTLAND FARM & LAND LP** RELATIVE TO **COMPENSATION FOR UTILITY EASEMENTS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 5506, amending City Budget – Fiscal Year 2015-16, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING THE 2015-16 BUDGET, AS APPROVED, FOR THE CITY OF PERRYVILLE, MISSOURI, AS MADE AND PROVIDED IN SECTION 67.010, ET SEQ., RSMO, 2000.

Alderman Guth presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5507, adopting City Budget – Fiscal Year 2016-17, is read for the first time by title only. The heading is as follows:

AN ORDINANCE APPROVING THE 2016-17 BUDGET, AS AMENDED, FOR THE CITY OF PERRYVILLE, MISSOURI, AS MADE AND PROVIDED IN SECTION 67.010, ET SEQ., RSMO, 2000.

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 5508, entering into an agreement with Green View Lawn Care LLC relative to Neighborhood Mini-Parks and three lots, 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 **GREEN VIEW LAWN CARE LLC** RELATIVE TO **MOWING NEIGHBORHOOD MINI-PARKS AND THREE LOTS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 5509, entering into an agreement with R.E. Pedrotti Co., Inc., relative to SCADA Modifications, 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 **R.E. PEDROTTI CO., INC.**, RELATIVE TO **SCADA MODIFICATIONS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5510, entering into an intergovernmental agreement with the County of Perry, Missouri, relative to sales tax, 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 **THREE-EIGHTH CENT SALES TAX**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 5511, entering into an agreement with the County of Perry, Missouri, and the County Collector for the Collection of Real and Personal Property Taxes for the City of Perryville, 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, AND COUNTY COLLECTOR OF THE COUNTY OF PERRY, MISSOURI**, RELATIVE TO **COLLECTION OF REAL AND PERSONAL PROPERTY TAXES FOR THE CITY OF PERRYVILLE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5512, amending Title 10, Chapter 10.24 of the Code of Ordinances relative to Motor Vehicle License Tax, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.24, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO MOTOR VEHICLE LICENSE TAX; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Schumer, 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: (a) MoDot has all of the right-of-way acquired for the connector road, plan to start in July; (b) Downtown Revitalization Committee met today regarding upcoming events and the possibility of a Downtown Market once a month; (c) working with the Perry County School District #32 regarding their facility; (d) Perry County Task Force has sent out a county-wide survey; (e) Incredible Edibles and Villainous Grounds are doing well; (f) a new mattress store has opened in the strip mall by Wal-Mart.

City Administrator Buerck updates the Board on the following:

- **IMGA Natural Gas Pricing** - IMGA has suggested going out yet another year, to winter of 19/20. It would again lock in once the market was below \$3.

After discussion and review, it is the consensus of the Board to lock in winter 19-20 natural gas prices per the recommendation of IMGA.

- **Purple Heart Parking** - If the Board is interested, staff suggests locating this spot next to the handicap parking at the Perry Park Center.

Mayor Baer asks staff to determine how many Purple Heart recipients are in our town and wonders if any of them are members at the Perry Park Center.

- **MoDot Presentation re [Funding Missouri's Transportation System-Patrick McKenna](#)** - While at MML, the Director of MoDOT did an excellent presentation on the state of their system. They are in need of funding in short order or the system will deteriorate in the very near future.

- **Spring Leaf Removal** - Final week of leaf collection will be March 14-18, after that everything will need to be bagged.

- **Completed Projects for FY 2015-16** - This simply serves as a budget update on the completed projects and status of others during the FY which will expire on 3/31.

- **Demolition of buildings** – In order to be sure of where meter pits and utilities are located, staff will begin requiring that the utilities be marked when a building is demolished. Alderman Guth states that he believes that staff should get the gps coordinates as well since markings can be destroyed over the years.

City Engineer Baer updates the Board on the following:

- **Sidewalk Project** – Schindler Road is almost complete. The contractor will move to Main Street next.
- **Career Center** – Construction should begin on the pavilion at Viola Blechle Park next week
- **I&I** – This year's project to help reduce infiltration and inflow is to line manholes.
- **Star Street Turn Lane** – Staff has completed this project.

Alderman Schumer notes that he has received complaints about youth leagues in that some of the teams have all of the talented players and other teams are lacking; which effects the ability to learn how to play the sport. Parks & Recreation Director Cadwell states that he will talk with the Park Board to determine if there is a better system to evenly divide the teams.

Aldermen Buerck expresses his concerns about the excessive amount of gumballs laying in the street and getting into the storm sewers.

Alderman Guth states that he has noticed quite a few dead trees in the parks that are in need of attention. Parks & Recreation Director Cadwell says that his crews are going to be addressing the concern.

Now, at this time, upon motion by Alderman Buerck, seconded by Alderman Hudson, it is ordered that the Board now convene into closed session to discuss Closed Session to discuss security matters in accordance with Section 610.021(19) RSMo, real estate matters in accordance with Section 610.021(2) RSMo, and contractual matters in accordance with Section 610.021(9) RSMo. Roll call showed the aye

and nay votes as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; Gary J. Schumer, aye. Totals: aye, six; nay, none.

Following discussion and review, it is upon motion by Alderman Buerck, seconded by Alderman Schumer, that the Board now reconvenes into regular session for any business that might come forth. Roll call showed the aye and nay votes as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; Gary J. Schumer, aye. Totals: aye, six; nay, none.

There being no further business, it is upon motion by Alderman Schumer, seconded by Alderman Hudson, and on vote carried, ordered that the Board now adjourn until Tuesday, March 15, 2016, at 6:30 p.m., the regular meeting in course.

ATTEST:

MAYOR

CITY CLERK