

January 19, 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 Alderman Martin leads the Pledge of Allegiance and invocation.

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

Michael Warren, owner of Warren Audio and Visual, approaches the Board of Aldermen. He informs the Board that he is joining Mary Jane Burgers and Brew to host the Polar Beer Run. He explains that additional stops are added to the race this year, and states that he would be happy to answer any questions the Board may have.

City Administrator Buerck notes that this matter is Item #8 on the Consent Agenda and that Chief Hunt will speak about the matter at that time.

There being no one else coming forth, Mayor Baer closes this portion of the meeting.

At this time, Mayor Baer issues the following tenure awards to City employees:

- 5 Years** - David Meyr
- 10 Years** - Regina Buerck
- 20 Years** - Neil Bert
- 25 Years** - Donna Strattman
- 30 Years** - Bill Buerck

CONSENT AGENDA ITEMS

4. Approve minutes from meeting of January 5, 2016.
5. Approve Collector's Report for December, 2015; Supplement No. 2 for 2015; and Supplement No. 13 for 2014.

The Collector's Report for the period of December 1, 2015, through December 31, 2015, shows \$935,193.18 due the City to be credited to several funds of the City as follows: General Revenue Account \$543,381.42; Special Revenue (Park) Account \$185,013.39; and Debt Service Account (CWSS) \$206,798.37. Treasurer's receipt of the amount is filed.

2015 SUPPLEMENT #2

Charges

Personal Property	\$ 1,678.06
TOTAL	\$ 1,678.06

Credits

Personal Property	\$ 54.34
TOTAL	\$ 54.34

2014 SUPPLEMENT #13

Charges

Personal Property	\$ 88.87
TOTAL	\$ 88.87

6. Approve Financial Report for December, 2015.

CITY OF PERRYVILLE									
STATEMENT OF CASH POSITION									
DECEMBER, 2015									
		April 1, 2015	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	\$ 2,850,017.37	\$ 4,587,478.31	\$ (4,367,860.42)	\$ 219,617.89	\$ 3,069,635.26	\$ 85,809.82	\$ 108,459.69	\$ 3,092,285.13
105	FSA Administration	\$ 1,008.19	\$ 910.71		\$ 910.71	\$ 1,918.90	\$ -	\$ -	\$ 1,918.90
106	Asset Forfeiture	\$ 12,758.34		\$ (10,994.35)	\$ (10,994.35)	\$ 1,763.99	\$ -		\$ 1,763.99
206	Trans Trust	\$ 1,140,504.90	\$ 868,138.59	\$ (1,790,714.17)	\$ (922,575.58)	\$ 217,929.32	\$ 982.50	\$ 629,915.02	\$ 846,861.84
207	Perry Park Ctr.	\$ 22,496.84	\$ 1,571,583.52	\$ (1,398,530.59)	\$ 173,052.93	\$ 195,549.77	\$ 34,383.63	\$ 42,113.09	\$ 203,279.23
211	Veterans Field	\$ 24,988.76	\$ 8,235.48	\$ (18,807.69)	\$ (10,572.21)	\$ 14,416.55	\$ -	\$ -	\$ 14,416.55
213	Field Improvement	\$ -	\$ 23,346.91	\$ (7,370.07)	\$ 15,976.84	\$ 15,976.84	\$ -	\$ -	\$ 15,976.84
307	Debt Service	\$ 612,143.84	\$ 243,286.17	\$ (213,222.28)	\$ 30,063.89	\$ 642,207.73	\$ 38,971.02	\$ 38,971.02	\$ 642,207.73
308	Cap Imp Sis Tax Rev	\$ 2,388,622.68	\$ 532,499.09	\$ (1,849,734.90)	\$ (1,317,235.81)	\$ 1,071,386.87	\$ -	\$ -	\$ 1,071,386.87
408	CDBG Escrow	\$ 135,124.06	\$ -	\$ -	\$ -	\$ 135,124.06	\$ -	\$ -	\$ 135,124.06
409	Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
414	TIF 1-Hwy 51/61	\$ 37,458.22	\$ 1,104,289.67	\$ (1,107,144.30)	\$ (2,854.63)	\$ 34,603.59	\$ -	\$ -	\$ 34,603.59
415	Economic Develop	\$ 194,710.68	\$ 1,565.59	\$ -	\$ 1,565.59	\$ 196,276.27	\$ -	\$ -	\$ 196,276.27
416	TIF 2-Downtown	\$ 17,348.44	\$ 944.46	\$ (12,901.98)	\$ (11,957.52)	\$ 5,390.92	\$ -	\$ -	\$ 5,390.92
417	TIF 3-155/HWY 51	\$ 231,308.57	\$ 1,859.76	\$ (121.76)	\$ 1,738.00	\$ 233,046.57	\$ -	\$ -	\$ 233,046.57
513	Street Imp	\$ 1,459,043.37	\$ 257,534.78	\$ (666,965.84)	\$ (409,431.06)	\$ 1,049,612.31	\$ -	\$ -	\$ 1,049,612.31
612	Refuse	\$ 349,258.44	\$ 523,595.47	\$ (685,247.18)	\$ (161,651.71)	\$ 187,606.73	\$ 77,135.95	\$ 4,629.60	\$ 115,100.38
614	CWSS Op	\$ 2,510,119.45	\$ 3,580,805.64	\$ (3,891,096.52)	\$ (310,290.88)	\$ 2,199,828.57	\$ 209,989.34	\$ 121,120.11	\$ 2,110,959.34
619	Gas Op	\$ 7,666,547.61	\$ 3,245,145.07	\$ (4,401,690.04)	\$ (1,156,544.97)	\$ 6,510,002.64	\$ 1,065,032.09	\$ 196,079.98	\$ 5,641,050.53
	TOTAL	\$ 19,653,459.76	\$ 16,551,219.22	\$ (20,422,402.09)	\$ (3,871,182.87)	\$ 15,782,276.89	\$ 1,512,304.35	\$ 1,141,288.51	\$ 15,411,261.05

7. Approve Invoice 1529 (Final) to Bootheel Fence Co. regarding Field 8 Backstop and Fencing Project - \$19,372.00.
8. Approve request from Mary Jane Burgers & Brew and Warren Visual to hold the 3rd Annual Polar Beer 5K Run on March 5, 2016.
9. Approve request from Carisa Stark, on behalf of Mary Jane Burgers & Brew, for a Retail Liquor-by-Drink – Caterers (RBDC) license for the 3rd Annual Polar Beer 5K Run for stations on East St. Francois Street, City Park Lane, State Street, East St. Joseph Street, and Jackson Street on Saturday, March 5, 2016.
10. Approve Mayor's appointments for:
 - Park Board -**
 - Jennifer Fulford** - appointment to replace unexpired term of Jared Hotop (July 2018)
 - Airport Advisory Board -**
 - David Meske** - appointment to replace unexpired term of John Beardslee as Sabreliner Aviation representative (July 2018)
11. Set public hearing for a request from Gary Polk to rezone property located on the 2400 block of West St. Joseph Street, east of Giesler Way, from R-5 (General Residential) to C-2 (General Commercial) – February 16, 2016, at 6:30 p.m.

END OF CONSENT AGENDA

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

City Administrator Buerck asks that Item 8 be pulled from the Consent Agenda for discussion.

Alderman Schumer presents motion to approve the Consent Agenda, less Item 8. Alderman Hudson seconds the motion, and on vote the motion passes.

Chief Hunt expresses concerns regarding the Polar Beer Run checkpoint located on the Square across from the City Tavern. He states that he is concerned that people will congregate at that location and the Square will need to be closed to traffic for a longer period of time.

Mike Warren explains that the goal will be to sprint from that location to the finish line, which is located at Mary Jane Burgers and Brew. He states that he does not believe the Square will need to be closed longer because of the checkpoint.

Chief Hunt states that he is satisfied with explanation and withdraws his concern.

Alderman Riney makes a motion to approve Item 8 of the Consent Agenda. Alderman Guth seconds the motion, and on vote the motion carries.

At this time, City Administrator Buerck opens a discussion regarding street front footage requirements. He notes that one of the key takeaways from the housing study was the difficulty some people experience in developing nonconforming lots, i.e., flag lots, and that there are vacant tracts, in some cases sizeable, which do not have the required 75' of street frontage. He informs the Board that staff proposes lifting that requirement with the understanding these would be private drives and not receive city maintenance.

After discussion and review, it is the consensus of the Board of Aldermen that staff proceed with steps to modify the zoning ordinance to reflect these ideas.

City Administrator Buerck informs the Board that staff believes that funds are available to extend a 3" natural gas line to Moore Drive because funds were saved on the Rambling Hills gas line extension project due to the work performed by our city crews. He states that, similar to the Rambling Hills line, this proposed line would not be suitable for industrial development but would be more than enough to carry current and future residential loading in that area.

Public Works Director Brown reviews the size requirement and cost for a 3" line and which side of the highway to lay the line. Discussion is also held regarding the need for easements.

After discussion and review, it is the consensus of the Board of Aldermen to proceed with the project.

SECOND READING AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 5497, AN ORDINANCE ACCEPTING THE PLAT OF ROBINSON MINOR SUBDIVISION; 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. Bill No. 5497 is read a second time on motion by Alderman Riney, seconded by Alderman Guth. 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; 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. 5727 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5497

ORDINANCE NO. 5727

AN ORDINANCE ACCEPTING THE PLAT OF ROBINSON MINOR SUBDIVISION;
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, Kevin Robinson has platted Robinson Minor Subdivision 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 Robinson Minor Subdivision, 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. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: January 5, 2016.

SECOND READING: January 19, 2016.

PASSED AND APPROVED this 19th day of January, 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. 5498, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEED. Bill No. 5498 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. 5728 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5498

ORDINANCE NO. 5728

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN

PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEED.

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

Section 1. The Mayor and Board of Aldermen of the City of Perryville, Missouri, do hereby accept the Easement Deed from **JESSE J. LAURENTIUS and JUDY M. LAURENTIUS** and from **ALBERT R. WILKES and CINDY A. WILKES**, which is attached hereto, subject to all of the terms and conditions therein expressed.

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

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

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

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

FIRST READING: January 5, 2016.

SECOND READING: January 19, 2016.

PASSED AND APPROVED this 19th day of January, 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 Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 5499, approving 2016-17 Pay Plan, is read for the first time by title only. The heading is as follows:

AN ORDINANCE APPROVING THE **2016-17 PAY PLAN** AS AMENDED, FOR THE CITY OF PERRYVILLE, MISSOURI, WHICH SHALL BECOME AND BE MADE A PART OF THE 2016-17 BUDGET AS MADE AND PROVIDED IN SECTION 67.010, ET SEQ., RSMO, 2000.

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5500, amending Title 2, Chapter 2.56 and Chapter 2.88 of the Code of Ordinances relative to Police Personnel Rules and Regulations, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.56 AND CHAPTER 2.88 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO POLICE PERSONNEL RULES AND REGULATIONS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Guth, Chairman of the Public Works Committee, inquires about the School Street lift station, asking about the procedures staff uses to ensure that the pumps are running adequately. Public

Works Director Brown informs him that they are working to build knowledge regarding the pumps and that both pumps failed at the same time. Director Brown states that his crew has determined that one pump must be replaced and the other needs to be overhauled.

City Administrator Buerck informs the Board that the cost to purchase the pump and overhaul the other one exceeds the amount authorized in the Purchasing Policy. He asks the Board if they agree that the improvements need to be made in a timely manner and asks for their authorization for staff to move forward.

It is the consensus of the Board to move forward with the improvements to the pumps at the School Street Lift Station.

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) Villainous Grounds is having their grand opening on January 23rd. Jackson Street Brewery is planning their grand opening for February/March; (b) Plans are underway for an art exhibit to be held in April at the Robinson Event Center; (c) SMC Electric is in the process of purchasing six acres of land in the Industrial Park and plans to move their operations from Bloomsdale. They employ 10-15 technical positions.

City Administrator Buerck updates the Board on the following:

Tourism Update: Staff believes that the funds the City is expending to help support the new Tourism Director has been well invested. The Director continues to do an excellent job moving the entire community forward on tourism. Her report is provided for the Board's review.

County Park Tax Extension: The County has approved ballot language for an April election. The money will support the County Courthouse and Administration buildings along with the Perry Park Center and local parks. The City is prepared to provide educational information regarding this tax. The Park Master Plan draft will be ready for review in the near future.

PW Utility Dispatcher Position – We proposed converting the funds for the part-time meter reader into a part-time utility dispatcher position. This position will be a step towards following the Public Service Commission's requirements. Future plans include a direct line to Public Works rather than calls being sent through City Hall; a daily log of all phone calls received will be kept; and work orders will be generated.

Parks & Recreation Director Cadwell updates the Board of Aldermen regarding the progress being made on the Park Master Plan. He informs the Board that the rough draft of the plan will be reviewed at a meeting at Regional Planning Commission on February 13th.

Alderman Hudson asks if the restrooms on the walking trail have been closed for the winter. Parks & Recreation Director Cadwell informs the Board that the restrooms have been closed so that the water doesn't freeze in the pipes.

Alderman Hudson also informs the Board that he was contacted by someone with a question about fees for tournaments at the Park Center. After discussion, City Administrator Buerck explains that Mr. Tim Neals has been unhappy about the rates he must pay to host his volleyball tournament in the Perry Park Center. Administrator Buerck informs the Board that the volleyball tournaments that Mr. Neals hosts are strictly for his own personal profit.

Now, at this time, upon motion by Alderman Riney, seconded by Alderman Guth, it is ordered that the Board now convene into closed session to discuss contractual matters in accordance with Section 610.021(9) RSMo and real estate matters in accordance with Section 610.021(2) RSMo. Roll call showed the aye and nay votes as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; Gary 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; Gary J. Schumer, aye. Totals: aye, six; nay, none.

There being no further business, it is upon motion by Alderman Guth, seconded by Alderman Riney, and on vote carried, ordered that the Board now adjourn until Tuesday, February 2, 2016, at 6:30 p.m., the regular meeting in course.

ATTEST:

MAYOR

CITY CLERK