

May 1, 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 with the Pledge of Allegiance and invocation.

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

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

CONSENT AGENDA ITEMS

3. Approve minutes from meeting of April 17, 2018.
4. Approve bills for April 2018.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of April 2018, vendor checks numbered 107851 - 108135; and 6 ACH transfers; payroll checks numbered: 658032 - 658039.

The following bills are presented to be paid for the month of April, 2018. Board finds that \$411,349.22 is chargeable to and payable out of the General Revenue Account; \$42,821.64 is out of Airport; \$65,333.70 is out of Transportation Trust; \$218,414.80 is out of Perry Park Center; \$5,784.45 is out of Veterans Memorial Field; \$304.14 is out of TIF #1; \$25,733.44 is out of Street Improvement; \$29,483.92 is out of Capital Improvement Sales Tax; \$61,982.98 is out of Refuse; \$346,487.19 is out of CWSS; and \$401,194.96 is out of Gas Operation. The Board, upon investigation, found the sum to be \$1,608,890.44.

5. Approve Invoice 1808 (Final) from Taylormade Company regarding Ball Field 2 & 3 Pour-In-Place Playground Project - \$24,247.50.
6. Approve Pay Estimate 6 (Final) from Lappe Cement Finishing, Inc., for the Edgemont Boulevard Extension Project - \$6,752.98.
7. Approve Invoice 28116003 to Larry Schmidt Truck Parts & Sales, Inc., relative to repairs to Oshkosh Fire Truck - \$41,535.48.
8. Approve bids received for gasoline and diesel fuel and award to MFA Oil Company per the recommendation of City Clerk Prost.

Name of Bidder	MFA Oil Co.
Address	1042 Industrial Drive Perryville, MO 63775
Unleaded Gasoline - per gallon above rack price	10¢
Diesel Fuel #2 (clear) per gallon above rack price	10¢

Diesel Fuel #2 (red) per gallon above rack price	10¢
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9. Approve bids received for propane and award to Landmark Gas Company per the recommendation of City Clerk Prost.

Name of Bidder Address	Landmark Gas Company	Hoff Brothers LP Gas Co.	MFA Oil Co.
	2595 Moore Drive Perryville, MO 63775	5600 N. Hwy 61 Perryville, MO 63775	1042 Industrial Drive Perryville, MO 63775
Total Bid Price - per gallon above rack price	19.7¢	23.5¢	46¢

10. Approve Request for Qualifications (RFQ) from architectural/engineering firms for the Perry Park Center Concession Stand Project and authorize City Clerk to advertise for proposals.
11. Approve request from The Bank of Missouri to utilize picnic tables for their June 6th Community Appreciation event.
12. Approve auction at the Perryville Regional Airport on June 2, 2018.
13. Set public hearing date regarding request from VFW Fischer-Walter Memorial Post No. 4282 for a special use permit to expand their private club at 512 Thomas Street – May 15, 2018, at 6:30 p.m.

END OF CONSENT AGENDA

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

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

City Administrator Buerck informs the Board of Aldermen about the details of the upcoming Waste Water Treatment Plant bond issue. He notes that the need for the new plant is to stay in compliance with DNR and to be able to accept future growth of the community. He notes that the existing sewer rates are designed to include this sewer plant and that staff plans to educate the community about the need for the plant before the August election.

SECOND READING AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 5804, AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY LIMITS OF THE CITY OF PERRYVILLE, MISSOURI UNDER THE PROVISIONS OF SECTION 71.012 RSMO. Bill No. 5804 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. 6025 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5804

ORDINANCE NO. 6025

AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY LIMITS OF THE CITY OF PERRYVILLE, MISSOURI UNDER THE PROVISIONS OF SECTION 71.012 RSMO.

WHEREAS, on the 20th day of March, 2018, a verified petition signed by Ken Baer, Mayor of the City of Perryville, owner of the real estate hereinafter described requesting annexation of said territory into the City of Perryville, Missouri, was filed with the City Clerk and the Board of Aldermen; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Perryville, Missouri; and

WHEREAS, a public hearing concerning said matter was held at the Police Station Training Room in the City of Perryville, Missouri at the hour of 6:30 p.m. on the 3rd day of April, 2018; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, on the 22nd day of March, 2018, in The Perry County Republic-Monitor, a weekly newspaper of general circulation in the County of Perry, State of Missouri; and

WHEREAS, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objection to the proposed annexation was filed with the Board of Aldermen of the City of Perryville, Missouri, within 14 days after the date of the public hearing; and

WHEREAS, the Board of Aldermen of the City of Perryville, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the City; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation;

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

Section 1. Pursuant to the provisions of Section 71.010 RSMO., as amended, the following described real estate is hereby annexed into the City of Perryville, Missouri:

PART OF A 50 FEET WIDE ROADWAY AS RECORDED IN BOOK 183, PAGE 747 OF THE PERRY COUNTY DEED RECORDS AND BEING PART OF UNITED STATES SURVEY 2146, TOWNSHIP 35 NORTH, RANGES 10 AND 11 EAST OF THE FIFTH PRINCIPAL MERIDIAN, PERRY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN THE SOUTHEAST CORNER OF LOT 2 OF SPRING BRANCH SUBDIVISION FIRST ADDITION AS RECORDED IN DOCUMENT #2000-1051 OF SAID DEED RECORDS AND BEING ON THE WESTERLY LINE OF SAID 50 FEET WIDE ROADWAY; THENCE ALONG SAID WESTERLY LINE NORTH 01 DEGREES 21 MINUTES 47 SECONDS WEST 269.2 FEET TO THE NORTH LINE OF A 6.90 ACRE TRACT AS RECORDED IN BOOK 390, PAGE 90 OF SAID DEED RECORDS; THENCE ALONG SAID NORTH LINE SOUTH 83 DEGREES 56 MINUTES 40 SECONDS EAST 50.4 FEET TO THE EASTERLY LINE OF SAID 50 FEET WIDE ROADWAY BEING ON THE WEST LINE OF LOT 3 OF SAID FIRST ADDITION; THENCE ALONG SAID EASTERLY LINE SOUTH 01 DEGREES 21 MINUTES 47 SECONDS EAST 262.7 FEET; THENCE SOUTH 88 DEGREES 38 MINUTES 13 SECONDS WEST 50.0 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.31 ACRES.

Section 2. The boundaries of the City of Perryville, Missouri, are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits of the City.

Section 3. The City Clerk of the City is hereby ordered to cause three certified copies of this Ordinance to be filed with the County Clerk of Perry County, Missouri.

Section 4. That this Ordinance shall be in full force and effect from and after its passage and approval.

FIRST READING: April 17, 2018.

SECOND READING: May 1, 2018.

PASSED AND APPROVED this 1st day of May, 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

Now, at this time, the Board proceeds to approve Bill No. 5805, AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY LIMITS OF THE CITY OF PERRYVILLE, MISSOURI UNDER THE PROVISIONS OF SECTION 71.012 RSMO . Bill No. 5805 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; 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. 6026 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5805

ORDINANCE NO. 6026

AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY LIMITS OF THE CITY OF PERRYVILLE, MISSOURI UNDER THE PROVISIONS OF SECTION 71.012 RSMO.

WHEREAS, on the 20th day of March, 2018, a verified petition signed by Ken Baer, Mayor of the City of Perryville, Aaron V. Roy and Mark D. Roy as successor trustees of the Robert L. Roy and Gladys E. Roy Trust, owners of the real estate hereinafter described requesting annexation of said territory into the City of Perryville, Missouri, was filed with the City Clerk and the Board of Aldermen; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Perryville, Missouri; and

WHEREAS, a public hearing concerning said matter was held at the Police Station Training Room in the City of Perryville, Missouri, at the hour of 6:30 p.m. on the 3rd day of April, 2018; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, on the 22nd day of March, 2018, in The Perry County Republic-Monitor, a weekly newspaper of general circulation in the County of Perry, State of Missouri; and

WHEREAS, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objection to the proposed annexation was filed with the Board of Aldermen of the City of Perryville, Missouri, within 14 days after the date of the public hearing; and

WHEREAS, the Board of Aldermen of the City of Perryville, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the City; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation;

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

Section 1. Pursuant to the provisions of Section 71.010 RSMO., as amended, the following described real estate is hereby annexed into the City of Perryville, Missouri:

PART OF A 3.10 ACRE TRACT AS RECORDED IN DOCUMENT #2007R00380 OF THE PERRY COUNTY DEED RECORDS AND BEING PART OF UNITED STATES SURVEY 840, TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE FIFTH PRINCIPAL MERIDIAN, PERRY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN ON THE CENTERLINE OF A 100 FEET WIDE TRANSMISSION LINE EASEMENT AS RECORDED IN BOOK 127, PAGE 609 OF SAID DEED RECORDS AND BEING ON THE WEST LINE OF SAID 3.10 ACRE TRACT FROM WHICH AN IRON PIN THE SOUTHWEST CORNER OF SAID 3.10 ACRE TRACT BEARS SOUTH 03 DEGREES 36 MINUTES 06 SECONDS EAST 15.75 FEET; THENCE ALONG SAID WEST LINE NORTH 03 DEGREES 36 MINUTES 06 SECONDS WEST 51.13 FEET TO AN IRON PIN; THENCE LEAVING SAID WEST LINE SOUTH 81 DEGREES 33 MINUTES 00 SECONDS EAST 163.18 FEET TO AN IRON PIN ON THE SOUTH LINE OF SAID 3.10 ACRE TRACT; THENCE ALONG SAID SOUTH LINE SOUTH 74 DEGREES 46 MINUTES 50 SECONDS WEST 124.55 FEET TO AN IRON PIN ON SAID CENTERLINE OF 100 FEET WIDE TRANSMISSION LINE EASEMENT; THENCE NORTH 81 DEGREES 33 MINUTES 00 SECONDS WEST 38.43 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.12 ACRES.

PART OF A 3.10 ACRE TRACT AS RECORDED IN DOCUMENT #2007R00380 OF THE PERRY COUNTY DEED RECORDS, AND BEING PART OF UNITED STATES SURVEY 840, TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE FIFTH PRINCIPAL MERIDIAN, PERRY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN THE SOUTHWEST CORNER OF SAID 3.10 ACRE TRACT; THENCE ALONG THE WEST LINE OF SAID 3.10 ACRE TRACT NORTH 03 DEGREES 36 MINUTES 06 SECONDS WEST 15.75 FEET TO AN IRON PIN; THENCE LEAVING SAID WEST LINE SOUTH 81 DEGREES 33 MINUTES 00 SECONDS EAST 38.43 FEET TO AN IRON PIN ON THE SOUTH LINE OF SAID 3.10 ACRE TRACT; THENCE SOUTH 74 DEGREES 46 MINUTES 50 SECONDS WEST 38.37 FEET TO THE POINT OF BEGINNING, AND CONTAINING 296 SQUARE FEET.

Section 2. The boundaries of the City of Perryville, Missouri, are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits of the City.

Section 3. The City Clerk of the City is hereby ordered to cause three certified copies of this Ordinance to be filed with the County Clerk of Perry County, Missouri.

Section 4. That this Ordinance shall be in full force and effect from and after its passage and approval.

FIRST READING: April 17, 2018.

SECOND READING: May 1, 2018.

PASSED AND APPROVED this 1st day of May, 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

Now, at this time, the Board proceeds to approve Bill No. 5806, AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY LIMITS OF THE CITY OF PERRYVILLE, MISSOURI UNDER THE PROVISIONS OF SECTION 71.012 RSMO. Bill No. 5806 is read a second time on motion by Alderman Riney, seconded by Alderman Buerck. Thereupon on motion by Alderman Riney, seconded by Alderman Buerck, and on vote carried, it is ordered that the bill be placed on final passage. Roll call 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. 6027 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5806

ORDINANCE NO. 6027

AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY LIMITS OF THE CITY OF PERRYVILLE, MISSOURI UNDER THE PROVISIONS OF SECTION 71.012 RSMO.

WHEREAS, on the 20th day of March, 2018, a verified petition signed by Christopher P. Mudd, President of the Perryville Development Corporation, owner of the real estate hereinafter described requesting annexation of said territory into the City of Perryville, Missouri, was filed with the City Clerk and the Board of Aldermen; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Perryville, Missouri; and

WHEREAS, a public hearing concerning said matter was held at the Police Station Training Room in the City of Perryville, Missouri, at the hour of 6:30 p.m. on the 3rd day of April, 2018; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, on the 22nd day of March, 2018, in The Perry County Republic-Monitor, a weekly newspaper of general circulation in the County of Perry, State of Missouri; and

WHEREAS, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objection to the proposed annexation was filed with the Board of Aldermen of the City of Perryville, Missouri, within 14 days after the date of the public hearing; and

WHEREAS, the Board of Aldermen of the City of Perryville, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the City; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation;

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

Section 1. Pursuant to the provisions of Section 71.010 RSMO., as amended, the following described real estate is hereby annexed into the City of Perryville, Missouri:

PART OF A 100.0 ACRE TRACT AS RECORDED IN DOCUMENT #2010R02153 OF THE PERRY COUNTY DEED RECORDS AND BEING PART OF UNITED STATES SURVEY 844, TOWNSHIP 35 NORTH, RANGES 10 AND 11 EAST OF THE FIFTH PRINCIPAL MERIDIAN, PERRY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CORNER POST THE NORTHWEST CORNER OF SAID UNITED STATES SURVEY 844; THENCE ALONG THE NORTH LINE OF SAID SURVEY SOUTH 81 DEGREES 53 MINUTES 13 SECONDS EAST 1140.34 FEET TO AN IRON PIN; THENCE LEAVING SAID NORTH LINE SOUTH 07 DEGREES 37 MINUTES 25 SECONDS WEST 659.40 FEET TO AN IRON PIN ON THE PROPOSED NORTH RIGHT-OF-WAY LINE OF INDUSTRIAL CONNECTOR HIGHWAY; THENCE NORTH 82 DEGREES 22 MINUTES 35 SECONDS WEST 1148.85 FEET TO AN IRON PIN ON THE WEST LINE OF SAID UNITED STATES SURVEY 844; THENCE NORTH 08 DEGREES 21 MINUTES 17 SECONDS EAST 669.22 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.46 ACRES.

Section 2. The boundaries of the City of Perryville, Missouri, are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits of the City.

Section 3. The City Clerk of the City is hereby ordered to cause three certified copies of this Ordinance to be filed with the County Clerk of Perry County, Missouri.

Section 4. That this Ordinance shall be in full force and effect from and after its passage and approval.

FIRST READING: April 17, 2018.

SECOND READING: May 1, 2018.

PASSED AND APPROVED this 1st day of May, 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

Now, at this time, the Board proceeds to approve Bill No. 5807, AN ORDINANCE AMENDING TITLE 13, CHAPTER 13.16, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO SEWER CONNECTION PROCEDURE; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH . Bill No. 5807 is read a second time on motion by Alderman Martin, seconded by Alderman Buerck. Thereupon on motion by Alderman Martin, seconded by Alderman Schumer, 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. 6028 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5807

ORDINANCE NO. 6028

AN ORDINANCE AMENDING TITLE 13, CHAPTER 13.16, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO SEWER

CONNECTION PROCEDURE; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

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

Section 1. That Title 13, Chapter 13.16, Article 1, Section 13.16.020, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“13.16.020 Connection permit requirement.

Any person, organization, company, or corporation required to connect, or desiring to make connection, to the city sewer system (see Section 13.16.010) shall first obtain a connection permit authorizing the construction of such connection. No person, organization, company, or corporation shall uncover, alter, or disturb any public sewer or appurtenance thereon without first obtaining a connection permit.”

Section 2. That Title 13, Chapter 13.16, Article 1, Section 13.16.040, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“13.16.040 Connection fees; inspection fees; procedure.

A. Sewer Connection Fee.

1. For purposes of providing funds for the extension, enlargement, and improvement of the trunk, interceptor, or outfall collection system associated with the sewerage system of the city and for the purpose of providing funding, in full or in part, for the construction of such sewage lines and for the purpose of providing local matching funds for state and federal grant, there is hereby authorized and directed to be charged and collected a sewer connection fee for every new facility, whether residential, commercial, or industrial, hereafter connected, directly or indirectly, through other sewers, to the sanitary sewer system of the city.
2. This sewer connection fee is in addition to the users service charge set out in Section 13.08.030 of this title.
3. Sewer connection fees for new facilities will be based on the size of the water tap serving such facility as follows:

Water Tap Size	Amount
¾-Inch Water Service	\$845
1-Inch Water Service	\$1265
1½-Inch Water Service	\$2335
2-Inch Water Service	\$3618
3-Inch Water Service	\$6605
4-Inch or Larger Water Service	\$13005

4. A new facility is defined as any facility which makes a new connection to the city sewers, either directly or indirectly, or which increases its water tap size after March 1, 1997.

5. Such sewer connection fees as established by this ordinance shall be payable for each water tap and collected in advance of the issuance of any permit to construct any building or facility which will be connected to the combined water and sewerage system (CWSS).
 6. Any new facility that pays a sewer connection fee pursuant to this ordinance after January 1, 1997, and later increases its water tap size or number of taps will be subject to the appropriate fee as established herein for its new water tap size except that it shall receive credit for sewer connection fees previously paid pursuant to this ordinance for the smaller water tap size.
 7. The fees established herein shall be reviewed by the mayor and board of aldermen of the city on an annual basis and adjusted based upon the formula utilized by the city in its adoption of this ordinance, which formula has been heretofore established by Burns and McDonnell engineering firm and which formula and study are available for public inspection in the office of the city clerk during regular business hours.
- B. Permit Application Fee. Every person desiring a connection permit required by this division shall pay the connection fee set out above. All connection fees shall be paid in advance and shall be in addition to any charge made by the city for street openings and repairs.
- C. Sewer Connection Fee/Restricted Account. The sewer connection fee referred to in subsection A of this section shall be deposited by the city clerk in a fund established pursuant to the provisions of Section 602(e)(2) of Ordinance Number 3355 and Ordinance Number 3354 authorizing the issuance of CWSS revenue bonds. Such account shall be designated 'surplus account/plant system development charge/connection fee' and shall be designated a separate 'surplus account' under the provision of Section 602(e)(2) of the aforesaid ordinances. Such account shall be restricted in that it shall not be used in any manner whatsoever other than as provided in subsection A of this section. The inspection fee set out above shall be deposited by the city under its normal operating procedures for costs of city personnel in inspection of sewer connections."

Section 3. That Title 13, Chapter 13.16, Article 2, Section 13.16.070, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

"13.16.070 Apportionment of costs of district sewers—Levy of tax—Tax bills.

As soon as any district sewer shall have been completed, the engineer or other officer having charge of the work shall compute the whole costs thereof and shall apportion the same against the lots or tracts of ground in the district, exclusive of public highways, and the officer shall report the same to the board of aldermen by bill or otherwise, and the board of aldermen shall, therefore, levy and assess a special tax by ordinance against each lot or piece of ground within the district; whereupon, the city clerk shall make out a certified tax bill under the seal of the city of the assessment against each lot or piece of ground within the district in the name of the owner thereof. The certified tax bills shall be signed by the mayor and attested and recorded by the city clerk and shall be delivered to the contractor in payment for the work."

Section 4. That Title 13, Chapter 13.16, Article 2, Section 13.16.100, Subsection A, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

"13.16.100 Connections to public sewers in districts from outside district boundaries.

- A. Any person owning a lot or parcel of land lying outside the boundaries of a sewer district in which a sanitary or storm sewer has been constructed may, upon written application to the board of aldermen, be permitted to connect such lot or parcel of land with such sewer upon payment to the city clerk of a sum of one thousand dollars (\$1,000.00) plus the standard sewer connection fee for each connection of one building. In the case where several buildings are to be connected to a public sewer, with a line of such size as is approved by the city engineer and city superintendent of sewer and water, the fee shall be one thousand dollars (\$1,000.00) plus the standard sewer connection fee for each building served. In the case of industrial buildings for which application to connect to the public sewer is made, the board of aldermen shall determine the amount of payment to be made, and it may further place certain restrictions on the use of such connection as concern the volume and character of the sewage to be discharged into the public sewer.”

Section 5. That Title 13, Chapter 13.16, Article 4, Section 13.16.200, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“13.16.200 Use of old service connections.

Use of abandoned building sewer service connections is prohibited.”

Section 6. That Title 13, Chapter 13.16, Article 4, Section 13.16.210, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“13.16.210 Inspection.

Every applicant receiving a building sewer connection permit shall give the city twenty-four (24) hour notification prior to the building sewer being ready for connection to the public sewer. The connection shall be made by city crews, using INSERTA TEE service connection system provided by the city.”

Section 7. That Title 13, Chapter 13.16, Article 4, Section 13.16.220, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“13.16.220 Service connections and mains—Size, material, grade, location and alignment.

- A. Mains. All extensions of sewer mains shall be of a diameter of not less than eight inches and a minimum grade of one-sixteenth inch per foot. All sewer mains shall be laid at a uniform grade and alignment. Changes in direction shall only be made with approved manholes per DNR construction specifications.
- B. Sewer Service Connections. The size of every sewer service connection will be determined by the superintendent and installed by the city. Schedule 40 PVC pipe shall be used from the tapping point to the point the pipe reaches the property to be served. At the point the service line reaches private property, Schedule 35 pipe may be used by the contractor installing the line. ***12 gauge solid copper/ steel coated tracer wire shall be installed on the service line from the tapping point on the main to the cleanout closest to the foundation.*** The city will only supply the tee; it is the contractor’s responsibility to supply the correct piping and tracer wire according to the specifications above.

1. A single-family dwelling connection shall be of a diameter of not less than four inches with a minimum grade of one-half inch per foot.
2. A multifamily, commercial or industrial connection shall be of a diameter of not less than six inches and a minimum grade of one-eighth inch per foot.
3. Whenever possible, every sewer service connection shall be brought into a building at an elevation below the basement floor. No service lines shall be laid parallel or within three feet of any bearing wall which might thereby be weakened. Service connections above the basement floor must be approved in writing by the superintendent. All sewer pipes shall be laid at a uniform grade and alignment and shall not vary more than one-half of the diameter of the pipe. Changes in directions shall only be made with approved manholes per DNR construction specifications.”

Section 8. That Title 13, Chapter 13.16, Article 4, Section 13.16.230, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“13.16.230 Connection to be made where—Joints.

- A. The connection of a building service to the city sewer shall be made by the city.
- B. The invert of the sewer service connection at the point of connection shall be at the same or at a higher elevation than the invert of the city sewer. A smooth, neat joint shall be made with the opening machine cut only as approved by the superintendent, and the connection made secure and water tight by encasement of same in concrete.
- C. No excavation for a sewer line connection, whether it be to a collector, lateral, or other city sewer line, shall be covered without the superintendent first inspecting and approving the connection.
- D. No connection of a residential or industrial sewer service line shall be made into a manhole without the written approval of the superintendent.”

Section 9. That Title 13, Chapter 13.16, Article 4, Section 13.16.240, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“13.16.240 Pipe joints.

All joints and connections shall be made gas tight and water tight.”

Section 10. That Title 13, Chapter 13.16, Article 4, Section 13.16.250, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

“13.16.250 Excavation and backfill.

All excavations required for the installation of a sewer service connection shall be open-trench work. Pipe laying and backfill shall be performed in accordance with ASTM specifications D2321 for plastic pipe except that no backfill shall be placed until the work has been inspected by the superintendent. If the trench is located in filled or unstable ground or in a trench greater than 48" deep, proper trench protection shall be installed prior to city crews entering the trench to install the sewer tap. In cases of filled or unstable ground, the sewer service connection shall be constructed in such a manner as to assure proper grade and alignment. All excavations for sewer service connections shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city. The backfill, to a point extending six inches above the pipeline, shall be made by hand and sand backfilled to ensure uniform support of the pipe.

The balance of the backfill may be made with equipment but must be water jetted or tamped to ensure maximum settlement. Excess excavation shall be removed and the surface of the street or alley shall be left in as reasonably near the same condition as existed prior to the excavation.”

Section 11. It is the intent of the Mayor and Board of Aldermen of the City of Perryville, Missouri, and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

Section 12 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 13. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 14. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: April 17, 2018.

SECOND READING: May 1, 2018.

PASSED AND APPROVED this 1st day of May, 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

Now, at this time, the Board proceeds to approve Bill No. 5808, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **PERRYVILLE DEVELOPMENT CORPORATION** RELATIVE TO **ADDENDUM TO COOPERATIVE AGREEMENT (HOUSING)**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 5808 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; 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. 6029 of the City of Perryville, and is in words and figures as follows:

BILL NO. 5808

ORDINANCE NO. 6029

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **PERRYVILLE DEVELOPMENT CORPORATION** RELATIVE TO **ADDENDUM TO COOPERATIVE AGREEMENT (HOUSING)**; 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 **Perryville Development Corporation**. 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: April 17, 2018.

SECOND READING: May 1, 2018.

PASSED AND APPROVED this 1st day of May, 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 Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 5809, amending Code of Ordinances relative to Tiny Homes and Shipping Container, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 17 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO SHIPPING CONTAINERS AND TINY HOMES; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 5810, granting Quit Claim Deed for Edgemont Lot in 200 Block, 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 QUIT CLAIM DEED BY AND BETWEEN THE CITY OF PERRYVILLE AND THE SUCCESSFUL BIDDER FOR THE .36 ACRE LOT IN THE 200 BLOCK OF EDMONT BOULEVARD; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Martin presents motion, seconded by Alderman Schumer, and on vote carried Bill No. 5811, granting Quit Claim Deeds to property owners abutting excess right-of-way along the Edgemont Boulevard Extension, 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 QUIT CLAIM DEEDS BY AND BETWEEN THE CITY OF PERRYVILLE AND OWNERS OF PROPERTY ABUTTING EXCESS RIGHT-OF-WAY ALONG THE EDGEMONT BOULEVARD EXTENSION; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 5812, entering into hangar rental agreements with Lawrence Dauer, Wesley Bogar, and Everett Boehler, 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 CONTRACTS BY AND BETWEEN THE CITY AND LAWRENCE DAUER, JR.; EVERETT BOEHLER; AND WESLEY BOGAR RELATIVE TO RENTAL OF HANGAR SPACES; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Martin presents motion, seconded by Alderman Hudson, and on vote carried Bill No. 5813, amending Title 16, Chapter 16.24, Section 16.24.050 of the Code of Ordinances relative to inspection fees, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 16, CHAPTER 16.24, SECTION 16.24.050 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO INSPECTION FEES; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Alderman Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 5814, entering into an agreement with the Perryville Optimist Club Association relative to the Tom Tomlinson Presentation Area upkeep, 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 PERRYVILLE OPTIMIST CLUB ASSOCIATION RELATIVE TO MAINTENANCE OF THE PRESENTATION AREA IN THE SOCCER COMPLEX; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Hudson, and on vote carried Bill No. 5815, entering into an agreement with Premier Air Center, LLC a/k/a West Star, relative to airport lease, 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 PREMIER AIR CENTER, LLC a/k/a WEST STAR AVIATION RELATIVE TO LEASE OF HANGAR 1, BUILDING 1A, HANGAR 8, AND HANGAR 11 AT THE PERRYVILLE REGIONAL AIRPORT; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 5816, calling an election on the proposition whether to issue \$12,370,000 principal amount of combined waterworks and sewerage system revenue bonds for the purpose of acquiring, constructing, improving and extending the City's combined waterworks and sewerage system, including the expansion and improvement of the

Southeast Wastewater Treatment Facility and the acquisition of real estate and easements related there is read for the first time by title only. The heading is as follows:

AN ORDINANCE CALLING AN ELECTION IN THE CITY OF PERRYVILLE, MISSOURI ON THE PROPOSITION WHETHER TO ISSUE \$12,370,000 PRINCIPAL AMOUNT OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH

Alderman Martin presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 5817, calling an election on the proposition whether to issue \$5,135,000 principal amount of general obligation bonds for the purpose of acquiring, constructing, improving and extending the City's combined waterworks and sewerage system, including the expansion and improvement of the Southeast Wastewater Treatment Facility, is read for the first time by title only. The heading is as follows:

AN ORDINANCE CALLING AN ELECTION IN THE CITY OF PERRYVILLE, MISSOURI ON THE PROPOSITION WHETHER TO ISSUE \$5,135,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH

Alderman Hudson presents motion, seconded by Alderman Guth, and on vote carried Bill No. 5818, calling an election on the proposition whether to issue \$8,495,000 principal amount of sales tax revenue bonds and extend the imposition of the city's existing sales tax of three-eighths of one percent to repay such bonds for the purpose of acquiring, constructing, improving and extending the City's combined waterworks and sewerage system, including the expansion and improvement of the Southeast Wastewater Treatment Facility, is read for the first time by title only. The heading is as follows:

AN ORDINANCE CALLING AN ELECTION IN THE CITY OF PERRYVILLE, MISSOURI ON THE PROPOSITION WHETHER TO ISSUE \$8,495,000 PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS AND EXTEND THE IMPOSITION OF THE CITY'S EXISTING SALES TAX OF THREE-EIGHTHS OF ONE PERCENT (3/8 OF 1%) TO REPAY SUCH BONDS AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH.

City Administrator Buerck reports:

- **Airport Building 3 Available** – AvMats has moved out of this building and we have moved the F-15 plane into it for storage for now. We will be getting this building ready for marketing.
- **Old-Fashioned Afternoon at the Ball Game** - On May 5th, the Perry County Historical Society is hosting two vintage baseball teams who will play baseball like they did in the early 1860s.
- **Chris Janson at the Bootheel Rodeo** – We are working with the City of Sikeston to see if we can do something special with this event.
- **Airport Auction** – We are planning a second auction at the airport for non-airport related items, such as office items, etc. We will be hiring Mike Hotop as our auctioneer. He is guaranteed \$1,000. The auction is scheduled for June 2nd at 9:00 a.m. We will see if there is anything else that we have that is ready for auction and include that as well.

Parks & Recreation Director Cadwell informs the Board that he has received a request from Boy Scout Troop 155 to use the Community Center at no charge on Saturday, June 9th from 7 am to 5 pm to hold a lunch and silent auction to help deter the cost of summer camp for the boys in the troop.

After discussion and review, Alderman Buerck makes a motion to allow Boy Scout Troop 155 to use the Community Center at no charge on Saturday, June 9th from 7 am to 5 pm to hold a lunch and silent

auction to help deter the cost of summer camp for the boys in the troop. Alderman Hudson seconds the motion and on vote the motion carries.

City Engineer Baer Reports:

- **Splash Pad and Bathroom at Miget Park** – The area is ready for delivery of the bathroom which is expected on May 14th. Preparation for the splash pad is still on track
- **Grand Avenue Street Construction** – We will open bids for this project next week.

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

Alderman Hudson says that City Administrator Buerck has contacted the Southeast Missourian regarding the issue of their deliverer's poor job of distributing their newspaper. They have agreed to take care of the problem.

Alderman Buerck asks if there is a cave at the West End Lift Station. City Engineer Baer says that there is not a cave; however, there is a pipe there that will be sealed or removed. He also noted that water is pooling in the area and staff plans to regrade and the pipe will be cut so water doesn't go directly into the sinkhole.

Parks & Recreation Director Cadwell informs the Board that the P&R Caving Class will be exploring a cave this weekend. The class will be joined by a geology professor from SEMO University.

City Administrator Buerck notes that Dr. Carolyn Anderson will be in town over the next few days to launch her new book. He urges them to attend as many of the events as they can.

Now, at this time, upon motion by Alderman Hudson, seconded by Alderman Buerck, it is ordered that the Board now convene into closed session to discuss contractual matters in accordance with Section 610.021(9) RSMo; and real estate matters in accordance with Section 610.021(2) RSMo. Roll call showed the aye and nay votes as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; 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 Riney, and on vote carried, ordered that the Board now adjourn until Tuesday, May 15, 2018, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK