

January 9, 2018

**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 David J. Schumer, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Thomas Ludwig, City Attorney.

Mayor Baer opens the meeting. Alderman Martin leads the Pledge of Allegiance and the 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.

**CONSENT AGENDA ITEMS**

3. Approve minutes from meeting of December 19, 2017.
4. Approve bills for December 2017.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of December 2018, vendor checks numbered 106465 – 106474; 106634 – 106652; 106631 – 106937 (some check numbers duplicated) and 7 ACH transfers; payroll checks numbered: 657938 - 658000.

The following bills are presented to be paid for the month of December, 2017. Board finds that \$379,978.52 is chargeable to and payable out of the General Revenue Account; \$93,070.15 is out of Transportation Trust; \$134,172.46 is out of Perry Park Center; \$550.00 is out of Veterans Memorial Field; \$12,649.83 is out of TIF #1; \$1,006.01 is out of TIF #3; \$58,552.69 is out of Refuse; \$246,965.28 is out of CWSS; and \$352,949.35 is out of Gas Operation. The Board, upon investigation, found the sum to be \$1,279,894.29.

5. Approve Pay Estimate No. 1 to Jokerst, Inc., relative to Northdale Lift Station Interceptor Sewer Project - \$63,015.41
6. Approve Change Order No. 1 for the Northdale Lift Station Interceptor Sewer Project - \$18,290.00 addition.
7. Approve specifications for Street Department Maintenance Building Project and authorize City Clerk to advertise for bids.
8. Accept bids received for the sale of surplus natural gas pipe and award to Clifton Excavating per the recommendation of Public Works Director Brown - \$5,600.00.
9. Approve request from Mary Jane Burgers & Brew and Main Street Signs to hold the 5th Annual Polar Beer 5K Run on Saturday, March 3, 2018.

**END OF CONSENT AGENDA**

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

Mayor Baer asked if building permits and architectural plans are going to be required for Item 7. Public Works Director Brown informs the Board that building permits and architectural plans will be required for the Street Department Maintenance Building.

After discussion and review, Alderman Riney presents motion to approve the Consent Agenda. Alderman Guth seconds the motion, and on vote the motion passes.

At this time, Ms. Hanna Bohnert, of 500 Ann Street, makes a presentation to the Board regarding the naming of French Lane Park. Ms. Bohnert informs the Board that she is the granddaughter of former Mayor Robert Miget and she asks the Board to consider changing the name of French Lane Park to "Robert J. Miget Memorial Park." She notes that the family had requested this name change after Mayor Miget passed away, but at that time, the Board only dedicated the pavilion. Ms. Bohnert states that the family would like the pavilion and the park to be named in honor of Mayor Miget.

Ms. Jennifer Fritsche, Chairman of the Fun4All Committee, of 19965 Highway C, informs the Board that she supports the name change. She notes that the committee plans to sell the naming rights to the new playground.

Mrs. Margie Miget, of 1012 Forest Avenue, also expresses her hope that French Lane Park be named Robert J. Miget Memorial Park.

Mayor Baer notes that he agrees that Mayor Miget deserves recognition for his many years of service to the citizens of Perryville. He asks the Miget family present if they would consider naming a street after Mayor Miget rather than the park. Jane Moldenhauer states that they would hope the Board will name the park after her father, but would be okay with a street name if the Board makes that decision.

Mayor Baer tells the Miget family that the Board will take this under advisement and make a decision soon.

City Administrator Buerck informs the Board that staff received quotes from the local financial institutions regarding financing the purchase of the two new trash trucks. After review of the bids, it is staff's recommendation that the city self-finance the refuse truck purchase. The City is expected to save nearly \$43,000 through this process.

After review, it is the consensus of the Board of Aldermen to self-finance the purchase of the trash trucks.

At this time, City Administrator Buerck reviews a proposed plan for the extension of water and sewer mains for residential development. He notes that this would be for single-family development, not for duplexes and apartments.

After discussion, City Administrator Buerck is directed to finalize the plan and bring it back as a resolution for the Board's approval.

Public Works Director Brown reviews Public Works efficiencies of recent projects. He reviews items such as: (a) the work order program; (b) number of building permits issued; (c) water and sewer maintenance; (d) in-house lab testing; (e) sewer manholes; (f) sinkhole projects; (g) sidewalk construction performed by Public Works crews; (h) Public Service Commission's favorable inspection results; (i) time spent on Grand Avenue water line and knowledge imparted by Water & Sewer Superintendent; (j) need to update water lines.

City Administrator Buerck informs the Board that staff will work on a plan for upgrading the City's water line infrastructure.

Parks & Recreation Director Cadwell reviews the costs for the upgrades to Feltz Street Park. He notes the following: (a) will complete installation of electric for lights; (b) will finish painting court; (c) no bathrooms planned at this time; (d) native garden not in the plans for right now; (e) Public Works and Parks Department worked well together constructing sidewalks; (f) pavilion and playground are completed; (g) neighborhood has responded positively to the improvements.

**RESOLUTION:**

After discussion and review, Alderman Buerck makes a motion to adopt Retired Weapons Policy. Motion is seconded by Alderman Schumer, and on vote carried. Said Resolution is as follows:

**RESOLUTION NO. 2018-01**

**ADOPTING THE  
SALE OF RETIRED WEAPONS POLICY**

**WHEREAS**, the Board of Aldermen hereby agree that a policy regarding the sale of retired weapons will be a guide for the Police Department and a benefit to the City of Perryville.

**BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, AS FOLLOWS:**

That the Board of Aldermen of the City of Perryville, Missouri, after consideration of the need to establish a policy for the sale of retired weapons, hereby approves and adopts the **Sale of Retired Weapons Policy** attached hereto and incorporated herein as if fully set forth.

**PASSED AND APPROVED** this 9<sup>th</sup> day of January, 2018, 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

**CITY OF PERRYVILLE  
SALE OF RETIRED WEAPONS POLICY**

The following Sale of Retired Weapons Policy is hereby presented to the Board of Aldermen on the 9<sup>th</sup> day of January, 2018:

1. As appropriate, the Police Department shall purchase new service weapons to be issued to commissioned officers.
2. The Chief or his designee shall determine the appropriate make and model of the new weapon to be purchased and solicit pricing in accordance with the City's purchasing policy.
3. As part of their bid, interested vendors shall provide a trade-in value on the service weapon(s) that will be retired.
4. At the point the new weapons are received, commissioned officers will have the opportunity to purchase retired weapons at the trade-in value established by the vendor. Retired weapons not otherwise purchased by commissioned officers shall be traded in as part of the purchasing process for new weapons.
5. The Board acknowledges that the trade-in value for retired service weapons is established as part of the City's purchasing process and, as such, the retired weapons need not be sold through an auction, nor shall retired weapons be sold directly to the general public.

**SECOND READING AND FINAL PASSAGE:**

Now, at this time, the Board proceeds to approve Bill No. 5773, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **NIP KELLEY EQUIPMENT CO., INC.**, RELATIVE TO **SOCCER PARK CHAIN-LINK FENCE PROJECT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 5773 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; David J. Schumer, aye. Totals: aye, six; nay, none. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 5994 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5773

ORDINANCE NO. 5994

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **NIP KELLEY EQUIPMENT CO., INC.**, RELATIVE TO **SOCCER PARK CHAIN-LINK FENCE 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 **Nip Kelley Equipment Co., 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: December 19, 2017.

SECOND READING: January 9, 2018.

PASSED AND APPROVED this 9<sup>th</sup> day of January, 2017, 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. 5774, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE AGREEMENTS BY AND BETWEEN THE CITY AND **TRAVIS BOXDORFER; CA-AL-IS PROPERTIES, LLC; DOUGLAS AND DONNA DUVALL; ELIZABETH HAHN; AND BRADY REED** RELATIVE TO **OLD ST. MARY'S ROAD SEWER MAIN REPLACEMENT PROJECT**; 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 Buerck, seconded by Alderman Hudson. On motion by Alderman Buerck, seconded by Alderman Martin, and on vote carried, Bill No. 5774 is read for the second time. 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 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; David J. Schumer, aye. Totals: aye, 6; nay, 0. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 5995 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5774

ORDINANCE NO. 5995

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE AGREEMENTS BY AND BETWEEN THE CITY AND **TRAVIS BOXDORFER; CA-AL-IS PROPERTIES, LLC; DOUGLAS AND DONNA DUVALL; ELIZABETH HAHN; AND BRADY REED** RELATIVE TO **OLD ST. MARY'S ROAD SEWER MAIN REPLACEMENT 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 of the City of Perryville, Missouri, have heretofore reviewed the agreements, 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 agreements;

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, Missouri, approve the agreements marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, Missouri, a municipal corporation, and

- 1) Travis A. Boxdorfer;
- 2) Ca-Al-Is Properties, LLC;
- 3) Douglas K. and Donna R. Duvall;
- 4) Elizabeth A. Hahn; and
- 5) Brady A. 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, Missouri, that the City enter into said agreements.

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

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

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 of the City of Perryville, Missouri, hereby declare this ordinance to be an emergency ordinance for the immediate preservation of public peace, property, health, safety, morals, or other good cause for the citizens of the City of Perryville. and for that reason, this ordinance may be acted on in one meeting.

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

FIRST READING: January 9, 2018.

SECOND READING: January 9, 2018.

PASSED AND APPROVED this 9<sup>th</sup> day of January, 2018, 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. 5775, approving the 2018-19 Pay Plan, is read for the first time by title only. The heading is as follows:

AN ORDINANCE APPROVING THE **2018-19 PAY PLAN** AS AMENDED, FOR THE CITY OF PERRYVILLE, MISSOURI, WHICH SHALL BECOME AND BE MADE A PART OF THE 2018-19 BUDGET AS MADE AND PROVIDED IN SECTION 67.010, ET SEQ., RSMO, 2000.

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 5776, accepting General Warranty Deed from Gerald F. Brown, et al, 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 PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED GENERAL WARRANTY DEED.

Alderman Martin presents motion, seconded by Alderman Riney, and on vote carried Bill No. 5777, amending Title 13, Chapter 13.08, Section 13.08.020, Subsection A, regarding Water Service – Contract with One Person for Payment – Master Meter, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 13, CHAPTER 13.08, SECTION 13.08.020, SUBSECTION A, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO MASTER METERING; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Guth, as Chairman of the Economic Development Committee, asks EDA Director Sattler to update the Board on economic development activity. Director Sattler tells the Board that

Catherine Boxdorfer is retiring after 22 years of working for the Economic Development Department. He invites the Board to attend the monthly PDC meeting on January 22<sup>nd</sup> at noon. This meeting will be held at Rankin Technical School and a guided tour will be provided.

City Administrator Buerck reports:

- **Missouri Pesticide Collection Program** - The pesticide collection event will be hosted in Perryville on June 23 at MFA on South 61.
- **2018 MML Events**
  - Legislative Conference - February 13-14
  - Elected Officials Training - June 7-8
  - Annual Conference - September 16-19
- **Cape Girardeau Job Center Satellite Office at PHEC** - This should prove good for our local employers as the job center will be hosting an office here two times per month through at least April.
- **Cannonball Ride** - An idea similar to this just came up at last month's tourism meeting but Chester beat us to it. About one-quarter of the race will run through Perry County. Perhaps there could be an opportunity in the future to partner on other events.
- **Eclipse Photo** - Once considered the best science picture of 2017, a photo taken here in Perryville has been downgraded due to the enhanced photographic techniques, now becoming just another great reminder of an awesome event.
- **Parks & Recreation Information and Newsletter** - I am proud of the new format of the P&R report and wanted to draw the Board's attention to what will become a monthly report.
- **Perry County Health Department Director Retirement January 19, 2018** - The Board is invited to this retirement open house for Judy Laurentius. She will be replaced by long-time employee, Valerie Kline.
- **Face Book Spoof** - Similar to Cape and Jackson before, we have made the big time and now have a satire Face Book page dedicated to the City of Perryville.
- **DRA Annual Conference** - My annual DRA conference is on the same day as our first meeting in February. If at all possible, I would like to go but wanted to make sure the Board would be okay with me missing this meeting. It will be the first meeting with Peter Kinder as Federal Co-Chair and he has local ties to Perryville.
- **Missouri Conservationist** – There are two articles in this magazine about Perry County and the grotto sculpin.

City Engineer Baer Reports:

- **Northdale Sewer** – There is a couple of weeks worth of work left on this project. The cold weather has delayed the contractor. Once this part of the project is complete, they will begin the Old St. Mary's Road sewer portion.
- **PWSD #1** – Public Works has installed the water meter to register city water used by PWSD #1. The Water District still needs to build the heated structure to house the meter and valve.
- **Sewer Pipe Lining Project** – The bids for this project will be opened on January 24<sup>th</sup>.

Mayor Baer asks the Board for any concerns, comments, or other non-action items they would like to present:

Alderman Guth informs the Board that he will be out of town on January 23<sup>rd</sup> and will not be able to attend the Board of Aldermen meeting.

Alderman Buerck states that he has contacted Public Works about some potholes on Grand Avenue and Bruce Street. Public Works Director Brown notes that crews plan to make those repairs.

Alderman Schumer asks if plans are underway to clean out the fence row at the Northdale Sewer Project. City Engineer Baer says that Mr. Joe Geile will be back to straighten up the property, including the fence row and some rip rap.

Alderman Hudson informs the Board that he received a call from a resident on Edgemont (near the intersection of the newly created Edgemont Extension and South Main Street) with concerns that she was almost hit while backing out of her driveway. Assistant Chief Jones notes that the center turn lane is causing some confusion for motorists and the Police Department is considering the need for a sign to be erected indicating a "blind intersection."

Now, at this time, upon motion by Alderman Martin, seconded by Alderman Riney, it is ordered that the Board now convene into closed session to discuss contractual matters in accordance with Section 610.021(9) RSMo; and real estate 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; David J. Schumer, aye. Totals: aye, six; nay, none.

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

There being no further business, it is upon motion by Alderman Hudson, seconded by Alderman Guth, and on vote carried, ordered that the Board now adjourn until Tuesday, January 23, 2018, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK