

February 16, 2021

**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 Thomas Ludwig, City Attorney.

Mayor Baer opens the meeting with 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.

Mayor Baer opens the public hearing for the proposed Fiscal Year 2021-22 City of Perryville. City Administrator Buerck informs the Board that the budget has been reviewed in detail by the Finance Committee.

There being no one coming forth, Mayor Baer closes the public hearing for the proposed Fiscal Year 2021-22 City of Perryville.

**CONSENT AGENDA ITEMS**

4. Approve minutes from meeting of February 2, 2021.
5. Approve Financial Reports for January, 2021.

CITY OF PERRYVILLE									
STATEMENT OF CASH POSITION									
JANUARY, 2021									
		April 1, 2020	REVENUE	EXPENSE		CURRENT		CURRENT	CURRENT
FUND NAME	Fund Balance	Y-T-D	Y-T-D	NET INCOME	FUND BALANCE	ACCOUNTS RECEIVABLE	CURRENT LIABILITIES	CASH BALANCE	
101 Gen Rev	\$ 1,210,405.63	\$ 5,941,636.46	\$ (5,117,472.27)	\$ 824,164.19	\$ 2,034,569.82	\$ 14,911.60	\$ 33,641.73	\$ 2,053,299.95	
105 FSA Administration	\$ 7,801.17	\$ 1,331.63	\$ -	\$ 1,331.63	\$ 9,132.80	\$ -	\$ -	\$ 9,132.80	
106 Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99	\$ -	\$ -	\$ 53.99	
204 Airport	\$ 139,208.64	\$ 424,061.59	\$ (546,413.45)	\$ (122,351.86)	\$ 16,856.78	\$ (92.50)	\$ 3,702.94	\$ 20,652.22	
206 Trans Trust	\$ 870,811.82	\$ 879,326.28	\$ (1,539,030.66)	\$ (659,704.38)	\$ 211,107.44	\$ -	\$ 4,186.81	\$ 215,294.25	
207 Perry Park Ctr.	\$ 2,623.61	\$ 2,116,394.65	\$ (1,877,571.66)	\$ 238,822.99	\$ 241,446.60	\$ 6,258.66	\$ 14,656.46	\$ 249,844.40	
211 Veterans Field	\$ 19,989.03	\$ 7,676.48	\$ (6,754.84)	\$ 921.64	\$ 20,910.67	\$ -	\$ -	\$ 20,910.67	
213 Field Improvement	\$ 7,149.99	\$ 47.70	\$ (2,500.00)	\$ (2,452.30)	\$ 4,697.69	\$ -	\$ -	\$ 4,697.69	
307 Debt Service	\$ 1,878.22	\$ 161.30	\$ -	\$ 161.30	\$ 2,039.52	\$ 160.25	\$ (332.32)	\$ 1,546.95	
308 Cap Imp Sls Tax Rev	\$ 732,757.66	\$ 650,527.44	\$ (900,000.00)	\$ (249,472.56)	\$ 483,285.10	\$ -	\$ -	\$ 483,285.10	
409 Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
414 TIF 1-Hwy 51/61	\$ 338,711.06	\$ 1,383.17	\$ (200,000.00)	\$ (198,616.83)	\$ 140,094.23	\$ -	\$ -	\$ 140,094.23	
415 Economic Develop	\$ 4,552.05	\$ 39.80	\$ -	\$ 39.80	\$ 4,591.85	\$ -	\$ -	\$ 4,591.85	
416 TIF 2-Downtown	\$ 122,792.29	\$ 1,016.15	\$ (23,776.75)	\$ (22,760.60)	\$ 100,031.69	\$ -	\$ -	\$ 100,031.69	
417 TIF 3-I55/HWY 51	\$ 820,146.25	\$ (15,456.20)	\$ (54,677.00)	\$ (70,133.20)	\$ 750,013.05	\$ -	\$ -	\$ 750,013.05	
513 Street Imp	\$ 611,983.69	\$ 1,261,501.89	\$ (1,572,135.47)	\$ (310,633.58)	\$ 301,350.11	\$ -	\$ -	\$ 301,350.11	
612 Refuse	\$ 383,424.11	\$ 665,157.46	\$ (668,915.76)	\$ (3,758.30)	\$ 379,665.81	\$ 35,190.34	\$ 3,614.07	\$ 348,089.54	
614 CWSS Op	\$ 2,927,889.77	\$ 4,227,840.31	\$ (3,555,397.25)	\$ 672,443.06	\$ 3,600,332.83	\$ 84,293.67	\$ 122,065.86	\$ 3,638,105.02	
641 WWTP Improvements	\$ 253,270.62	\$ 903,708.95	\$ (705,402.11)	\$ 198,306.84	\$ 198,306.84	\$ 451,577.46	\$ -	\$ 451,577.46	
619 Gas Op	\$ 3,005,331.77	\$ 3,044,555.34	\$ (3,330,021.59)	\$ (285,466.25)	\$ 2,719,865.52	\$ 216,571.89	\$ 212,332.50	\$ 2,715,626.13	
<b>TOTAL</b>	<b>\$ 11,460,781.37</b>	<b>\$ 20,110,910.40</b>	<b>\$ (20,100,068.81)</b>	<b>\$ 10,841.59</b>	<b>\$ 11,471,622.96</b>	<b>\$ 357,293.91</b>	<b>\$ 393,868.05</b>	<b>\$ 11,508,197.10</b>	

6. Approve Pay Request 3 from Zoellner Construction Company relative to Perry Park Center Locker Room Improvement Project - \$177,319.20.

7. Approve Pay Application 5 from Robinson Industrial and Heavy Contracting and HDR for the WWTP Facility Improvement Project - \$227,217.45.
8. Approve funding support for Needs Assessment/Community Survey to Cape Girardeau Area Industrial Recruitment Association - \$10,000.00.
9. Approve Perry Park Center's COVID Phase 8 Plan.
10. Approve request from Mary Jane Burgers & Brew and Main Street Signs to hold the Annual Polar Beer 5K Run on Saturday, March 27, 2021.
11. Acknowledge request for painting crosswalks on Schindler Road.
12. Approve request from Parks & Recreation Director Cadwell to close the Perry Park Center at 5:00 pm on March 27, 2021, for the Father-Daughter Dance.

### **END OF CONSENT AGENDA**

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

City Administrator Buerck informs the Board that the ribbon cutting for the Perry Park Center Locker Rooms has been moved to Thursday, February 25, 2021, at 12:15 pm.

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

City Administrator Buerck now presents information to the Board of Aldermen regarding the current winter weather event and how it relates to the purchase and cost of natural gas for the City of Perryville. He notes that cities across the Midwest, and as far south as Texas, are experiencing historic cold weather which is overwhelming the gas markets and driving prices to record highs.

He informs the Board that the City's natural gas buyer informed City staff late Friday afternoon of the Critical Notice Period and Operational Flow Order (OFO) issued by the natural gas pipeline and that City staff immediately contacted the City's top 100 natural gas users and sent out alerts through social media to inform our users of the pending costs and asked that everyone conserve as much as possible until the critical period is over. He reports that our manufacturers, businesses, and residents immediately responded by lowering their natural gas intake, which has ultimately kept the City's daily and hourly usage within appropriate allotted usage. He also informs the Board that the pipeline issues penalties for any user that uses over its allotted daily use, and so far, because of our citizen's efforts, we have only exceeded that amount one time by one dekatherm. As a comparison, in 2014, when the City used over its allotted use, a \$50,000+ penalty was issued.

City Administrator Buerck reviews the City's historical usage and past volume purchases and explains to the Board the reason the City of Perryville locks in 50% of its gas usage at a fixed rate, noting that locking in a higher percentage runs the risk of being required to purchase more gas per year than you need; which means that you pay for gas you do not use or have to sell it back at a reduced rate.

City Administrator Buerck reports that the City's natural gas buyer has been able to lock in prices at a much more reasonable amount than was predicted (still nearly 5x normal prices); noting that other cities, such as Macon and Fulton, Missouri, were not as successful (approaching 75x higher prices). He states that this OFO period is expected to be lifted as soon as Monday, February 22<sup>nd</sup> when the temperatures return to normal. At that time, City staff expects to determine what the overall natural gas cost will be for the City of Perryville for this period.

Members of the Board of Aldermen express their concerns about the impact this critical period will have on Perryville residents' utility bills and ask City staff to determine possible ways to lessen that impact.

**RESOLUTION:**

After discussion and review, Alderman Schumer makes a motion to adopt the 8<sup>th</sup> Edition of the City of Perryville Street Policy. Motion is seconded by Alderman Guth. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, nay; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, one. Motion passes. Said Resolution is as follows:

**RESOLUTION NO. 2021-04**

**A RESOLUTION AMENDING THE STREET POLICY**

**WHEREAS**, the Board of Aldermen has directed city administrator and city staff to prepare an amendment to the 7<sup>th</sup> Revision to the City of Perryville's Street Policy, which said amendment is approved by the Board of Aldermen; and

**WHEREAS**, it is the intent of the City of Perryville to formalize this amendment to the City of Perryville's Street Policy by the adoption of a resolution to allow city administration and staff to administer the Street Policy with the inclusion of the amendment.

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

That the Mayor and Board of Aldermen of the City of Perryville, Missouri, after consideration of the needs of the City, approve and adopt the attached amendment to the 7<sup>th</sup> Revision of the Street Policy and rename the Street Policy as the "**8<sup>th</sup> Revision to the City of Perryville's Street Policy**" adopted the 16<sup>th</sup> day of February, 2021.

**PASSED AND APPROVED** this 16<sup>th</sup> day of February 2021, by a vote of 5 ayes, 1 nay, 0 abstentions, and 0 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

**SECOND READINGS AND FINAL PASSAGE:**

Now, at this time, the Board proceeds to approve Bill No. 6121, AN ORDINANCE ALLOWING THE "SHOW ME GREEN SALES TAX HOLIDAY" TO APPLY TO THE LOCAL SALES TAXES OF THE CITY OF PERRYVILLE, MISSOURI, BETWEEN APRIL 19 AND APRIL 25, 2021. Bill No. 6121 is read a second time on motion by Alderman Buerck, seconded by Alderman Riney. Thereupon on motion by Alderman Buerck, seconded by Alderman Riney, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, 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. 6339 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6121

ORDINANCE NO. 6339

AN ORDINANCE ALLOWING THE "SHOW ME GREEN SALES TAX HOLIDAY" TO APPLY TO THE LOCAL SALES TAXES OF THE CITY OF PERRYVILLE, MISSOURI, BETWEEN APRIL 19 AND APRIL 25, 2021.

WHEREAS, Sec. 144.526, RSMo. Supp. 2008, allows the City of Perryville, Missouri, to participate in the "Show Me Green Sales Tax Holiday"; and

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, believe that participation in the "Show Me Green Sales Tax Holiday" is in the best interests of the citizens of the City of Perryville, Missouri.

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

Section 1. For purposes of this ordinance, the following terms shall mean:

(1) "*Appliance*," clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers; and

(2) "*Energy star certified*," any appliance approved by both the United States Environmental Protection Agency and the United States Department of Energy as eligible to display the energy star label, as amended from time to time.

Section 2. By enacting this ordinance, the City of Perryville, Missouri, hereby elects to allow the Show Me Green Sales Tax Holiday established by Sec. 144.526, RSMo. Supp. 2008, to apply to its local sales taxes so that there shall be exempted from local sales taxes all retail sales of any energy star certified new appliance, up to one thousand five hundred dollars per appliance, during a seven-day period beginning at 12:01 a.m. on April 19, 2021, and ending at midnight on April 25, 2021. This provision shall apply only to the 2021 Show Me Green Sales Tax Holiday and does not enroll the City of Perryville in subsequent Show Me Green Sales Tax Holidays.

Section 3. This ordinance shall not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. Such retailer shall offer a sales tax refund in lieu of the sales tax holiday.

Section 4. The Clerk shall take any and all steps necessary to notify the Missouri Department of Revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday of the adoption of this ordinance and the election to allow the Show Me Green Sales Tax Holiday to apply within the City of Perryville, Missouri.

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

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

FIRST READING: February 2, 2021.

SECOND READING: February 16, 2021.

PASSED AND APPROVED this 16<sup>th</sup> day of February, 2021, by a vote of 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. 6122, 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. 6122 is read a second time on motion

by Alderman Buerck, seconded by Alderman Martin. Thereupon on motion by Alderman Buerck, 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. 6340 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6122

ORDINANCE NO. 6340

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 5<sup>th</sup> day of January, 2021, verified petitions signed by Mark E. Croarkin, District Engineer for Missouri Highways and Transportation Commission, all owners of the real estate hereinafter described requesting annexation of said territory into the City of Perryville, Missouri, were 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 19<sup>th</sup>, day of January, 2021; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, on the 7<sup>th</sup> day of January, 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 United States Survey 844, Township 35 North, Range 10 and 11 East of the Fifth Principal Meridian, Perry County, Missouri, which lies within the right of way widths between Station 73+83.82 and Station 100+48.47.

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: February 2, 2021.

SECOND READING: February 16, 2021.

PASSED AND APPROVED this 16<sup>th</sup> day of February, 2021, by a vote of 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. 6123, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **TERRY MARTIN** RELATIVE TO **RENTAL OF T-HANGAR SPACE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6123 is read a second time on motion by Alderman Riney, seconded by Alderman Guth. 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. 6341 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6123

ORDINANCE NO. 6341

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **TERRY MARTIN** RELATIVE TO **RENTAL OF T-HANGAR SPACE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have heretofore reviewed a contract, marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, deem it advisable to enter into said contract;

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

1. That the Mayor and Board of Aldermen of the City of Perryville approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Terry Martin**. 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: February 2, 2021.

SECOND READING: February 16, 2021.

PASSED AND APPROVED this 16<sup>th</sup> day of February, 2021, by a vote of 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. 6124, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **KESTER ALL SEASON SERVICE, LLC**, RELATIVE TO **MOWING NEIGHBORHOOD MINI-PARKS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6124 is read a second time on motion by Alderman Martin, seconded by Alderman Guth. Thereupon on motion by Alderman Martin, 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. 6342 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6124

ORDINANCE NO. 6342

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **KESTER ALL SEASON SERVICE, LLC**, RELATIVE TO **MOWING NEIGHBORHOOD MINI-PARKS**; 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 in its substantial form, marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Kester All Season Service, LLC**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

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

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

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

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

FIRST READING: February 2, 2021.

SECOND READING: February 16, 2021.

PASSED AND APPROVED this 16<sup>th</sup> day of February, 2021, by a vote of 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. 6125, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **FEDERAL PROTECTION, INC.** RELATIVE TO **CITY HALL SECURITY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6125 is read a second time on motion by Alderman Riney, seconded by Alderman Schumer. Thereupon on motion by Alderman Riney, 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. 6343 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6125

ORDINANCE NO. 6343

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **FEDERAL PROTECTION, INC.** RELATIVE TO **CITY HALL SECURITY**; 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 in its substantial form, marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Federal Protection, 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: February 2, 2021.

SECOND READING: February 16, 2021.

PASSED AND APPROVED this 16<sup>th</sup> day of February, 2021, by a vote of 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. 6126, 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 EASEMENT DEEDS. Bill No. 6126 is read a second time on motion by Alderman Martin, seconded by Alderman Hudson. Thereupon on motion by Alderman Martin, seconded by Alderman Hudson, 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. 6344 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6126

ORDINANCE NO. 6344

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 EASEMENT DEEDS.

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

Section 1. The Mayor and Board of Aldermen of the City of Perryville, Missouri, do hereby accept the Easement Deeds from **Perryville Country Club, Inc., and Edward and Jamie Flores**, which are attached hereto, subject to all of the terms and conditions therein expressed.

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

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

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

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

FIRST READING: February 2, 2021.

SECOND READING: February 16, 2021.

PASSED AND APPROVED this 16<sup>th</sup> day of February, 2021, by a vote of 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. 6127, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **TIMMERMANN GROUP** RELATIVE TO **TOURISM MARKETING CAMPAIGN**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6127 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. 6345 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6127

ORDINANCE NO. 6345

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **TIMMERMANN GROUP** RELATIVE TO **TOURISM MARKETING CAMPAIGN**; 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 in its substantial form, marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Perryville, a municipal corporation, and **Timmermann Marketing Campaign**. 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: February 2, 2021.

SECOND READING: February 16, 2021.

PASSED AND APPROVED this 16<sup>th</sup> day of February, 2021, by a vote of 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 Martin presents motion, seconded by Alderman Riney, and on vote carried Bill No. 6128, approving 2021-22 Pay Plan, is read for the first time by title only. The heading is as follows:

AN ORDINANCE APPROVING THE **2021-22 PAY PLAN** AS AMENDED, FOR THE CITY OF PERRYVILLE, MISSOURI, WHICH SHALL BECOME AND BE MADE A PART OF THE 2021-22 BUDGET AS MADE AND PROVIDED IN SECTION 67.010, ET SEQ., RSMO, 2000.

Alderman Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 6129, entering into an agreement with BHMG Engineers, Inc., relative to Natural Gas Distribution System Master Plan, 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 **BHMG ENGINEERS, INC.** RELATIVE TO **NATURAL GAS DISTRIBUTION SYSTEM MASTER PLAN**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Riney presents motion, seconded by Alderman Schumer, and on vote carried Bill No. 6130, entering into agreements with artists relative to sculpture exhibition, 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 **VARIOUS ARTISTS** RELATIVE TO **PUBLIC SCULPTURE DISPLAY**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Guth presents motion, seconded by Alderman Riney, and on vote carried Bill No. 6131, entering into Second Amendment to Perry County Cultural Heritage Tourism Cooperative Agreement, 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 **COUNTY OF PERRY, PERRY COUNTY ECONOMIC DEVELOPMENT AUTHORITY, EAST PERRY COUNTY CULTURAL ALLIANCE (EPCCA), AND GREATER PERRYVILLE AREA CHAMBER OF COMMERCE** RELATIVE TO **SECOND AMENDMENT TO THE PERRY COUNTY CULTURAL HERITAGE TOURISM COOPERATIVE AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Mayor Ken Baer exits the Council Chambers for the reading of Bill No. 6132.

Alderman Martin presents motion, seconded by Alderman Riney, and on vote carried Bill No. 6132, entering into revised contract with Baer Engineering, LLC, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE PRESIDENT OF THE BOARD OF ALDERMEN OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **BAER ENGINEERING, LLC** RELATIVE TO **ENGINEERING SERVICES**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE PRESIDENT OF THE BOARD OF ALDERMEN.

Mayor Baer returns to the Council Chambers.

Alderman Buerck presents motion, seconded by Alderman Riney, and on vote carried Bill No. 6133, entering into an agreement with Southwestern Illinois College relative to aviation management program internship, 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 **SOUTHWESTERN ILLINOIS COLLEGE** RELATIVE TO **AVIATION MANAGEMENT PROGRAM INTERNSHIP**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Mayor Baer asks for Committee Reports.

Alderman Guth, Chairman of the Public Works Committee, offers thanks to the Public Works crews for the work they have been doing during this extreme cold weather. Mayor Baer also offers his compliments on a great job clearing snow from the streets. Public Works Director Layton informs the Board that they had four water line breaks over the past four days. City Administrator Buerck shares his appreciation for the job the new PW leaders are doing, noting that we have a new Public Works Director, new Sewer and Water Superintendent, and a new Street and Refuse Superintendent.

Alderman Buerck, Chairman of the Public Safety Committee states that the yellow 'no parking' stripe along Brenda Avenue is not deterring drivers from parking in that area. He asks the Police Department to observe the area more frequently.

Alderman Buerck also notes that some of the piles of snow pushed to the corner of street intersections are blocking driver's views.

Alderman Guth, as Chairman of the Economic Development Committee, asks Economic Development Director Scott Sattler to update the Board on recent activities. EDA Director Sattler informs the Board that they are working on the feasibility study for the community college. He also notes that they have turned the furnace down to 55° in order to adhere to the request to reduce natural gas use. Most of the staff is working from home at this time.

City Administrator Report:

- **Fly-In – Saturday, May 15** - Our Airport Board is working on providing this event. It was cancelled last year due to the COVID pandemic.

- **MML Conferences** - Staff would like to encourage members of the Board of Aldermen to consider attending one or both of the upcoming MML conferences.

- **Ribbon Cutting for PPC Locker Room Project** – This ribbon cutting has been re-scheduled to Thursday, February 25th at 12:15 pm.

City Engineer Report:

- **NE Outfall Sewer Project** – Letters have been sent to property owners along the planned sewer replacement project advising them of the need for an easement. Staff will begin making contacts for in-person visits.

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

Alderman Hudson informs the Board that he received a complaint about snow being pushed from the street and into driveways. He questions if there is a way to inform the public about best practices for shoveling their snow from their driveway. City Clerk Prost states that staff will look for something to post on social media, noting that there are diagrams indicating the best way to avoid this problem.

Alderman Hudson informs the Board that SEMO Regional Planning Commission is assisting St. Vincent DePaul Catholic Church with an overview of the buildings at the Seminary Picnic Grounds, stating that they will be numbering the buildings so the Police Department, Fire Department, and ambulance crew know where to go in case of an emergency.

Now, at this time, upon motion by Alderman Schumer, seconded by Alderman Buerck, it is ordered that the Board now convene into closed session to discuss real estate matters in accordance with Section 610.021(2) RSMo; and contractual matters in accordance with Section 610.021(9) RSMo. Roll call showed the aye and nay votes as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; 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.

Alderman Riney questions the percentage increase on the proposed Baer Engineering contract. City Administrator Buerck explains that the company did not receive an increase last year, noting that the contract was received during the COVID shut-down and City Engineer Baer agreed to wait a year. City Administrator Buerck directs the Board to the comparison rates provided from Burns & McDonnell, noting that Baer Engineering rates appear to be very reasonable.

Alderman Guth informs the Board that he received a petition against the proposed sidewalk to be installed on North Parkview. He turned the petition into the City Clerk. He states that when he received the petition, he told the gentleman that the decision about installation of the sidewalk had already been made.

There being no further business, it is upon motion by Alderman Riney, second by Alderman Hudson, and on vote carried, ordered that the Board now adjourn until Tuesday, March 2, 2021, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK