

March 1, 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 with the Pledge of Allegiance and invocation.

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

Ms. Barbara Breig of 907 Blackberry Lane addresses the Board. She expresses her concerns with the inspection of her water issue at her residence. She told the Board that City Engineer Baer suggested that the water would fan out once the grass was established; that the weather would have to be favorable, and it could take up to a year for this to resolve the problem. There was also mention of the possibility that riprapping the area could be helpful. Ms. Breig suggested that a solution may be to extend a pipe across the yard to another piece of property where the water could drain down to the storm water drain; however, City Engineer Baer had told her that doing so would just be moving the problem and that he was confident that fanning the water would be the solution. Ms. Breig was not happy with that solution, noting that she had seeded her yard twice with no luck to date. Ms. Breig thanks the Board for the time they have spent on the problem.

Ms. Marilyn Ooms of 21 East St. Joseph Street, Apartment 308, tells the Board of Aldermen that homeless people were coming into the Perryville Senior Apartments because the lock on the door was broken; however, the lock has been repaired. She expresses her concern for these individuals and asks if there is anything the Board can do to help with this situation. Assistant Chief Jones tells her that the Police Department partners with the churches in the community through the Ministerial Alliance to help them and to pay for a night in a motel.

Ms. Ooms asks if there is an ordinance against loud mufflers, noting that there are some very loud vehicles in her neighborhood. Assistant Chief Jones says that there is a noise ordinance and that the Police Department has been increasing patrols; however, they have to be in the exact right place at the exact right time to stop the vehicles and issue tickets.

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

CONSENT AGENDA ITEMS

3. Approve minutes from meeting of February 16, 2022.
4. Approve bills for February 2022.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of February 2022, vendor checks numbered 121108 - 121349; 12 ACH transfers; payroll checks numbered: 659090 – 659095.

The following bills are presented to be paid for the month of February 2022. Board finds that \$371,342.33 is chargeable to and payable out of the General Revenue Account; \$68,586.81 is out of Airport; \$56,033.72 is out of Transportation Trust; \$112,449.36 is out of Perry Park Center; \$105,663.45 is out of Tech Ed Building; \$540.00 is out of TIF #2; \$4,840.75 is out of TIF #3; \$3,210.38 is out of Street Improvement; \$37,773.89 is out of Refuse; \$216,924.71 is out of CWSS; and \$674,942.88 is out of Gas Operation. The Board, upon investigation, found the sum to be \$1, 652,308.28.

5. Approve Pay Application 17 from Robinson Industrial and Heavy Contracting and HDR for the WWTP Facility Improvement Project - \$965,007.82.
6. Approve Pay Estimate 5 from Lappe Cement Finishing, Inc., relative to 2021 Street Improvements Project - \$46,357.63.
7. Acknowledge selection of contractors for earth work and site utilities for the Technical Education Facility Project from Robinson Industrial and Heavy Contracting (Construction Manager At-Risk) - \$500,337.00.
8. Set public hearing for special use permit request from Laurie LaGrone to sell flowers from her greenhouse at 1805 Old St. Mary's Road – March 15, 2022, at 6:30 p.m.
9. Verify receipt of Petition for Voluntary Annexation from Randy and Brenda Lorenz for a .58 acre tract at 1880 North Kingshighway and set public hearing for 6:30 p.m. on March 15, 2022.
10. Approve Festival Application for Temporary Outdoor Consumption Permit from the Perryville Chamber of Commerce for Mayfest 2021 (includes times set for evening music and street closings) – May 4-7, 2022.
11. Approve recommendation from Asst. Chief Jones regarding Street Lighting Study on Jenkins Street.
12. Approve recommendation from Asst. Chief Jones regarding Parking Study on Moulton Street.
13. Approve specifications for Perry Park Center HVAC Maintenance and authorize staff to advertise for bids.
14. Approve bids received for Fire Station-Utility Main Extensions Project and award to Earth First Contractors, LLC, per recommendation of City Engineer Baer - \$102,211.20.
15. Approve final plans and specifications for the Reconstruction of the Southeast Taxiway and East Apron Taxilane at the Perryville Regional Airport and authorize staff to advertise for bids.
16. Approve staff's recommendation to select Utility Safety & Design, Inc., as the city's natural gas engineering consultant.
17. Acknowledge Flood Study Review memorandum submitted to SEMA on behalf of the City of Perryville by Allgeier, Martin and Associates, Inc., consulting engineers.

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.

RESOLUTION:

After discussion and review, Alderman Riney makes a motion to accept the Voluntary Annexation from Randy and Brenda Lorenz for a .58 acre tract at 1880 North Kingshighway. Motion is seconded by Alderman Buerck. 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. Motion carries. Said Resolution is as follows:

RESOLUTION NO. 2022-03

A RESOLUTION RELATIVE TO VOLUNTARY ANNEXATION UNDER THE PROVISIONS OF SECTION 71.012 RSMO. 1986, AS AMENDED.

WHEREAS, the Mayor and Board of Aldermen of the City of Perryville, Missouri, have received an annexation petition filed under the provisions of Section 71.012 RSMo; and

WHEREAS, said voluntary annexation petition is within an area sought to be annexed by the City of Perryville; and

WHEREAS, the Mayor and Board of Aldermen believe it is in the best interests of the citizens of the City of Perryville, Missouri, to proceed with the annexation of said parcel of real estate.

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

Section 1. That there has been presented, on the 1st day of March, 2022, to the Board of Aldermen of the City of Perryville, Missouri, a verified petition signed by **Randy E. Lorenz and Brenda K. Lorenz**, the owners of all fee interests of record in the tract of real property located within the area described in said petition, which area is proposed to be annexed to the City of Perryville, Missouri, and which petition requests the annexation of such area into the city limits of the City of Perryville, Missouri; a copy of said petition is attached hereto and made a part hereof by reference.

Section 2. No part of said real property sought to be annexed by the petition attached hereto is included in any incorporated municipality.

Section 3. That real property described in the annexation petition attached hereto is contiguous to the existing corporate limits of the City of Perryville, Missouri.

Section 4. That, in accordance with the provisions of Section 71.012, RSMo., a public hearing shall be held concerning this matter on the 15th day of March, 2022, at 6:30 p.m. at the City Hall in the City of Perryville, Missouri.

Section 5. That the City Clerk is hereby authorized and directed to cause a notice of such hearing to be published at least seven days prior to the date of the hearing in a newspaper of general circulation in Perry County, Missouri, which is qualified to publish legal matters.

PASSED by the Board of Aldermen of the City of Perryville, Missouri, this 1st day of March, 2022, 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

SECOND READINGS AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 6272, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **WESTERN DIESEL SERVICES, INC. d/b/a CK POWER** RELATIVE TO **GENERATOR MAINTENANCE**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6272 is read a second time on motion by Alderman Buerck, seconded by Alderman Hudson. 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. 6489 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6272

ORDINANCE NO. 6489

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **WESTERN DIESEL SERVICES, INC. d/b/a CK POWER** RELATIVE TO **GENERATOR MAINTENANCE**; 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 **Western Diesel Services, Inc., d/b/a CK Power**. 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 16, 2022.

SECOND READING: March 1, 2022.

PASSED AND APPROVED this 1st day of March, 2022, 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 Buerck, and on vote carried Bill No. 6273, approving 2022-23 Pay Plan, is read for the first time by title only. The heading is as follows:

AN ORDINANCE APPROVING THE **2022-23 PAY PLAN** AS AMENDED, FOR THE CITY OF PERRYVILLE, MISSOURI, WHICH SHALL BECOME AND BE MADE A PART OF THE

2022-23 BUDGET AS MADE AND PROVIDED IN SECTION 67.010, ET SEQ., RSMO, 2000.

Alderman Riney presents motion, seconded by Alderman Schumer, and on vote carried Bill No. 6274, amending City Budget – Fiscal Year 2021-22, is read for the first time by title only. The heading is as follows:

AN ORDINANCE APPROVING **AMENDMENTS TO THE 2021-22 BUDGET AS ORIGINALLY APPROVED ON THE 16th DAY OF MARCH, 2021, BY REVISING, CONFIRMING, AND UPDATING END-OF-YEAR BALANCES; CONFIRMING BUDGETARY EXPENDITURES; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.**

Alderman Riney presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 6275, adopting City Budget – Fiscal Year 2022-23, is read for the first time by title only. The heading is as follows:

AN ORDINANCE **APPROVING THE 2022-23 BUDGET**, AS AMENDED, FOR THE CITY OF PERRYVILLE, MISSOURI, AS MADE AND PROVIDED IN SECTION 67.010, ET SEQ., RSMO, 2000.

Alderman Martin presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6276, entering into a Memorandum of Understanding relative to Downtown Streetlights with the County of Perry, Missouri, 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 MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY AND **PERRY COUNTY, MISSOURI**, RELATIVE TO **DOWNTOWN STREETLIGHT REPLACEMENT**; 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. 6277, granting a warranty deed to County of Perry, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S CONVEYANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED GENERAL WARRANTY DEED.

Alderman Buerck presents motion, seconded by Alderman Martin, and on vote carried Bill No. 6278, entering into an agreement with Earth First Contractors, LLC, relative to Fire Station-Utility Main Extensions Project, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **EARTH FIRST CONTRACTORS, LLC** RELATIVE TO **PERRYVILLE FIRE STATION – UTILITY MAIN EXTENSIONS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Martin presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6279, entering into an agreement with Utility Safety & Design, Inc., relative to natural gas engineering services, 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 **UTILITY**

SAFETY & DESIGN, INC., RELATIVE TO NATURAL GAS ENGINEERING SERVICES RETAINER; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Schumer presents motion, seconded by Alderman Riney, and on vote carried Bill No. 6280, accepting easement from Perryville Development Corporation, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED EASEMENT DEED.

Mayor Baer asks for Committee Reports.

Alderman Guth, as Chairman of the Sidewalk Committee, informs the Board that the Sidewalk Committee will be sending a letter to the property owners on North Moulton Street regarding sidewalk preferences before the specifications are prepared for the reconstruction of the street.

Alderman Guth, as Chairman of the Economic Development Committee, asks City Administrator Buerck to inform the Board on any economic development activity. City Administrator Buerck informs the Board that interviews are scheduled for Monday, March 7th for the EDA Director position.

City Administrator Report:

- **Spring Leaf Removal – Mar 21-25** - The final week of leaf removal has been scheduled for March 21-25. Outside of that week, all leaves should be placed curbside in bags for proper pickup and disposal.
- **Spring Cleaning – Apr 18-22** - Spring cleaning will occur the week of April 18. According to ordinance, this is one schedule pickup for the property of up to 60 cubic feet (3x4x5).
- **Film Friendly Perryville Press Release** - The website has been published and energy is increasing around this movie. The website is a work in progress and will be continually updated by the producer of the film.
- **Potential Needs for an additional sculpture pad** - A sponsor has come forward and Trish would like to purchase the sculpture located across from the Courthouse for permanent display. She is considering potential locations in town and will share her thoughts with the Board in the near future. I just wanted to give you an update.
- **Potosi Gas Emergency** - Our friends in Potosi had a natural gas outage and had to relight an inordinate amount of pilot lights throughout town. This emergency occurred when a contractor hit a high pressure gas main. We were approached with a request for staff assistance to help restore service to the town. We sent several employees and some equipment to Potosi for two days at an estimated cost of \$2,900. Although it has been offered, staff is okay to not seek reimbursement for our efforts, knowing we may need similar help in the future.

After discussion, it is the consensus of the Board that the service provided to Potosi be at no cost.

City Engineer Report:

- **NE Outfall Sewer Project** – The contractor is making good progress. They are jumping over the street and will start up through Ehlers property.

- **Fire Station Utilities** – Earth First is gathering supplies for this project and will be ready to go once the contract is approved.

- **Tech Campus** – The site and utility work on this project has been awarded.

Alderman Riney asks about the status of a hole in the ground at Country Lake Estates. City Engineer Baer tells the Board that Public Works plans to replace the culvert pipe with plastic.

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

Alderman Riney asks if the city is responsible for the landscaping in the roundabout at the intersection of Highway 61 and Main Street, noting that he noticed a tree had been trimmed. City Engineer Baer told the Board that City staff contacted MoDot about the tree needing maintenance and he believed MoDot trimmed the tree.

Alderman Guth tells the Board that there is a pothole on State Street that needs to be filled. Public Works Director Layton will review and have City crews fill the hole.

Alderman Guth asks if the Police Department would determine if a centerline should be painted on the intersection of Robb Street and Oak Street at the 90° turn. Asst. Chief Jones will review and make a recommendation.

When asked about specific cars in town making excessive noise, Assistant Chief Jones tells the Board that the Police Department does write tickets for excessive noise without the need for a decibel meter.

Alderman Hudson tells the Board that he was informed that a box culvert at the airport needs to be cleaned out. He notes that the culvert extends under the runway and that farmers in the area tell him that beavers have been building in the area and causing trouble for the farmers. Public Works Director Layton informs the Board that Public Works had hired a trapper to help remove the beavers. He also notes that the box culvert is 6'x6' and is 600 feet long.

Alderman Martin thanks Assistant Chief Jones for his study on the streetlight request on Jenkins Street.

Now, at this time, upon motion by Alderman Guth, seconded by Alderman Riney, it is ordered that the Board now convene into closed session to discuss personnel matters in accordance with Section 610.021(3) RSMo; and contractual matter 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 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.

City Administrator Buerck informs the Board that the City of Perryville has been nominated for the American Legion's National City of the Year Award.

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, March 15, 2022, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK