

**August 16, 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.

Mr. Justin Perrault, of 604 North High Street, Jackson, Missouri, steps forth regarding the skate park. He asks the Board to consider skateboarding as important as other sports, noting that there are baseball fields, soccer fields, etc., but no place for skateboarders to play. He states that he believes a new skate park will help keep kids out of trouble and that if they are allowed to help design the park, they will take good care of it.

Mr. Keith Carroll, of 5529 Highway T, Perryville, Missouri, now addresses the Board. He states that he owns real estate in every ward in the city. He informs the Board that he has had problems with tenants destroying his property and never facing a violation. He notes that most tenants work hard, but that 20% cause problems. He states that he believes tenants should have responsibilities and that the City should get involved. He states that tenants have every right to refuse to live in a residence. He mentions American competition and consumer freedom. He also state that he believes many property owners are good, and possibly 1% are bad.

Mr. Nathan Jones, of 2271 PCR 917, Perryville, Missouri, now addresses the Board regarding the skate park. He asks the Board to find somewhere for a skate park to be built so that the skaters are not forced to skate in the street. He notes that they need a temporary spot until something can be built. City Administrator Buerck will check with staff to see where the skaters can go to skate.

Mr. Jones states that he can get designs and a contractor for the skate park if the City can give them a place to put it.

At this time, Ms. Heather Dammann, of 6560 South Highway 61, Perryville, Missouri, informs the Board of Aldermen that she has been a resident of Perryville for six years. She states that she has rented places from Keith Carroll and that he has been a good landlord.

Mr. Scott Brown, of 600 Rand Avenue, Perryville, Missouri, steps forth. He says that, although the problems on Rand are not Mr. Carroll's fault, five more houses have roaches in them now because of his rental property. He asks the city to spray the neighborhood until the roaches are gone. He asks the Board to consider including the elimination of pests in the ordinance, noting that the old ordinance book used to address pests.

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

At this time, Mayor Baer presents a proclamation to members of the Perryville Fire Department commemorating their dedication and service to the citizens of Perryville.

Mayor Baer now opens a public hearing regarding a presentation by Cochran Engineering for the downtown pavilion to be located on the old Hoeckle lot.

Ms. Andrea Lohmeyer, of Cochran Engineering presents three design options for consideration. Ms. Carol Wingerter, of 301 Feltz Street, asks if restrooms were going to be included in the design. Ms. Lohmeyer informs those present that restrooms are not included in the design.

After discussion and review, the Board agreed that they liked the first option. City Administrator Buerck informs the Board that the Chamber and Downtown Revitalization Committee reviewed the designs earlier in the day and had also liked the first option, with some tweaking. Ms. Lohmeyer will bring a final design back to the Board for their final approval.

There being no one else coming forth, Mayor Baer closed the public hearing on the downtown pavilion design.

At this time, Mayor Baer opens a public hearing relative to Feltz Street Park Redevelopment. Mr. Drew Christian of the SEMO Regional Planning Commission shared a presentation with ideas developed by the Park Board and the public. The ideas presented provide a walking trail, pavilion, playground, platform around trees, rock/boulder play area, benches, drinking fountains, trash cans, lighting, and fencing. City Administrator Buerck notes that the suggested plans are proposed to be implemented in three phases.

Ms. Caitlin Pistorio, of 519 Ann Street, states that she lives close to the area and is excited about the possibility of a park where she can take her young children to play. She asks that lighting and safety be considered, noting she would like to see a "blue light safety system" installed. She noted that this is the evacuation site for St. Vincent schools.

Mr. Art Pistorio, of 519 Ann Street, encourages the Board to consider accelerating the construction of the walking trail.

Mr. Andy Graf, of 100 Feltz Street, asks if the parking lot would be set up for single spots. He notes that the current layout of the lot is causing problems. Parks & Recreation Director Cadwell says that the plan would shorten the parking lot area and install parking stops.

Alderman Buerck states that some people have suggested the City sell the property and let it be developed into a subdivision. He also suggests that a skate park be built before Feltz Street park is redeveloped.

Ms. Carol Wingerter, of 301 Feltz Street, expresses her displeasure at the way the destruction of the skate park was handled, noting that it was not done in democratic fashion. She believes the neighbors and skaters should have been informed about the demolition before it happened. She also stated that she did not believe all of the people that signed the petition should have been eligible to sign it. She states that her experience with the skaters has been a positive one, and that nothing has been solved by removing the skate park. She also states that the Police Department has not dealt with the drug issue or fighting issues.

Ms. Wingerter also distributes pictures that were taken after the recent 10" rainfall. She notes that the lower half of Feltz Street Park (Phases 2 and 3) is under water. She asks the Board to consider building a skate park before a family park.

Ms. Melanie Hager, of 204 Feltz Street, states that she agrees that a skate park should be built before Feltz Street Park is redeveloped. She expressed her concerns that the Police Department did not enforce the curfew and did not respond to neighborhood calls until after the fourth call.

Ms. Trina Schroeder, of 122 Feltz Street, agrees that a skate park needs to be built first. She expresses her fear that the skaters will destroy a new park on Feltz Street if it is redeveloped before a skate park is built. She states that she likes the ideas presented for the park. She also agrees that the Police Department did not enforce the laws and that she hopes the Board will discuss this with Chief Hunt.

There being no one else coming forth, Mayor Baer closes the public hearing relative to the Feltz Street Park Redevelopment.

### **CONSENT AGENDA ITEMS**

7. Approve minutes from meeting of August 2, 2016.
8. Approve Financial Report for July, 2016.
9. Accept bids received for the 2016 Sludge Farm Crop Lease and award to Earl Miesner - \$5,200.00 annual rent.
10. Approve estimate from Eastern Missouri Industries, Inc., relative to natural gas main bore in Lake Point Acres - \$20,800.00.
11. Approve specifications for Furnaces and Central Air Units Project for the Water Treatment Plant and authorize City Clerk to advertise for bids.
12. Approve Request for Proposals for a Compressed Natural Gas (CNG) Time Fill Fueling Station and authorize staff to seek proposals.
13. Approve plans and specifications for the 2016 Supplemental Power Project - School Street Lift Station Generator and Water Treatment Plant Transfer Switches and authorize City Clerk to advertise for bids.
14. Set Public Hearing date for a Special Use Permit request from Trish Riney to move her current business, "Macy's Place Dog Bath and Boutique," to 122 South Kingshighway, currently zoned C-2 General Commercial – September 6, 2016, at 6:30 p.m.
15. Set Public Hearing date for a Rezoning request from Austin Rentals, LLC and Walter Gawrych III to rezone property in Harvest Acres from R-2 Single Family Residential to R-5 General Residential to allow duplexes and multi-family dwellings – September 6, 2016, at 6:30 p.m.
16. Approve recommendation from Asst. Chief Jones relative to prohibited parking at the intersection of Grand Avenue and U.S. Highway 51.
17. Approve proposed Civic Project list.

### **END OF CONSENT AGENDA**

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

Regarding Item 11, Alderman Schumer suggests that the specifications extend the time frame for completion from 30 days to 60 days.

Regarding Item 12, Alderman Riney questions staff if this is to gain a cost estimate or is it to approve installing a CNG fueling station. City Administrator Buerck states that the Board authorized staff to move forward with investigating the possibilities of installing a CNG fueling station, and this RFP is the next step in that process. Public Works Director Brown states that they are in the process of determining what sewer vacuum truck to purchase, and they are considering a natural gas truck.

Alderman Riney presents motion to approve the Consent Agenda with the changes to Item 11. Alderman Guth seconds the motion, and on vote the motion passes.

At this time, Mr. Jeff Hay, of Kerber, Eck & Braeckel, presents their findings relative to the 2015-16 City Audit. Mr. Hay steps the Board through the audit. He noted that there was no need for a single audit section this year. He states that there were no issues with the audit.

After discussion and review, Alderman Buerck makes a motion to accept the 2015-16 Audit presented by Kerber, Eck & Braeckel. Alderman Martin seconds the motion, and on vote the motion carries.

At this time, City Administrator Buerck opens a discussion relative to rental property inspections. He notes that at the last Council meeting staff was directed to research possibilities for rental property inspections. Staff has put together a list of items intended to keep the conversation moving. He noted that it is staff's intention to put together a balanced plan that provides protection for the tenants but also the landlords and neighbors, so much as is possible. He informed the Board that he recently met with several landlords about this issue.

The Board discusses possibilities, such as when or how often would property be inspected; would the city charge for the inspections; would additional staff be needed; how many rental units are in the city limits; would inspections correct the tenant/landlord problems; what about the Health Department's role.

Landlords present include Van Naeger, Allen and Pam Muench, and Keith Carroll. Mr. Naeger states that the landlords have a difficult time trying to determine if someone will be a good tenant because they don't always tell them the truth. Ms. Muench says that they don't want to be too strict when it comes to renting out their apartments because they don't want them to be vacant.

Alderman Buerck asks the Board to consider sending City employees to Rand Avenue to spray the infestation. Staff explains that the City does not have the expertise or equipment to do the job.

Public Works Director Brown notes that it is a difficult situation, but he believes the basic codes should be followed – such as smoke detectors and operable doors and windows. Mr. Naeger asks why only rental property would be inspected, why not all properties?

Alderman Riney states that as far as he is concerned this is a dead issue, and he does not believe the city should get involved in matters between renters and landlords. *(Note: This sentence added by motion of the Board of Aldermen at the September 6, 2016, meeting, per the request of Alderman Riney)*

After further discussion and review, Mr. Carroll agrees that he will pay to spray two houses on either side of his property in an effort to eliminate the infestation.

City Administrator Buerck informs the Board that staff has determined that there are some residences in the city limits that have been turned into apartments or duplexes that are not in the correct zone. The Board agrees that staff should determine how many and where these types of residences are located for Board's review.

Drew Christian from Regional Planning notes that the recent Housing Study addresses the amount of houses vs. rentals.

City Administrator Buerck now explains to the Board that the Supreme Court's recent decision on municipal sign regulations will affect the way we do business here locally in that it greatly impacts how we limit and control sign content. He notes that, while this will provide more flexibility in regards to off-premise advertising and signs, staff still recommends limiting the frequency and location of such signs. Staff proposes changes to the ordinance for the Board's review and approval.

City Administrator Buerck asks that Item 21 relative to discussion regarding an agreement with Missouri Highways and Transportation Commission relative to providing non-primary entitlement funds for reconstruction of t-hangar apron pavement and update/develop Exhibit A property line map be withdrawn at this time. He notes that the matter is going to be taken back to the Airport Board for further review.

## SECOND READING AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 5568, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **TAYLORMADE COMPANY** RELATIVE TO **2016 PLAYGROUND SAFETY SURFACE PROJECT (PAVILION 20--OPTIMIST PLAYGROUND)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 5568 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. 5792 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5568

ORDINANCE NO. 5792

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **TAYLORMADE COMPANY** RELATIVE TO **2016 PLAYGROUND SAFETY SURFACE PROJECT (PAVILION 20--OPTIMIST PLAYGROUND)**; 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 **TaylorMade Company**. 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: August 2, 2016.

SECOND READING: August 16, 2016.

PASSED AND APPROVED this 16<sup>th</sup> day of August, 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. 5569, AN ORDINANCE READOPTING CURRENT TITLE 2, CHAPTER 2.48 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, ORIGINALLY PASSED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN ON THE 21<sup>ST</sup> DAY OF AUGUST, 1991. Bill No. 5569 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. 5793 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5569

ORDINANCE NO. 5793

AN ORDINANCE READOPTING CURRENT TITLE 2, CHAPTER 2.48 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, ORIGINALLY PASSED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN ON THE 21<sup>ST</sup> DAY OF AUGUST, 1991.

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

Section 1. That Title 2 of Chapter 2.48 of the Code of Ordinances of the City of Perryville, Missouri, is hereby readopted and confirmed in compliance with Section 105.485.4 RSMo, 1986, as amended. Copy of same is attached hereto and incorporated herein by reference as if fully set forth.

Section 2. That the City Clerk is hereby directed to forward a certified copy of this Ordinance and the attachment to the Missouri Ethics Commission within ten (10) days of passage and approval.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 4. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: August 2, 2016.

SECOND READING: August 16, 2016.

PASSED AND APPROVED this 16<sup>th</sup> day of August, 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. 5570, AN ORDINANCE ESTABLISHING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION DURING THE ENSUING FISCAL YEAR ON THE ASSESSED VALUATION OF ALL PROPERTY SITUATED IN THE CITY OF PERRYVILLE, COUNTY OF PERRY, STATE OF MISSOURI, FOR THE PURPOSE OF PAYING THE BOND PRINCIPAL AND INTEREST FALLING DUE IN THE FISCAL YEAR 2016-17 IN GENERAL OBLIGATION BOND ISSUE

INDEBTEDNESS; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT. Bill No. 5570 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. 5794 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5570

ORDINANCE NO. 5794

AN ORDINANCE ESTABLISHING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION DURING THE ENSUING FISCAL YEAR ON THE ASSESSED VALUATION OF ALL PROPERTY SITUATED IN THE CITY OF PERRYVILLE, COUNTY OF PERRY, STATE OF MISSOURI, FOR THE PURPOSE OF PAYING THE BOND PRINCIPAL AND INTEREST FALLING DUE IN THE FISCAL YEAR 2016-17 IN GENERAL OBLIGATION BOND ISSUE INDEBTEDNESS; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

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

Section 1. That the amount of money necessary to be raised by taxation during the ensuing fiscal year on the assessed valuation of all property situated in the City of Perryville, County of Perry, State of Missouri, for the purpose of paying bond principal and interest falling due in the fiscal year 2016-17 on the General Obligation Bond issue indebtedness of the City is Two Hundred Forty-Four Thousand Four Hundred Fifty Dollars and No Cents (\$244,450.00).

Section 2. That the total assessed valuation of all property in the City of Perryville, Missouri, as shown by a certified abstract transmitted to the Board of Aldermen by the County Clerk of Perry County, Missouri, is One Hundred Thirty-Five Million, Three Hundred Forty-Seven Thousand Seventy-Five Dollars and No Cents (\$135,347,075.00).

Section 3. That based upon the assessed valuation of property in the City of Perryville, Missouri, and the money necessary to be raised to pay bond principal and interest falling due in the ensuing fiscal year, the Board of Aldermen hereby establishes the rate of levy at Nineteen Cents (\$0.19) on each One Hundred Dollars (\$100) assessed valuation.

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

FIRST READING: August 2, 2016.

SECOND READING: August 16, 2016.

PASSED AND APPROVED this 16<sup>th</sup> day of August, 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. 5571, AN ORDINANCE ESTABLISHING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION FOR GENERAL REVENUE PURPOSES AND FOR THE PARK FUND DURING THE ENSUING FISCAL YEAR 2016-17; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT. Bill No. 5571 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. 5795 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5571

ORDINANCE NO. 5795

AN ORDINANCE ESTABLISHING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION FOR GENERAL REVENUE PURPOSES AND FOR THE PARK FUND DURING THE ENSUING FISCAL YEAR 2016-17; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

WHEREAS, in accordance with Sections 94.190 through 94.330 the City is empowered to establish taxation upon the assessed valuation of property within the City for general revenue purposes; and

WHEREAS, under the provisions of Sections 90.010 and 90.500, et. seq., the City is empowered to establish the rate of levy on the assessed valuation of property within the City for the purpose of providing a park fund; and

WHEREAS, in accordance with the aforesaid sections, the City must establish said rates after holding a public hearing for the ensuing fiscal year; and

WHEREAS, the City has held a public hearing as required by statute.

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

Section 1. That the amount of money necessary to be raised by taxation during the ensuing fiscal year on the assessed valuation of all properties situated in the City of Perryville, Missouri, for general revenue purposes is Five Hundred Thirty-One Thousand Dollars and No Cents (\$531,000.00) and for park purposes is Two Hundred Twenty-Five Thousand Five Hundred Dollars and No Cents (\$225,500.00).

Section 2. That the total assessed valuation of all the property in the City, as shown by a certified abstract transmitted to the Board of Aldermen of the City by the County Clerk of Perry County, Missouri, is One Hundred Thirty-Five Million, Three Hundred Forty-Seven Thousand Seventy-Five Dollars and No Cents (\$135,347,075.00).

Section 3. That the Board of Aldermen of the City hereby establishes the rate of levy for general revenue purposes at Forty Cents (\$0.40) on each One Hundred Dollars (\$100) assessed valuation on all property situated in the City of Perryville, Missouri.

Section 4. That the Board of Aldermen of the City hereby establishes the rate of levy for park fund purposes at Seventeen Cents (\$0.17) on each One Hundred Dollars (\$100) assessed valuation on all property situated in the City of Perryville, Missouri.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 6. That this ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: August 2, 2016.

SECOND READING: August 16, 2016.

PASSED AND APPROVED this 16<sup>th</sup> day of August, 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. 5572, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CHRIS HARBISON** 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. 5572 is read a second time on motion by Alderman Buerck, seconded by Alderman Martin. Thereupon on motion by Alderman Buerck, seconded by Alderman Martin, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, 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. 5796 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5572

ORDINANCE NO. 5796

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **CHRIS HARBISON** 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 **Chris Harbison**. 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: August 2, 2016.

SECOND READING: August 16, 2016.

PASSED AND APPROVED this 16<sup>th</sup> day of August, 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 Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 5573, entering into an agreement with Missouri Highways and Transportation Commission relative to grading, drainage, and paving of TG Way to its intersection with Route AC, 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 COST SHARE AGREEMENT BY AND BETWEEN THE CITY AND **MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION** RELATIVE TO **GRADING, DRAINAGE AND PAVING TG WAY TO ITS INTERSECTION WITH ROUTE AC (PROJECT J9P3093)**; 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. 5574, amending Title 10, Chapter 10.20 of the Code of Ordinances relative to Prohibited Parking Schedule (Grand Avenue at U.S. Highway 51), 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.

Alderman Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 5575, entering into a Sludge Farm Crop Lease Agreement with Earl Miesner, 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 **EARL MIESNER** RELATIVE TO **SLUDGE FARM CROP LEASE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Riney presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5576, entering into a contract with Cochran Engineering relative to City Hall Roof 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 **CB ENGINEERING, INC., d/b/a COCHRAN** RELATIVE TO **PROFESSIONAL DESIGN SERVICES FOR CITY HALL REROOFING PROJECT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Riney presents motion, seconded by Alderman Buerck, to remove Bill No. 5577, entering into an agreement with Missouri Highways and Transportation Commission relative to providing non-primary entitlement funds for reconstruction of t-hangar apron pavement and update/develop Exhibit A property line map. On vote, motion carries.

Alderman Guth presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5578, amending Title 17, Chapter 17.56 of the Code of Ordinances relative to Sign Content, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.56, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO SIGN CONTENT; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Schumer, as Chairman of the Economic Development Committee, asks EDA Director Sattler to update the Board on any economic development activity. Director Sattler informs the Board that the IDA Golf Tourney is scheduled for September 9<sup>th</sup>; he is working with Mineral Area College on a "Manufacturing Day"; and Rankin is looking at training dollars.

City Administrator Buerck updates the Board on the following:

- **Humanitarian Dinner** – Alderman Gary Schumer is going to be awarded the Humanitarian Award by the Perry County Community Foundation at a banquet scheduled for November 9, 2016. We plan to purchase a table for the City of Perryville. Please let Tracy know if you plan to attend.
- **Batting Cage** – We are going to withdraw the batting cage from the budget at this time. Staff plans to place it near the quad plex when it is built.
- **Water/Waste Water Certifications** – Copy provided for the Board's information.
- **LED Street Lights** – 540 of the City's street lights have been converted to LED. There are 350 lights remaining. Please review the lighting on St. Joseph Street and let staff know if you believe it is acceptable.
- **Photo Workshop Books** – The newspaper is going to purchase copies of the Photo Workshop Book and will sell them for \$22.00. Please let Tracy know if you want to purchase one.

City Engineer Baer informs the Board that staff is planning the manhole and sewer lining project for this year. He notes that they are looking at over 20 manholes and will pick the ones most need of repairs. He expects the project will include approximately 15 manholes and 1,500 feet of line. He informs the Board that the manhole at Northdale Park needs to be raised, but it would need to be too high for maintenance, therefore, he expects the Northdale Park manhole will be one of the manholes included in the lining project. He also informs the Board that he has the plans and specifications for the generator and transfer switch project available for their review.

Alderman Riney asks for an update on lighting the multipurpose court at the City Park. Parks & Recreation Director Cadwell says that an additional pole is being erected which will have three LED lights on it. He also says the three lights on the current pole will be changed to LED.

Alderman Buerck notes that the I & I improvements must be working because he only received one telephone call during the recent 10 ½ " rain. Alderman Martin notes that he did not receive any calls.

Alderman Hudson asks if Spring Street's sewer is going to be lined in the upcoming project. Public Works Director Brown explains that the problem on Spring Street is generated someplace else.

Public Works Director Brown asks the Board to continue to have an open mind regarding the landlord and tenant situation. He states that he feels this to be a safety issue. He notes that the Board only heard from three landlords and there are 1,000 renters in the City. He states that he feels this is an important issue with no easy answers, but hopes that we continue to work to seek solutions to the problems.

Parks & Recreation Director Cadwell informs the Board that a recent news report stated that an entire neighborhood went underwater because grass clippings clogged the drainage system.

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

Following discussion and review, it is upon motion by Alderman Hudson, seconded by Alderman Riney, 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 Hudson, seconded by Alderman Riney, and on vote carried, ordered that the Board now adjourn until Tuesday, September 6, 2016, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK