

June 21, 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 with the Pledge of Allegiance and invocation.

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

Mayor Baer opens a public hearing for input regarding the Downtown Bandstand/Pavilion. Andrea Lohmeyer of Cochran Engineering presents various photos for the Board of Aldermen and citizens to review. She notes that she met with the Downtown Revitalization Committee that afternoon and received their input on the project.

Jim Martin, 429 Green Meadow, Perryville, Missouri, asks if bathrooms will be installed at the pavilion. City Administrator Buerck informs the audience that bathrooms will not be included.

Carol Rozier, 119 S. Moulton, Perryville, Missouri, informs the Board that she owns the property directly behind the Hoeckele lot. She notes that she has had issues with fair-attendees using her yard as a bathroom, and asks the Board to consider placing a fence around her yard.

After further review of the possible options for the bandstand/pavilion, Ms. Lohmeyer closes her presentation, noting that she will prepare three designs for the Board's consideration in the near future.

There being no one else coming forth, Mayor Baer closes the public hearing for input regarding the Downtown Bandstand Pavilion.

At this time, Mayor Baer opens a public hearing for the Perryville Veterans Plaza Community Improvement District. EDA Director Scott Sattler summarizes the project for the Board of Aldermen and the citizens present.

The following individuals spoke in favor of the proposed project:

- Michael Lundy, 95 Fox Chase Drive, Perryville, Missouri
 - The plaza is to honor our veterans
 - Vietnam Wall replica will be included
 - Should be self-sustaining in the future, but needs help now
- Roger Wibbenmeyer, 8542 Highway O, Perryville, Missouri
 - In favor of the project; it is good for Perryville
- Tom Nations, 920 PCR 728, Perryville, Missouri
 - Thankful for the Board's support for the Wall of Honor
 - In 2009 the military museum looked like a closet
 - This project will bring tourism into the area and will be a positive thing for the area

The following individuals spoke against the proposed project:

- David Ramsey, 80 Green Meadows, Perryville, Missouri
 - The project is worthy and beneficial for the community
 - Since it benefits the community, the community should share in the risk; will level the playing field
 - Do on a city-wide basis and the amount of tax should be smaller and could do all that is needed

- Operates on a small margin; thank you for hearing our concerns
- Dan Drury, President of Mid-America Hotels, Cape Girardeau, Missouri
 - Owns multiple Burger Kings, Popeye's, and hotels
 - In favor of the project
 - Concerned that all businesses in the areas are not in the district
 - Rhodes and other C-Stores are his competition
 - 1% makes a disadvantage to businesses in the district
 - Fears that a 'no sunset' provision could lead to a slush fund
 - Concerns about term limits for CID committee members
 - Why not make all commercial areas part of a CID
 - Many business owners are not in favor of the tax; puts them at a disadvantage since Buchheit's is not included in the district
 - Concerns that additional items could be added to the district so that the amount never sunsets; opens the door to a slush fund
- Charlie Lottes, 2873 Highway T, Perryville, Missouri
 - This is a flawed business model; 1% is too much – should be 1/8%
 - 1% on their property across from soccer park, where there are long range plans for a grocery stores, puts us at a disadvantage with Wal-Mart and Buchheit's
 - Could be fixed
 - Support the idea, but business model is flawed
- Ken Welker, P.O. Box 105, Perryville, Missouri
 - Supports the project, but opposed to it as presented; would like it to be more equitable for the landowners (businesses) on the committee or at least the same
- Scott Sattler reads a letter from the owner of Taco Bell
 - Not interested in participating at this time

Alderman Schumer asks if there is a sunset clause in the CID development. EDA Director Sattler informs the Board of Aldermen that there is a sunset clause in the CID and reads the clause. He also notes that the petition defines what is going to be covered in the CID district.

There being no one else coming forth, Mayor Baer closes this portion of the meeting. (A recording of this public hearing has been made and is available for review in the City Clerk's office.)

CONSENT AGENDA ITEMS

5. Approve minutes from meeting of June 7, 2016.
6. Approve Financial Report for May, 2016.

CITY OF PERRYVILLE
STATEMENT OF CASH POSITION
MAY, 2016

FUND NAME	April 1, 2016	REVENUE	EXPENSE	NET INCOME	CURRENT	ACCOUNTS	CURRENT	CURRENT
	Fund Balance	Y-T-D	Y-T-D		FUND BALANCE	RECEIVABLE	LIABILITIES	CASH BALANCE
101 Gen Rev	\$ 3,003,750.80	\$ 2,190,798.58	\$ (2,357,019.14)	\$ (166,220.56)	\$ 2,837,530.24	\$ 18,625.59	\$ 47,740.83	\$ 2,866,645.48
105 FSA Administration	\$ 1,923.82	\$ 1,486.35	\$ -	\$ 1,486.35	\$ 3,410.17	\$ -	\$ -	\$ 3,410.17
106 Asset Forfeiture	\$ 953.99	\$ -	\$ -	\$ -	\$ 953.99	\$ -	\$ -	\$ 953.99
206 Trans Trust	\$ 111,423.59	\$ 574,777.78	\$ (810,193.06)	\$ (235,415.28)	\$ (123,991.69)	\$ 487.50	\$ 631,550.90	\$ 507,071.71
207 Perry Park Ctr.	\$ 3,031.81	\$ 402,572.90	\$ (321,098.95)	\$ 81,473.95	\$ 84,505.76	\$ 8,130.57	\$ 20,961.17	\$ 97,336.36
211 Veterans Field	\$ 13,799.67	\$ 6,721.19	\$ (3,379.50)	\$ 3,341.69	\$ 17,141.36	\$ -	\$ -	\$ 17,141.36
213 Field Improvement	\$ 16,357.85	\$ 4,775.86	\$ (1,014.31)	\$ 3,761.55	\$ 20,119.40	\$ -	\$ -	\$ 20,119.40
307 Debt Service	\$ 578,917.80	\$ 2,880.74	\$ (27,266.16)	\$ (24,385.42)	\$ 554,532.38	\$ 9,592.72	\$ 9,592.72	\$ 554,532.38
308 Cap Imp Sis Tax Rev	\$ 1,146,030.87	\$ 104,249.28	\$ (679,104.36)	\$ (574,855.08)	\$ 571,175.79	\$ -	\$ -	\$ 571,175.79
408 CDBG Escrow	\$ 135,124.06	\$ -	\$ (135,124.06)	\$ (135,124.06)	\$ -	\$ -	\$ -	\$ -
409 Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
414 TIF 1-Hwy 51/61	\$ 78,542.22	\$ 1,793,895.29	\$ (1,795,834.37)	\$ (1,939.08)	\$ 76,603.14	\$ -	\$ -	\$ 76,603.14
415 Economic Develop	\$ 176,722.92	\$ 307.45	\$ -	\$ 307.45	\$ 177,030.37	\$ -	\$ -	\$ 177,030.37
416 TIF 2-Downtown	\$ 33,023.78	\$ 57.17	\$ (325.36)	\$ (268.19)	\$ 32,755.59	\$ -	\$ -	\$ 32,755.59
417 TIF 3-I55/HWY 51	\$ 396,246.35	\$ 689.34	\$ -	\$ 689.34	\$ 396,935.69	\$ -	\$ -	\$ 396,935.69
513 Street Imp	\$ 1,096,904.75	\$ 56,978.01	\$ (213,508.90)	\$ (156,530.89)	\$ 940,373.86	\$ -	\$ -	\$ 940,373.86
612 Refuse	\$ 412,177.48	\$ 115,508.89	\$ (180,148.09)	\$ (64,639.20)	\$ 347,538.28	\$ 75,964.04	\$ 5,998.03	\$ 277,572.27
614 CWSS Op	\$ 1,834,741.05	\$ 1,097,285.28	\$ (979,144.83)	\$ 118,140.45	\$ 1,952,881.50	\$ 224,679.20	\$ 128,239.48	\$ 1,856,441.78
619 Gas Op	\$ 7,125,871.72	\$ 1,008,937.63	\$ (1,760,484.76)	\$ (751,547.13)	\$ 6,374,324.59	\$ 920,163.92	\$ 201,353.93	\$ 5,655,514.60
TOTAL	\$ 16,165,544.53	\$ 7,361,921.74	\$ (9,263,645.85)	\$ (1,901,724.11)	\$ 14,263,820.42	\$ 1,257,643.54	\$ 1,045,437.06	\$ 14,051,613.94

7. Approve request for Retail Liquor by Drink—Caterers (RBDC) license from Jack Abernathy on behalf of Sportsman Association of Perry County to allow alcohol in their parking lot at 17 North Shelby Street on Saturday, July 30, 2016.
8. Review traffic study recommendation from Assistant Chief Jones relative to “No Parking” on Edgemont near French Lane.
9. Approve recommendation from Parks & Recreation Director Cadwell to award purchase of picnic tables from Champlin Tire Recycling per requirement of Missouri Department of Natural Resources’ grant award.
10. Set public hearing date relative to special use permit request from Harold Miller to continue to operate an auto detailing business out of the shop on his property at 501 Feltz Street – July 19, 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.

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

At this time, City Administrator Buerck asks the Board to consider bids received for the Tank 4 and 6 Project. He notes that this project includes the construction of a new, larger tank 4 near the interstate and the removal of current tank 4 near Wal-Mart. It also includes the construction of tank 6 near PCSD 32 (which will better serve downtown district and the area around the school's campus). As options, the specs included an alternate to remove the soon to be retired tank 5 at French Lane Park (golf ball).

City Administrator Buerck states that staff recommends using the base design (Perryville, Est. 1831) for Tank 4; the alternate design (Pirate Logo) on one side only for Tank 6; and adding a logo to both sides of Tank 1 (Perryville, Est. 1831). He notes that a change order may be presented at a later date if it is determined that only one logo is needed on Tank 1.

Alderman Schumer makes a motion to approve bids received for the Tank 4 and 6 Project and award to Phoenix Fabricators and Erectors, Inc. per recommendation of Engineer Mark Bloome of Hurst-

Rosche - \$2,370,576.00 (Base Bid); Include Alternates + \$11,500.00 = \$2,382,076.00, as presented by city staff.

SECOND READING AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 5547, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **RIVERSIDE REGIONAL LIBRARY** RELATIVE TO **RENEWAL OF LEASED SPACE AT THE PERRY PARK CENTER**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 5547 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. 5772 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5547

ORDINANCE NO. 5772

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **RIVERSIDE REGIONAL LIBRARY** RELATIVE TO **RENEWAL OF LEASED SPACE AT THE PERRY PARK CENTER**; 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 **Riverside Regional Library**. 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: June 7, 2016.

SECOND READING: June 21, 2016.

PASSED AND APPROVED this 21st day of June, 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. 5548, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTIES, WHICH SAID PROPERTIES ARE PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEEDS. Bill No. 5548 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, abstain; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; Gary J. Schumer, aye. Totals: aye, five; nay, none; absent, none; abstain, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 5773 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5548

ORDINANCE NO. 5773

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTIES, WHICH SAID PROPERTIES ARE 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:

- a) **Clarence J. Buchheit and Dorthy A. Buchheit;**
- b) **Earth First Contractors, LLC;**
- c) **R & W Storage, LLC;**
- d) **William J. Sides and Karen A. Sides; and**
- e) **Nicole M. Weinkein,**

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: June 7, 2016.

SECOND READING: June 21, 2016.

PASSED AND APPROVED this 21st day of June, 2016, by a vote of 5 ayes, 0 nays, 1 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. 5549, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **HOSKINS ENVIRONMENTAL CONSULTING** RELATIVE TO **ENGINEERING SERVICES RELATIVE TO PRETREATMENT PROGRAM ASSISTANCE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 5549 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. 5774 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5549

ORDINANCE NO. 5774

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **HOSKINS ENVIRONMENTAL CONSULTING** RELATIVE TO **ENGINEERING SERVICES RELATIVE TO PRETREATMENT PROGRAM ASSISTANCE**; 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 **Hoskins Environmental Consulting**. 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: June 7, 2016.

SECOND READING: June 21, 2016.

PASSED AND APPROVED this 21st day of June, 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 AND SECOND READING AND FINAL PASSAGE:

Now, at this time, Bill No. 5550, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND THE **MISSOURI DEPARTMENT OF NATURAL RESOURCES** RELATIVE TO **2016 FINANCIAL ASSISTANCE AGREEMENT FOR A PLAYGROUND SCRAP TIRE SURFACE MATERIAL GRANT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR, is read with an emergency clause for the first time upon motion by Alderman Riney, seconded by Alderman Buerck. On motion by Alderman Riney, seconded by Alderman Buerck, and on vote carried, Bill No. 5550 is read for the second time. Thereupon on motion by Alderman Riney, 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; Gary J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 5775 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5550

ORDINANCE NO. 5775

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND THE **MISSOURI DEPARTMENT OF NATURAL RESOURCES** RELATIVE TO **2016 FINANCIAL ASSISTANCE AGREEMENT FOR A PLAYGROUND SCRAP TIRE SURFACE MATERIAL GRANT**; 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 **Missouri Department of Natural Resources**. 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 enter 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. The Mayor and Board of Aldermen hereby declare this ordinance to be an emergency ordinance in order to protect the health, safety, and welfare of the citizens of the City of Perryville.

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

FIRST READING: June 21, 2016.

SECOND READING: June 21, 2016.

PASSED AND APPROVED this 21st day of June, 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, Bill No. 5551, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND THE **MISSOURI DEPARTMENT OF NATURAL RESOURCES** RELATIVE TO **2016 FINANCIAL ASSISTANCE AGREEMENT FOR A NON-PLAYGROUND SCRAP TIRE SURFACE MATERIAL GRANT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR, is read with an emergency clause for the first time upon motion by Alderman Riney, seconded by Alderman Guth. On motion by Alderman Riney, seconded by Alderman Guth, and on vote carried, Bill No. 5551 is read for the second time. 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 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; Gary J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 5776 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5551

ORDINANCE NO. 5776

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND THE **MISSOURI DEPARTMENT OF NATURAL RESOURCES** RELATIVE TO **2016 FINANCIAL ASSISTANCE AGREEMENT FOR A NON-PLAYGROUND SCRAP TIRE SURFACE MATERIAL GRANT**; 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 **Missouri Department of Natural Resources**. 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 enter 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. The Mayor and Board of Aldermen hereby declare this ordinance to be an emergency ordinance in order to protect the health, safety, and welfare of the citizens of the City of Perryville.

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

FIRST READING: June 21, 2016.

SECOND READING: June 21, 2016.

PASSED AND APPROVED this 21st day of June, 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 Martin presents motion, seconded by Alderman Schumer, and on vote carried Bill No. 5552, approving a petition for the creation of the Veterans Plaza Community Improvement District; establishing the District as a political subdivision of the State of Missouri; and directing the City Clerk to notify the Missouri Department of Economic Development of the creation of the District, is read for the first time by title only. The heading is as follows:

AN ORDINANCE APPROVING A PETITION FOR THE CREATION OF THE VETERANS PLAZA COMMUNITY IMPROVEMENT DISTRICT; ESTABLISHING THE DISTRICT AS A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI; AND DIRECTING THE CITY CLERK TO NOTIFY THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT OF THE CREATION OF THE DISTRICT.

At this time, the Board of Aldermen reviews the Community Improvement District process. After discussion, it is determined by the Board of Aldermen that additional information is necessary to inform them on the process of including safeguards so the appointed CID Board adheres to the wishes of the Board of Aldermen. The Board authorizes City Attorney Ludwig and City Administrator Buerck to gather information for their review at a special meeting of the Board of Aldermen.

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 5553, accepting easement deeds for the Moore Drive Gas Line Extension Project (Cissell;Wills), 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 PROPERTIES, WHICH SAID PROPERTIES ARE PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEEDS.

Alderman Riney presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5554, entering into an Airport Service Agreement with Lawrence A. Dauer, Jr., a/k/a Riverside Aviation, LLC, 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 **RIVERSIDE AVIATION, LLC**, RELATIVE TO **AIRPORT SERVICE AGREEMENT**; 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. 5555, entering into a t-hangar rental agreement with Chester Reed, 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 **CHESTER REED** RELATIVE TO **RENTAL OF T-HANGAR SPACE**; 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. 5556, entering into a contract with Phoenix Fabricators and Erectors, Inc., relative to Tanks 4 and 6 Project, 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 **PHOENIX FABRICATORS AND ERECTORS, INC.** RELATIVE TO **TANKS 4 & 6 PROJECT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Schumer, as Chairman of the Economic Development Committee, asks EDA Director Sattler to update the Board on any economic development activity. Director Sattler notes the announcement made that Rankin Technical College is going to be opening in Perryville; he informs the Board that he has been re-elected to serve on the MEDC Board; and states that the Bikers on the Square event went well over the weekend; however, attendance was down from the last years..

City Administrator Buerck updates the Board on the following:

- **Water System Improvement Status Report** - The improvement projects identified by the Board of Aldermen are well underway. For the most part, we have received favorable bids for the services rendered and saved funds where possible (particularly with the SCADA project). We are going to begin the process of planning for the PRVs (pressure reducing valves). This will affect approximately 70 property owners in the area of I-55/Rambling Hills. We hope to have a plan to present at the next meeting and it will most likely involve reimbursing property owners for the installation costs.
- **Alma/Perryville Blvd. MoDot Study** - We met with MoDOT yesterday regarding the long requested study. They will revise their report to make it easier to understand and get it to us in the next couple of weeks. Once in hand, we will share it with the Board. At this time, there will be no changes to this intersection.

- **Update on Feltz Street Park** - The Skate Park has been removed. There has been some public comments and news media coverage of the issue. I have met with members of the “Rejects Skate Team” several times and will continue to do so. They are disappointed in how this turned out and would like to work towards another skate park. We have to make sure anything new doesn’t assume the reputation and character of the old.

Alderman Riney asks what it cost to remove the skate park structures. City Administrator Buerck informed the Board that it cost approximately \$4,000. Alderman Hudson noted that four people were skating down the middle of the street in front of him and would not move. Chief Hunt informs the Board that they have been told that they cannot hinder traffic. Mayor Baer states that he believes a new skate park will be built near the Sheriff’s Department. City Administrator Buerck informs the Board that he is working with the skaters and spoke with Charlie Lottes about the situation. (Mr. Lottes was instrumental in the beginning stages of raising funds to build the skate park.)

City Administrator Buerck indicated that the City could match the original \$9,000 that was raised when the skate park was originally built; if and when it is redesigned.

- **Water Main Leak Detection** - We have struggled for 7-9 years to find a water leak behind Rhodes 101 by the interstate. We have tried everything available to us, albeit unsuccessfully, to find it. Public Works Director Mark Brown has identified a new company, Optica360, that thinks they can locate it using a combination of infrared, acoustics, and GPS technology. In addition, they would survey an estimated 10 miles more of water mains in town looking for leaks.
- **Full-time Temporary position** - An employee of the water department is on extended leave as he negotiates the legal process. There is no salary being paid out for the position but the crew is now short-handed. We would like to hire a full-time, temporary worker so we can return to full staff during this interim. There will be no net impact to the budget as a salary is not currently being paid out.

City Engineer Baer updates the Board on the following:

- **Grand Avenue Construction** – This project is moving along well; may be completed by the end of next week.
- **Route AC Water Project** – This project is complete.
- **Gas Line to Moore Drive** – This project is progressing as anticipated.
- **Huber Road Sidewalk Project** – Preliminary cost estimates for the Huber Road Share Use Path Expansion project are projected at \$209,600. This would include a 10-foot wide sidewalk running 1,900 feet along Huber Road from approximately the football field to Highway 61 South. This cost includes engineering.

Alderman Hudson states that he believes this project should be put on hold and that efforts should be made to finalize the expansion of Edgemont Boulevard. He notes that he does not think this sidewalk project is necessary.

City Administrator Buerck notes that he had not yet reviewed these proposed costs and that \$50,000 is all that is budgeted for sidewalks at this time.

Alderman Guth and Riney agree that this sidewalk project should not be placed above the Edgemont Expansion Project. City Engineer Baer informs the Board that his firm should have the design work completed on the Edgemont Expansion Project in time to bid the project out in Spring, 2017.

It is the consensus of the Board that this matter be discussed in closed session under the real estate clause.

Alderman Buerck notes that he has received complaints about the way the demolition of the skate park was handled. He notes that park needed to be removed; however, asks staff to contact residents next time anything of this nature takes place.

Alderman Guth informs the Board that he has noticed Bob Wichern, Rich DeWilde, and Dave Rudert picking up trash all over the City Park each morning on their walk. He commends their actions and wants the Board to be aware.

Alderman Riney asks Chief Hunt if there were any reports of people playing hockey on the tennis court on Friday evening, June 17th. When Chief Hunt states that no reports were filed, Alderman Riney informs the Board that 12 guys were playing hockey, but until the lights are erected on the multi-purpose court, he doesn't feel justified in asking them to move.

Parks & Recreation Director Cadwell informs the Board that he is seeking quotes for lights at the multi-purpose court; however, so far the estimates are high.

Parks & Recreation Director Cadwell informs the Board that the dectron was not working last week. It was repaired, but needs to be replaced. He has met with CTS and plans are underway to get the Perry Park Center project underway.

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

Following discussion and review, it is upon motion by Alderman Martin, 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; absent, none.

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, July 5, 2016, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK