

January 18, 2022

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 K. Martin, Larry Riney, and David J. Schumer, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Art Pistorio, City Attorney.

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

Mayor Baer now asks for citizens' participation from the floor.

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

City Administrator Buerck recognizes Air Force Staff Sergeant Christopher DeOliveira, son of city employee Colleen DeOliveira, and offers the city's thanks for his military service, noting that Staff Sergeant DeOliveira hasn't been home since 2017.

Mayor Baer presents tenure awards to the following city employees:

- 5 Years** - Nick Clifton; Dakota Wright
- 10 Years** - Julie King
- 15 Years** - Ryan Bergman; Weldon "Roy" Broussard, Jr.; Colleen DeOliveira; Marilyn Klein; Tim Underwood
- 25 Years** - Jeri Cain
- 35 Years** - Darrell Arnold

Jennifer Fritsche presents information to the Board of Aldermen regarding the plans for Phase 2 of the Lucas and Friends Backyard Adventure Playground. She informs the Board that over \$500,000 was raised for Phase 1 of the project (which has been completed) and that \$33,000 has been raised to date for Phase 2. Additionally, she asks if the City and the County would consider budgeting \$35,000 each to contribute to Phase 2 of the project. City Administrator Buerck tells the Board he will discuss the matter with the Finance Committee and will contact the Perry County Commissioners and bring a recommendation back to the Board of Aldermen.

Parks & Recreation Director Cadwell informs the Board that Lucas and Friends Backyard Adventure Playground has been awarded the *2022 Organization Citation* from the Missouri Parks & Recreation Association.

CONSENT AGENDA ITEMS

5. Approve minutes from meeting of January 4, 2022.
6. Approve Financial Reports for December 2021.

**CITY OF PERRYVILLE
STATEMENT OF CASH POSITION
DECEMBER, 2021**

FUND NAME	April 1, 2021	REVENUE	EXPENSE	NET INCOME	CURRENT	ACCOUNTS	CURRENT	CURRENT
	Fund Balance	Y-T-D	Y-T-D		FUND	RECEIVABLE	LIABILITIES	CASH
					BALANCE			BALANCE
101 Gen Rev	\$ 1,733,339.30	\$ 6,445,938.71	\$ (4,947,643.38)	\$ 1,498,295.33	\$ 3,231,634.63	\$ (294,016.40)	\$ (291,790.91)	\$ 3,233,860.12
105 FSA Administration	\$ 9,149.60	\$ 388.05	\$ -	\$ 388.05	\$ 9,537.65		\$ -	\$ 9,537.65
106 Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99		\$ -	\$ 53.99
204 Airport	\$ (56,989.85)	\$ 763,001.47	\$ (631,576.98)	\$ 131,424.49	\$ 74,434.64	\$ 3,088.00	\$ 4,148.91	\$ 75,495.55
206 Trans Trust	\$ 214,122.04	\$ 852,414.26	\$ (776,183.40)	\$ 76,230.86	\$ 290,352.90		\$ 1,832.12	\$ 292,185.02
207 Perry Park Ctr.	\$ 133,325.26	\$ 1,811,098.06	\$ (1,774,701.30)	\$ 36,396.76	\$ 169,722.02	\$ (120,962.09)	\$ (112,097.29)	\$ 178,586.82
211 Veterans Field	\$ 20,945.43	\$ 13,645.52	\$ (11,920.56)	\$ 1,724.96	\$ 22,670.39		\$ -	\$ 22,670.39
213 Field Improvement	\$ 4,705.50	\$ 29.02	\$ -	\$ 29.02	\$ 4,734.52		\$ -	\$ 4,734.52
307 Debt Service	\$ 2,042.72	\$ 201.18	\$ -	\$ 201.18	\$ 2,243.90	\$ (28.53)	\$ (521.10)	\$ 1,751.33
308 Cap Imp Sls Tax Rev	\$ 615,562.30	\$ 633,549.22	\$ (562,692.44)	\$ 70,856.78	\$ 686,419.08		\$ -	\$ 686,419.08
409 Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
414 TIF 1-Hwy 51/61	\$ 141,241.67	\$ 1,217.93	\$ -	\$ 1,217.93	\$ 142,459.60		\$ -	\$ 142,459.60
415 Economic Develop	\$ 4,598.63	\$ 2,601.03	\$ (789,514.70)	\$ (786,913.67)	\$ (782,315.04)		\$ -	\$ (782,315.04)
416 TIF 2-Downtown	\$ 132,925.26	\$ 872.47	\$ (60,714.58)	\$ (59,842.11)	\$ 73,083.15	\$ -	\$ -	\$ 73,083.15
417 TIF 3-I55/HWY 51	\$ 1,010,699.12	\$ 7,066.89	\$ (59,983.31)	\$ (52,916.42)	\$ 957,782.70	\$ -	\$ -	\$ 957,782.70
513 Street Imp	\$ 351,045.34	\$ 576,864.92	\$ (780,307.69)	\$ (203,442.77)	\$ 147,602.57	\$ -	\$ -	\$ 147,602.57
612 Refuse	\$ 513,852.93	\$ 695,139.47	\$ (765,615.01)	\$ (70,475.54)	\$ 443,377.39	\$ 105,195.29	\$ 2,154.88	\$ 340,336.98
614 CWSS Op	\$ 4,187,177.84	\$ 4,173,690.24	\$ (4,565,897.58)	\$ (392,207.34)	\$ 3,794,970.50	\$ 413,855.55	\$ 117,577.90	\$ 3,498,692.85
641 WWTP Improvements	\$ 15,010.72	\$ 1,787,896.97	\$ (3,447,598.70)	\$ (1,659,701.73)	\$ (1,644,691.01)	\$ -	\$ -	\$ (1,644,691.01)
619 Gas Op	\$ 3,668,479.27	\$ 3,427,647.31	\$ (4,010,271.51)	\$ (582,624.20)	\$ 3,085,855.07	\$ 529,996.78	\$ 212,660.83	\$ 2,768,519.12
TOTAL	\$ 12,701,287.07	\$ 21,193,262.72	\$(23,184,621.14)	\$ (1,991,358.42)	\$ 10,709,928.65	\$ 637,128.60	\$ (66,034.66)	\$ 10,006,765.39

7. Approve Pay Application 16 from Robinson Industrial and Heavy Contracting and HDR for the WWTP Facility Improvement Project - \$623,896.20.
8. Approve Pay Estimate 4 from Lappe Cement Finishing, Inc., relative to the 2021 Street Improvement Project - \$267,472.16.
9. Approve request from St. Vincent DePaul Church's Youth Minister to close St. Joseph Street and streets around the Square for a March for Life on Friday, January 28, 2022, beginning at 10:00 a.m.
10. Approve request to sell city property through Purple Wave On-Line Auction site.
11. Approve extension of sludge farm agreement with Earl Miesner with a three-year extension rather than a five-year extension.
12. Approve updated Trash Collection and Placement Schedule.
13. Approve update to Police Department Operations Manual – GO-22-0101.
14. Approve staff's recommendation to re-suspend Well 1 operation.

END OF CONSENT AGENDA

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

Alderman Guth makes a motion to approve the Consent Agenda. Alderman Riney seconds the motion, and on vote the motion carries.

City Administrator Buerck reviews the proposed parking restrictions for Brenda Avenue, noting that staff recommends clarifying City ordinances regarding Brenda by spelling out the following: (a) vehicles in excess of 1 ton are prohibited from parking on Brenda Avenue; (b) the entirety of Brenda will be a "no loading/unloading zone," requiring businesses to use their parking lots for such activities; (c) the street parking of any-sized trailer is prohibited, whether attached or unattached; and (d) the entire north side of

Brenda will be “no parking.” Alderman Riney asks about trailer restrictions in other areas of town. Staff will review and send the information to the Board.

City Administrator Buerck reviews information regarding the decorative streetlamps around the Downtown Square. He reports that staff has been evaluating the poles since two of the poles have fallen over due to internal rust issues. He tells the Board that the remaining poles have been checked and staff does not believe any of those are immediately compromised. After review, it appears repairing the poles will come at a much higher labor cost while purchasing new poles will come at a higher material cost. Staff has placed this matter in Closed Session under “Contractual.”

SECOND READINGS AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 6259, 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. 6259 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. 6476 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6259

ORDINANCE NO. 6476

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 7th day of December, 2021, a verified petition signed by **Mark E. Croarkin, District Engineer for Missouri Highways and Transportation Commission**, 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 City Hall in the City of Perryville, Missouri at the hour of 6:30 p.m. on the 21st day of December, 2021; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, on the 9th day of December, 2021, 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:

All that portion of State Highway AC situated in Fractional Section 12, Township 35 North, Range 10 East of the Fifth Principal Meridian, Perry County, Missouri, which lies within the right of way widths between Station 0+40.0 and Station 43+25.6, as shown on the MHTC plan sheets.

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: January 4, 2022.

SECOND READING: January 18, 2022.

PASSED AND APPROVED this 18th day of January, 2022, by a vote 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. 6260, 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. 6260 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; 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. 6477 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6260

ORDINANCE NO. 6477

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 7th day of December, 2021, a verified petition signed by the **CITY OF PERRYVILLE, MISSOURI**, 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 City Hall in the City of Perryville, Missouri at the hour of 6:30 p.m. on the 21st day of December, 2021; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, on the 9th day of December, 2021, 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:

TRACT I

PART OF A 5.37 ACRE TRACT AS RECORDED IN DOCUMENT #2016R00398 OF THE PERRY COUNTY DEED RECORDS AND BEING PART OF FRACTIONAL SECTION 12, 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 SOUTHEAST CORNER OF SAID 5.37 ACRE TRACT BEING ON THE EAST LINE OF SAID FRACTIONAL SECTION 12, FROM WHICH A CONCRETE CORNER POST, THE NORTHEAST CORNER OF SAID FRACTIONAL SECTION 12, BEARS NORTH 08 DEGREES 05 MINUTES 51 SECONDS EAST 1,027.55 FEET; THENCE ALONG THE SOUTH LINE OF SAID 5.37 ACRE TRACT NORTH 82 DEGREES 15 MINUTES 09 SECONDS WEST 621.95 FEET TO AN IRON PIN; THENCE LEAVING SAID SOUTH LINE NORTH 07 DEGREES 44 MINUTES 51 SECONDS EAST 179.08 FEET TO AN IRON PIN ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROUTE "AC"; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 82 DEGREES 55 MINUTES 31 SECONDS EAST 19.48 FEET TO AN IRON PIN; THENCE SOUTH 82 DEGREES 37 MINUTES 56 SECONDS EAST 179.55 FEET TO AN IRON PIN; THENCE NORTH 86 DEGREES 03 MINUTES 28 SECONDS EAST 101.98 FEET TO AN IRON PIN; THENCE SOUTH 82 DEGREES 37 MINUTES 56 SECONDS EAST 324.31 FEET TO AN IRON PIN THE NORTHEAST CORNER OF SAID 5.37 ACRE TRACT ON SAID EAST LINE OF FRACTIONAL SECTION 12; THENCE SOUTH 08 DEGREES 05 MINUTES 51 SECONDS WEST 203.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.76 ACRES.

SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD OR IN EFFECT.

TRACT II

PART OF A 5.37 ACRE TRACT AS RECORDED IN DOCUMENT #2016R00398 OF THE PERRY COUNTY DEED RECORDS AND BEING PART OF FRACTIONAL SECTION 12, TOWNSHIP 35 NORTH, RANGE 10 EAST OF THE FIFTH PRINCIPAL MERIDIAN, PERRY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AN IRON PIN THE SOUTHEAST CORNER OF SAID 5.37 ACRE TRACT BEING ON THE EAST LINE OF SAID FRACTIONAL SECTION 12, FROM WHICH A CONCRETE CORNER POST THE NORTHEAST CORNER OF SAID FRACTIONAL SECTION 12 BEARS NORTH 08 DEGREES 05 MINUTES 51 SECONDS EAST 1,027.55 FEET; THENCE ALONG THE SOUTH LINE OF SAID 5.37 ACRE TRACT NORTH 82 DEGREES 15 MINUTES 09 SECONDS WEST 621.95 FEET TO AN IRON PIN THE POINT OF BEGINNING OF TRACT HEREIN DESCRIBED; THENCE NORTH 82 DEGREES 15 MINUTES 09 SECONDS WEST 1,362.80 FEET TO A METAL POST THE SOUTHWEST CORNER OF SAID 5.37 ACRE TRACT; THENCE NORTH 01 DEGREES 17 MINUTES 53 SECONDS WEST 1.16 FEET TO THE NORTHWEST CORNER OF SAID 5.37 ACRE TRACT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE "AC"; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 82 DEGREES 37 MINUTES 56 SECONDS EAST 124.02 FEET TO AN IRON PIN THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 2,064.00 FEET TO WHICH A RADIAL LINE BEARS SOUTH 07 DEGREES 22 MINUTES 04 SECONDS WEST; THENCE EASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 268.25 FEET TO AN IRON PIN; THENCE SOUTH 85 DEGREES 26 MINUTES 40 SECONDS EAST 104.05 FEET TO AN IRON PIN ON A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 2,075.00 FEET TO WHICH A RADIAL LINE BEARS SOUTH 02 DEGREES 56 MINUTES 37 SECONDS EAST; THENCE EASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 206.21 FEET TO AN IRON PIN; THENCE NORTH 81 DEGREES 21 MINUTES 45 SECONDS EAST 51.24 FEET TO AN IRON PIN; THENCE NORTH 79 DEGREES 27 MINUTES 22 SECONDS EAST 111.82 FEET TO AN IRON PIN; THENCE NORTH 79 DEGREES 55 MINUTES 23 SECONDS EAST 36.91 FEET TO AN IRON PIN ON A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 1,930.00 FEET TO WHICH A RADIAL LINE BEARS NORTH 07 DEGREES 32 MINUTES 31 SECONDS WEST; THENCE EASTERLY ALONG SAID CURVE AN ARC DISTANCE OF 386.00 FEET TO AN IRON PIN; THENCE SOUTH 70 DEGREES 02 MINUTES 19 SECONDS EAST 99.07 FEET TO AN IRON PIN; THENCE LEAVING SAID RIGHT-OF-WAY LINE SOUTH 07 DEGREES 44 MINUTES 51 SECONDS WEST 179.08 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.75 ACRES.

SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD OR IN EFFECT.

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: January 4, 2022.

SECOND READING: January 18, 2022.

PASSED AND APPROVED this 18th day of January, 2022, by a vote 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

Now, at this time, the Board proceeds to approve Bill No. 6261, 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. Bill No. 6261 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. 6478 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6261

ORDINANCE NO. 6478

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.

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

Section 1. The Mayor and Board of Aldermen of the City of Perryville, Missouri, do hereby accept the General Warranty Deed from **PERRYVILLE DEVELOPMENT CORPORATION**, which is attached hereto, subject to all of the terms and conditions therein expressed.

Section 2. The Mayor and City Clerk of the City of Perryville be, and they are, hereby authorized to do all acts and execute all instruments appropriate or necessary to accept the General Warranty Deed.

Section 3. The City Clerk is hereby directed to file a copy of the General Warranty Deed with the Recorder of Deeds of Perry County, Missouri.

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

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

FIRST READING: January 4, 2022.

SECOND READING: January 18, 2022.

PASSED AND APPROVED this 18th day of January, 2022, by a vote 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. 6262, 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, is read with an emergency clause for the first time upon motion by Alderman Buerck, seconded by Alderman Schumer. On motion by Alderman Buerck, seconded by Alderman Schumer, and on vote carried, Bill No. 6262 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. 6479 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6262

ORDINANCE NO. 6479

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.

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

Section 1. That the "Prohibited Parking Schedule" adopted under the authority of the Code of Ordinances of the City of Perryville, Missouri, and specifically set forth in Ordinance Number 3618, is hereby amended by deleting therefrom the following prohibited parking designations:

- (oooo) On both sides of Brenda Avenue from its intersection with South Perryville Boulevard to its termination except passenger cars and trucks of less than one ton.
- (bbbb) On the north side of Brenda Avenue starting at its intersection with Missouri Highway 51 in an easterly direction for a distance of 325 feet from said intersection and terminating at the first entry into the combined entrance of the properties on the north side of Brenda Avenue.
- (eeee) On both sides of Brenda Avenue from its intersection with Missouri Highway 51 to its termination no parking of trucks or other vehicles of one ton or more. [Note that this restriction is in addition to paragraph (bbbb) of the Parking Prohibited Schedule.]

Section 2. That the "Prohibited Parking Schedule" adopted under the authority of the Code of Ordinances of the City of Perryville, Missouri, and specifically set forth in Ordinance Number 3618, is hereby amended by adding thereto the following prohibited parking designation:

- (ffff) On the north side of Brenda Avenue from its intersection with Missouri Highway 51 to its termination; and

On the south side of Brenda Avenue from its intersection with Missouri Highway 51 to its termination, all trailers and vehicles of any kind except for passenger cars and trucks of one ton or less; and

The loading or unloading of any vehicle or trailer of any kind for any reason shall be prohibited on Brenda Avenue from its intersection with Missouri Highway 51 to its termination. To the extent that any portion of Brenda Avenue is considered a "residential area," this supersedes any allowances for unloading pursuant to Chapter 10.20.070 of the Code of Ordinances of the City of Perryville, Missouri, therefore no loading or unloading shall be allowed on any part of Brenda Avenue.

Section 3. It is the intent of the Mayor and Board of Aldermen of the City of Perryville, Missouri, that this ordinance shall amend and become part of Ordinance Number 3618 passed and approved by the Mayor and Board of Aldermen of the City of Perryville, Missouri, on the 21st day of April, 1998.

Section 4. That the City Administrator shall cause the marking or signage of the areas designated.

Section 5. That this ordinance shall not be codified in the Code of Ordinances of the City of Perryville, Missouri, but kept on file in the office of the City Clerk.

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

Section 7. The Mayor and Board of Alderman 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.

FIRST READING: January 18, 2022.

SECOND READING: January 18, 2022.

PASSED AND APPROVED this 18th day of January, 2022, by a vote 6 ayes, 0 nays, 0 abstentions, and 0 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

FIRST READINGS:

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6263, entering into an Engagement Letter with Day Pitney, LLP, and Privileged and Confidential Common Interest and Joint Litigation Agreement relative to Natural Gas Pipeline Intervenor Group Legal Representation, 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 LETTER OF ENGAGEMENT AND PRIVILEGED AND CONFIDENTIAL COMMON INTEREST AND JOINT LITIGATION AGREEMENT BY AND BETWEEN THE CITY AND DAY PITNEY, LLP, RELATIVE TO LEGAL REPRESENTATION IN THE MATTER OF NATURAL GAS PIPELINE COMPANY OF AMERICA BEFORE THE FEDERAL ENERGY REGULATORY COMMISSION; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6264, amending Title 17, Chapter 17.60.050(B), of the Code of Ordinances relative to Schedule of Minimum Parking Spaces Required, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.60, SECTION 17.60.050, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO THE SCHEDULE OF MINIMUM PARKING SPACES REQUIRED; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Mayor Baer asks for Committee Reports.

Alderman Guth, as Chairman of the Economic Development Committee, informs the Board that a Communications/Event Coordinator position has been created for the EDA office and Kiley Elder Eiland has been hired to fill the position.

City Administrator Report:

- **Chamber Annual Meeting** - It is time to make reservations for this annual meeting. I will be returning from Jefferson City that evening and unable to attend. That said, the selected candidate works closely with the City and it would be great to have a Board representation there. We need to RSVP by tomorrow so please let us know now if you are interested in attending.

- **Board Appreciation Dinner – February 25, 2022 @ Perryville Country Club** - Invitations are out and we are collecting RSVPs now. If you are interested and able, please make sure to RVSP so we can get an accurate count for dinner that evening.

- **Missouri Conservation Article** – We are pleased to announce that next month's Missouri Conservationist will feature an article on Perryville and the efforts made locally on caves, sinkholes, and the grotto sculpin. It is my hope we are the cover story but I have not yet been able to confirm that. If you get the magazine and don't want your copy, make sure we get it here at City Hall for future use.

- **Veterans Memorial Field** - We are working with the field committee to open this field up to more use by the general public along with a cost share to redo the infield as we have done all the other fields. This is a great opportunity for all involved and will make this field a centerpiece in the City Park.

- **Bulk Water Filler** - Staff has done a good job collecting the information the Board requested and would like to know how the Board wishes to proceed; should we plan and prepare for this purchase or disregard the suggestion and continue business as usual? The largest benefit for this machine will most likely be our local farm community and visiting contractors. If we are going to do it, staff would like to get started so we can install the machine as soon as possible instead of waiting until late summer or fall when it isn't as useful.

After discussion, it is the consensus of the Board to add this item to the 2022-23 budget.

- **Famous Friends** - We have collected names of known people with roots to Perryville. We have updated the Wikipedia page to show these names and wanted to share them with the Board. It is pretty impressive to see everyone listed and their accomplishments.

- **Upcoming Eclipses – Oct 14, 2023 and Apr 8, 2024** - October 14 will feature a nationwide annular eclipse, aka "ring of fire" eclipse. This is an exciting event centered on a path from Oregon to Texas and certain to draw much attention. It will also require glasses to view as the sun will appear as a ring around the moon. As exciting as this is, the true money shot will be 177 days later when we get our second total eclipse in 7 years. This is important because, on average, any particular spot on Earth sees a total solar eclipse only once every 375 years! Trish is starting to lay the groundwork for preparations for this event.

- **Perry County Project at Veterans Memorial Park** - The County has been selected for a partnership with MoDNR to install a mountain bike trail around Legion Lake. As part of this project, the County is also making plans to renovate the park and add amenities like bathrooms with running water and sewer. It will be a unique and exciting feature for our community and the goal is to host bike races and other events once the park is complete.

- **EV Charging Station** - Our downtown location was not selected for this program, but we are getting our first UV charging station near the interstate. Francis Energy plans to consider our downtown location for another project in the near future. We think that would be a great amenity to have downtown and would certainly bring visitors to town.

- **Flood Plain Study** - Since 2019, we have met periodically with representatives from FEMA regarding their efforts to update the national flood plain maps. At the time, the Board contracted with an engineer from Rolla to dispute some of the recommendations and help make sure the new maps were appropriate. We are now nearing the final release and FEMA plans to unveil the maps later this month. We think the majority of the work has been done and this will simply be an informational meeting.

- **City Parking Lot** - We found the crevice and Joe Geile planned to install and seal the manhole today. Once that is done, we will start closing the hole back up. The Community Task Force is expected to sign the easement paperwork this evening and it will be given to the Board as an ordinance at an upcoming meeting.

- **Perryville Downtown Revitalization 2.0 – Feb 1** - We have scheduled a time to come together with our downtown community, celebrate successes to this point, and plan for the future. The Board is welcome to join us and we would simply need an RSVP for the lunch count. It has truly been amazing watching our downtown return to its previous glory and this group has been instrumental in that revival. It will also be a great time to meet the new EDA Communication/Events Coordinator Kiley Elder Eiland who will serve as support to this group going forward.

City Engineer Report:

- **2020 Street Improvement Project** – This project is nearly completed.
- **NE Outfall Sewer Project** – This project is underway. Digging began today. The first stretch will move slowly, but progress will pick up once they are past this area.
- **Tech Campus** – We are meeting weekly with the architect and contractors. The bid packages are being placed out for bid and it is predicted that the project may start in early March.

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

Alderman Riney informs the Board that the Park Board may create a committee to spearhead the skate park project.

Now, at this time, upon motion by Alderman Hudson, 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; personnel matters in accordance with Section 610.021(3) RSMo; contractual matter in accordance with Section 610.021(9) RSMo; and security matters in accordance with Section 610.021(19) 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 Guth, seconded by Alderman Buerck, 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, second by Alderman Riney, and on vote carried, ordered that the Board now adjourn until Tuesday, February 1, 2022, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK