

July 5, 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, Larry Riney, and Gary J. Schumer, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Thomas Ludwig, City Attorney. Absent: Alderman Douglas Martin.

Mayor Baer opens the meeting with the Pledge of Allegiance and invocation.

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

Kim Moore, of 302 East Ste. Marie Street, Perryville, Missouri, steps forth in support of Bill 5552 relative to the Perryville Veterans Plaza Community Improvement District. He notes that 69% of the property owners in the district are in favor of the CID. He also applauds the bold steps and vision for the future the organizers of this initiative have taken regarding this project.

Frank Robinson, of 407 Cinque Hommes Drive, Perryville, Missouri, also steps forth in support of Bill 5552 relative to the Perryville Veterans Plaza Community Improvement District. He states that he believes the travelers along the interstate will give back to the City of Perryville by stopping to visit Veterans Plaza and will use the facilities and businesses.

Michael Lundy, of 5 Fox Chase Drive, Perryville, Missouri, also steps forth in support of Bill 5552 relative to the Perryville Veterans Plaza Community Improvement District. He informs the Board that the organizers of this district have explored all of the avenues in developing the district boundaries. He states that he believes this is a good project and is good for the community. He notes that the Vietnam Wall is included in the project and he expects the Veterans Plaza will draw revenue to the businesses in the city. He also notes that funds are needed to help get the plaza started, but he believes other avenues of revenue may be available in the future.

At this time Justin Perrault, of 604 North High Street, Perryville, Missouri, steps forth regarding the possibility of a new skate park. He informs the Board of Aldermen that there is a large group of skaters that have not caused trouble in the Feltz Street skate park; however, he does note that there were other individuals who took advantage of the dark corners of the park for questionable activities. He offers to work with the City of Perryville in the creation of a new skate park and agrees that building the park across from the Sheriff's Department is a good idea so that the skaters do not have to police the area themselves.

Mark Hotop, of 105 East Ste. Marie Street, Perryville, Missouri, now steps forth regarding the City's fireworks ordinance. He informs the Board that he noticed a lot of fireworks going off within the city limits during the recent Fourth of July. He suggests that the City either do a better job of enforcing the current ban on fireworks or change the ordinance so that fireworks can be sold and shot off in the city limits; noting that revenue would increase within the city limits.

City Administrator Buerck states that staff and the Police Department have begun discussions about the possibility of making a change in the ordinance to allow fireworks sales and discharge in the city limits.

CONSENT AGENDA ITEMS

3. Approve minutes from meeting of June 21, 2016.
4. Approve bills for June, 2016.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of June, 2016, vendor checks numbered: 101274 - 101577, and 5 ACH transfers; payroll checks numbered: 657572 - 657580.

The following bills are presented to be paid for the month of June, 2016. Board finds that \$333,452.47 is chargeable to and payable out of the General Revenue Account; \$109,226.11 is out of Transportation Trust; \$178,312.05 is out of Perry Park Center; \$537.83 is out of Veterans Memorial Field; \$7,962.36 is out of Ball Field Improvements; \$6,461.39 is out of TIF #1; \$28.78 is out of TIF #2; \$42,680.09 is out of Refuse; \$241,147.09 is out of CWSS; and \$164,615.77 is out of Gas Operation. The Board, upon investigation, found the sum to be \$1,084,423.94.

5. Approve Pay Estimate 1 to Fronabarger Concreters, Inc., relative to 2016 Grand Avenue Improvements Project - \$85,933.80.
6. Set public hearing relative to Feltz Street Park Redevelopment – August 16, 2016, at 6:30 p.m.

Alderman Guth questions staff on how they plan to advertise for the Feltz Street Park public hearing. City Administrator Buerck states that notice will be in the newspaper, on the website, and sent out through text blasts and facebook. He also states that door hangars will be placed on houses along Feltz Street for the July 27th neighborhood meeting at the Regional Planning meeting room.

7. Approve specifications for 2016 Safety Playground Surface Project (Optimist Playground at Pavilion 20) and authorize City Clerk to advertise for bids.
8. Approve bids received for Parks & Recreation tractor and award to Davis Farm Supplies per recommendation of Parks & Recreation Director Cadwell - \$14,200.00
9. Approve Biosolids Land Application request for property at PCR 208.
10. Approve request from Jerry Davis relative to the River Hills Antique Tractor Club's annual Tractor Adventure Ride – July 30, 2016.
11. Approve 2016 Sludge Farm Crop Lease bid request and authorize City Clerk to advertise for bids.
12. Approve request from Regional Crisis Center to hang purple ribbons on the Square during October's Domestic Violence Awareness Month.
13. Acknowledge proposed changes to TG Pretreatment Permit.
14. Approve Mayor's appointments for:
 - (a) Planning and Zoning – 4 year term
Ralph Schamburg - reappointment (alternate)
 - (b) Board of Adjustments – 5 year term
Kate Martin - reappointment
Rich Thomas - appointment (to replace unexpired term of Tom Gibbar)
 - (c) Airport Advisory Board – 3 year term
Rick Schemel, Jr. - reappointment
Greg Gremminger - appointment (to replace unexpired term of Lawrence Dauer, Jr.)
 - (d) Park Board – 5 year term
Valerie Klein - reappointment

- (e) Cablecast Board - 3 year term
Joanie Robinson - reappointment
- (f) Perry County EDA Board – 2 year term
Ken Baer - reappointment
- (g) Perry County IDA Board – 6 year term
Gail Zoellner - reappointment

END OF CONSENT AGENDA

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

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

City Administrator Buerck informs the Board that the City's implementation of the water master plan will result in increased pressures, better fire flow, and increased reliability for many of our users; however, for about 70 users, this increase in pressure will require the installation of a pressure reducing valve (PRV). Staff has obtained quotes from local plumbers for this work and proposes to simply reimburse property owners (for up to \$400) upon installation of the PRV. This will allow property owners to select a plumber of their choosing and submit the bill to City Hall for reimbursement. This work should be scheduled to occur prior to the new water tower #4 being commissioned, which is expected within 12 months.

Alderman Hudson makes a motion to approve the reimbursement process proposed by City staff regarding the installation of pressure reducing valves. Alderman Riney seconds the motion. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, absent; Larry Riney, aye; Gary J. Schumer, abstain. Totals: aye, four; nay, none; absent, one; abstention, one. Motion passes.

SECOND READING AND FINAL PASSAGE:

At this time, City Attorney Ludwig informs the Board of Aldermen about the amount of votes needed to pass an ordinance since one of the Aldermen is absent and since there is a possible division regarding the upcoming ordinance relative to the creation of the Veterans Plaza Community Improvement District.

Now, at this time, the Board proceeds to read Bill No. 5552, AN ORDINANCE APPROVING A PETITION FOR THE CREATION OF THE PERRYVILLE VETERANS PLAZA COMMUNITY IMPROVEMENT DISTRICT; ESTABLISHING THE DISTRICT AS A POLITICAL SUBDIVISION OF THE STATE OF MISSOURI; DIRECTING THE CITY CLERK TO NOTIFY THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT OF THE CREATION OF THE DISTRICT; AND AUTHORIZING THE EXECUTION OF A COOPERATION AGREEMENT BETWEEN THE CITY AND THE DISTRICT. Bill No. 5552 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, nay; Prince Hudson, nay; Douglas K. Martin, absent; Larry Riney, nay; Gary J. Schumer, aye. Totals: aye, two; nay, three; absent, one. Motion fails.

BILL NO: 5552

FAILED

ORDINANCE NO : Failed

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

DEVELOPMENT OF THE CREATION OF THE DISTRICT; AND AUTHORIZING THE EXECUTION OF A COOPERATION AGREEMENT BETWEEN THE CITY AND THE DISTRICT.

WHEREAS, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the "CID Act") authorize the governing body of any municipality, upon a proper petition requesting the formation and after a public hearing, to adopt an ordinance establishing a community improvement district; and

WHEREAS, on April 19, 2016, a petition for the creation of the Perryville Veterans Plaza Community Improvement District (the "District") was filed with the City Clerk of the City of Perryville, Missouri (the "City"); and

WHEREAS, the City Clerk has verified that the petition complies with the CID Act; and

WHEREAS, on June 21, 2016, the Board of Aldermen held a duly noticed public hearing at which all persons interested in the formation of the District were allowed an opportunity to speak and at which time the Board of Aldermen heard all protests and received all endorsements; and

WHEREAS, the Board of Aldermen finds that notice of the formation of the District has been duly given and the public hearing thereon has been held in which all reasonable protests, objections and endorsements have been heard, all in accordance with Section 67.1431 of the CID Act;

WHEREAS, the Board of Aldermen further finds that the petition to form the District is proper in that it meets all of the requirements of Section 67.1411 of the CID Act; and

WHEREAS, the City desires to enter into a cooperation agreement with the District in substantially the form attached hereto as **Exhibit B** (the "Cooperation Agreement") to prescribe certain terms upon which the District will conduct its affairs.

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

Section 1. There is hereby created the Perryville Veterans Plaza Community Improvement District within the City as a political subdivision of the State of Missouri having the powers and purposes set forth in the petition, a copy of which is attached hereto as **Exhibit A** and is incorporated herein by reference (the "CID Petition"). The District shall include the contiguous tracts of real estate described in **Exhibit A** of the CID Petition, and shall be governed by a board of directors consisting of nine (9) members hereafter appointed by the Mayor with the consent of the Board of Aldermen and in accordance with the requirements set forth in the CID Petition and the CID Act. The District may impose a sales tax in the amount set forth in the CID Petition.

Section 2. The term of the existence of the District shall be for a minimum of one (1) year from the effective date of this Ordinance; provided, however that the District shall automatically terminate if the Cooperation Agreement is not approved by the District's Board of Directors within thirty (30) days from the effective date of this Ordinance.

Section 3. The City Clerk is hereby directed to prepare and file with the Missouri Department of Economic Development the report specified in Section 67.1421.6 of the CID Act.

Section 4. The Mayor is hereby authorized and directed to execute the Cooperation Agreement on behalf of the City and the City Clerk is hereby authorized and directed to attest to the Cooperation Agreement and to affix the seal of the City thereto. The Cooperation Agreement shall be in substantially the form attached hereto as **Exhibit B**, which Cooperation Agreement is hereby approved by the Board of Aldermen, with such changes therein as shall be approved by the officers of the City executing the same.

Section 5. The officers of the City are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance and to make ministerial alterations, changes or additions to the foregoing documents herein approved, authorized and confirmed which they may approve and the execution of such action shall be conclusive evidence of such necessity or advisability.

Section 6. It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

Section 7. This Ordinance shall take effect and be in full force immediately after its passage and approval.

FIRST READING: June 21, 2016.

FAILED

SECOND READING: July 5, 2016.

FAILED this 5th day of July, 2016, by a vote of 2 ayes, 3 nays, 0 abstentions and 1 absent.

CITY OF PERRYVILLE, MISSOURI

By: Not Signed

ATTEST:
Not Signed

Now, at this time, the Board proceeds to approve Bill No. 5553, 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. 5553 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, absent; Larry Riney, aye; Gary J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 5777 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5553

ORDINANCE NO. 5777

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) **Anthony and Katherine Cissell; and**
- b) **Ronald L. Wills and Carla M. Adams.**

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 21, 2016.

SECOND READING: July 5, 2016.

PASSED AND APPROVED this 5th day of July, 2016, 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. 5554, 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. Bill No. 5554 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, aye; Prince Hudson, aye; Douglas K. Martin, absent; Larry Riney, aye; Gary J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 5778 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5554

ORDINANCE NO. 5778

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.

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 Aviation, 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: June 21, 2016.

SECOND READING: July 5, 2016.

PASSED AND APPROVED this 5th day of July, 2016, 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. 5555, 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. Bill No. 5555 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, aye; Prince Hudson, aye; Douglas K. Martin, absent; Larry Riney, aye; Gary J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 5779 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5555

ORDINANCE NO. 5779

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.

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 **Chester Reed**. 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 21, 2016.

SECOND READING: July 5, 2016.

PASSED AND APPROVED this 5th day of July, 2016, 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. 5556, 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. Bill No. 5556 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, absent ; Larry Riney, aye; Gary J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 5780 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5556

ORDINANCE NO. 5780

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.

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 **Phoenix Fabricators and Erectors, Inc.**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

2. That the Mayor be and he is hereby authorized and directed to execute said contract for and on behalf of the City of Perryville, Missouri.

3. That the City Clerk of the City of Perryville is hereby authorized and directed to attest the signature of the Mayor on the attached contract.

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

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

FIRST READING: June 21, 2016.

SECOND READING: July 5, 2016.

PASSED AND APPROVED this 5th day of July, 2016, 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

FIRST READINGS:

Alderman Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 5557, approving final plat for Perryville Crossing Subdivision Plat 2, is read for the first time by title only. The heading is as follows:

AN ORDINANCE ACCEPTING THE PLAT OF PERRYVILLE CROSSING SUBDIVISION PLAT 2; 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.

Alderman Buerck presents motion, seconded by Alderman Riney, and on vote carried Bill No. 5558, approving agreement with Crawford, Murphy & Tilly, Inc., relative to water and sewer rate study, 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 **CRAWFORD MURPHY & TILLY, INC.**, RELATIVE TO **WATER AND SEWER RATE STUDY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 5559, entering into an FBO Hangar Rental Lease with Starland 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 **STARLAND AVIATION, LLC**, RELATIVE TO **RENTAL OF FBO 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. 5560, entering into an FBO Hangar Rental Lease with RJS 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 **RJS AVIATION, LLC**, RELATIVE TO **RENTAL OF FBO HANGAR SPACE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Riney, and on vote carried Bill No. 5561, entering into an FBO Hangar Rental Lease with 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 **RENTAL OF FBO HANGAR SPACE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 5562, amending Title 10, Chapter 10.20 relative to Prohibited Parking Schedule (Edgemont at French Lane), is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.20, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, 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.

City Administrator Buerck updates the Board on the following:

- **MML Conference – St. Louis Union Station – September 11-14, 2016** - Conference Registration is now open. Hotel rooms fill up quickly. If you want to go, please let me know soon so we can reserve the proper number of rooms.
- **Property Tax Levy** - We expect to be presenting information on property tax rates in the very near future. It usually comes from the State of Missouri with the expectation of a near immediate turnaround. The

current levy is slightly below the 2010 number. Once we see the range, it is very possible we will make a recommendation for a slight increase so I wanted to mention it now.

- **Water and Sewer Rate Study** - The current service rate is the same for City and County properties. At the Board's direction, this could be considered as part of the soon-to-begin rate study. Does the Board want to continue as the current rates are or try to work this analysis into the rates? It would probably be cheaper to simply add a percentage of some sort if the Board so chose. (No direction was given from the Board at this time.)

Alderman Hudson questions how the City will recoup the costs of the rate study. City Administrator Buerck recommends CMT be hired to do the study.

- **Feltz Street Park Redevelopment** – City Administrator Buerck and Alderman Buerck met with some of the skaters regarding the skate park. They informed the skaters that a new skate park was not in the City's Master Plan, but staff is willing to work with the skaters for a future park. It was noted that some of the skaters have been riding in the streets and disrupting traffic. Alderman Buerck told Justin Perrault that he would not vote for a skate park if the skaters continued to disobey the rules.

1. Input from Park Board - July 13
2. Input from the Neighborhood - July 27
3. Input from the General Public and Aldermen - August 16

- **Hoeckele Lot Property Tax Appeal** - Last year, the City had to pay property taxes on the Hoeckele property since it was privately owned. I have visited with the County Assessor and would like to appeal this matter since it is our intention to lease this property and then buy it. We are also planning on redeveloping it in the near future which would result in an even higher tax bill. Before doing so, I wanted to make sure the Board agreed.

It is the consensus of the Board to authorize City Administrator Buerck to appeal the taxes on the Hoeckele lot.

- **AV Gas Provider** - After researching the matter, the Airport Board recommended going with Eastern Aviation for our fuel provider. They provide gas to several surrounding airports which will make splitting a load much easier. This is also the same company that we purchased our gas from in the past.

Alderman Hudson commends the Fire Department for their dedication and states that he would like the Mayor and Board to consider adopting a resolution to recognize them.

Alderman Guth states that he has noticed tree limbs hanging over the walking trail in the City Park. He notes that these limbs are low enough to hit someone in the head. He reminds staff that, some time ago, the Board had requested the park maintenance crew drive the walking trail once a week to look for maintenance issues. He questions why that is not being done and asks that the Parks & Recreation Director see to it that the review begins again immediately.

Now, at this time, upon motion by Alderman Riney, seconded by Alderman Hudson, 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, absent; Larry Riney, aye; Gary J. Schumer, aye. Totals: aye, five; nay, none; absent, one.

Following discussion and review, it is upon motion by Alderman Hudson, seconded by Alderman Guth, 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, absent; Larry Riney, aye; Gary J. Schumer, aye. Totals: aye, five; nay, none; absent, one.

Alderman Guth asks staff for an update on the Housing Study that was performed. City Administrator Buerck informs the Board that the Housing Study was a critical tool used by developer Bret Burgess, who is currently building apartments on Alma Avenue; the study helped staff determine that we were in line with other cities regarding our street requirements; the study also aided in the recent changes to our zoning ordinances regarding mobile home lots – resulting in a new owner of the mobile home lot on Zeno Street to begin the process of taking the trailers out and building duplexes; and it was the reason staff asked Planning & Zoning to consider making an adjustment on flag lots (which was rejected by P&Z).

In addition, the Perry County School District has appointed a facilities committee to aid in some of the Housing Study findings regarding the School District.

Mayor Baer urges the Board to promote the County's upcoming road and bridge tax renewal set for the August election.

Alderman Riney asks staff to review what comprises the City of Perryville's sales tax. City Administrator Buerck reviews the bonds and other issues that contribute to the City's sales tax.

At this time, the Board discusses the water run-off from the Budget Inn and Perry County Memorial Hospital.

There being no further business, it is upon motion by Alderman Hudson, seconded by Alderman Buerck, and on vote carried, ordered that the Board now adjourn until Tuesday, July 19, 2016, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK