

April 20, 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, and Larry Riney, Aldermen; Brent Buerck, City Administrator; Tracy Prost, City Clerk; and Thomas Ludwig, City Attorney. Absent: Alderman David J. Schumer.

Mayor Baer opens the meeting with 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.

Asst. Chief Jones introduces Patrol Officer Stephanie Rumsey, and Parks & Recreation Director Cadwell introduces Recreation Supervisor Tessa Bollinger, both new employees for the City of Perryville.

At this time City Attorney Ludwig reads the Certificate of Election from the County Clerk for the municipal election held on April 6, 2021. Said Certification shows as follows:

CERTIFICATION OF ELECTION RESULTS

For the City of Perryville, Missouri:

The following are the certified results of the Municipal Election held in Perryville, Missouri, on April 6, 2021.

Office or Issue	Candidates Name or Yes/No	Votes Received
Alderman Ward One	Larry Riney	271
Alderman Ward Two	Douglas K. Martin	219
Alderman Ward Three	David J. Schumer	235

I, Jared W. Kutz, Election Authority of Perry County, Missouri, do hereby certify that the above is a full and accurate return of all votes cast for all candidates and issues at said election as certified to me by the duly qualified election judges and as compared and corrected by the Verification Board of this election.

Done this 11th day of April, 2021.

Signed: Jared W. Kutz, Election Authority

Following review, the Certificate of Election is filed by the County Clerk in the office of the City Clerk.

Alderman Buerck presents motion, seconded by Alderman Hudson, and on vote carried, the following candidates did receive a majority of the votes cast:

Larry Riney received a majority of the votes cast for the office of **Alderman Ward One**;
Douglas K. Martin received a majority of the votes cast for the office of **Alderman Ward Two**;
David J. Schumer received a majority of the votes cast for the office of **Alderman Ward Three**.

Now, Tracy Prost, City Clerk, proceeds to administer the Oath of Office to newly elected Aldermen Riney and Martin. Alderman Schumer is absent and will be sworn in at a later date.

The Board now convenes with the newly elected members of the Board of Aldermen.

At this time, Alderman Guth nominates Alderman Larry Riney as President of the Board of Aldermen. Alderman Hudson seconds the nomination.

There being no further nominations, Alderman Guth presents motion to elect Alderman Larry Riney as President of the Board of Aldermen. Alderman Hudson seconds the motion, and on vote carries.

Mayor Baer now makes the following committee appointments:

2021-22 COMMITTEES

<u>PUBLIC WORKS</u>	-	SCHUMER, Guth (Gas/Water/Sewer/Street/Solid Waste)
<u>PUBLIC SAFETY</u>	-	BUERCK, Hudson, Martin (Fire/Police)
<u>FINANCE</u>	-	RINEY, Schumer (Budget)
<u>ECONOMIC DEV</u>	-	GUTH, Buerck, Hudson (Airport/Industrial Work)
<u>SIDEWALK</u>	-	GUTH, Hudson, Martin
<u>LIAISON</u>	-	MARTIN, Guth, Riney (P&Z/Board of Adjustments/Park Board)

Alderman Riney makes a motion to approve the Mayor's committee appointments. Alderman Hudson seconds the motion, and on vote motion carries.

Mayor Baer expresses his desire to reappoint Alderman Martin to serve as the Board's representative on the Planning & Zoning Commission Board for the next year.

Following discussion and review, Alderman Riney makes a motion to approve Mayor Baer's appointment of Alderman Martin to serve as the Board's representative on the Planning & Zoning Commission Board for the next year. Alderman Guth seconds the motion, and on vote the motion carries.

CONSENT AGENDA ITEMS

10. Approve minutes from meeting of April 6, 2021.
11. Approve Financial Reports for March, 2021.

CITY OF PERRYVILLE									
STATEMENT OF CASH POSITION									
March 31, 2021									
		April 1, 2020	REVENUE	EXPENSE		CURRENT	ACCOUNTS	CURRENT	CURRENT
	FUND NAME	Fund Balance	Y-T-D	Y-T-D	NET INCOME	FUND BALANCE	RECEIVABLE	LIABILITIES	CASH BALANCE
101	Gen Rev	\$ 1,210,405.63	\$ 6,675,737.99	\$ (6,152,804.32)	\$ 522,933.67	\$ 1,733,339.30	\$ 3,549.99	\$ 117,485.85	\$ 1,847,275.16
105	FSA Administration	\$ 7,801.17	\$ 1,348.43	\$ -	\$ 1,348.43	\$ 9,149.60	\$ -	\$ -	\$ 9,149.60
106	Asset Forfeiture	\$ 53.99	\$ -	\$ -	\$ -	\$ 53.99	\$ -	\$ -	\$ 53.99
204	Airport	\$ 139,208.64	\$ 511,641.28	\$ (707,839.77)	\$ (196,198.49)	\$ (56,989.85)	\$ 2,355.50	\$ 61,406.55	\$ 2,061.20
206	Trans Trust	\$ 870,811.82	\$ 1,055,032.15	\$ (1,711,721.93)	\$ (656,689.78)	\$ 214,122.04	\$ -	\$ 20,549.32	\$ 234,671.36
207	Perry Park Ctr.	\$ 2,623.61	\$ 2,497,977.14	\$ (2,367,275.49)	\$ 130,701.65	\$ 133,325.26	\$ 2,344.15	\$ 24,203.84	\$ 155,184.95
211	Veterans Field	\$ 19,989.03	\$ 7,711.24	\$ (6,754.84)	\$ 956.40	\$ 20,945.43	\$ -	\$ -	\$ 20,945.43
213	Field Improvement	\$ 7,149.99	\$ 55.51	\$ (2,500.00)	\$ (2,444.49)	\$ 4,705.50	\$ -	\$ -	\$ 4,705.50
307	Debt Service	\$ 1,878.22	\$ 164.50	\$ -	\$ 164.50	\$ 2,042.72	\$ 159.60	\$ (332.97)	\$ 1,550.15
308	Cap Imp Sls Tax Rev	\$ 732,757.66	\$ 782,804.64	\$ (900,000.00)	\$ (117,195.36)	\$ 615,562.30	\$ -	\$ -	\$ 615,562.30
409	Gen Pub Fac	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
414	TIF 1-Hwy 51/61	\$ 338,711.06	\$ 102,530.61	\$ (300,000.00)	\$ (197,469.39)	\$ 141,241.67	\$ -	\$ -	\$ 141,241.67
415	Economic Develop	\$ 4,552.05	\$ 46.58	\$ -	\$ 46.58	\$ 4,598.63	\$ -	\$ -	\$ 4,598.63
416	TIF 2-Downtown	\$ 122,792.29	\$ 54,722.40	\$ (44,589.43)	\$ 10,132.97	\$ 132,925.26	\$ -	\$ 480.23	\$ 133,405.49
417	TIF 3-I55/HWY 51	\$ 820,146.25	\$ 257,094.00	\$ (66,541.13)	\$ 190,552.87	\$ 1,010,699.12	\$ -	\$ 2,824.13	\$ 1,013,523.25
513	Street Imp	\$ 611,983.69	\$ 1,315,451.06	\$ (1,576,389.41)	\$ (260,938.35)	\$ 351,045.34	\$ -	\$ 3,290.94	\$ 354,336.28
612	Refuse	\$ 383,424.11	\$ 885,083.74	\$ (754,654.92)	\$ 130,428.82	\$ 513,852.93	\$ 104,220.10	\$ 2,943.83	\$ 412,576.66
614	CWSS Op	\$ 2,927,889.77	\$ 5,458,026.41	\$ (4,198,901.87)	\$ 1,259,124.54	\$ 4,187,014.31	\$ 356,695.91	\$ 166,294.40	\$ 3,996,612.80
641	WWTP Improvements	\$ 253,270.62	\$ 903,903.85	\$ (1,142,163.75)	\$ (238,259.90)	\$ 15,010.72	\$ -	\$ 18,210.00	\$ 33,220.72
619	Gas Op	\$ 3,005,331.77	\$ 5,140,534.50	\$ (4,479,311.21)	\$ 661,223.29	\$ 3,666,555.06	\$ 587,876.49	\$ 218,457.72	\$ 3,297,136.29
TOTAL		\$ 11,460,781.37	\$ 25,649,866.03	\$ (24,411,448.07)	\$ 1,238,417.96	\$ 12,699,199.33	\$ 1,057,201.74	\$ 635,813.84	\$ 12,277,811.43

12. Approve Pay Application 7 to Robinson Industrial and Heavy Contracting and HDR re Wastewater Treatment Facility Improvements Project – \$261,997.12.
13. Approve Proposal 301 from Sentinel Emergency Solutions relative to purchase of firefighting equipment - \$40,415.50.
14. Approve recommendation from Asst. Chief Jones to place streetlight on existing pole on Sycamore Road across from Redbud Court.
15. Approve request from River Hills Antique Tractor Club regarding Old Timers Days held on Saturday and Sunday, May 29-30, 2021.
16. Approve request from Republic-Monitor to post banners on city property congratulating 2021 Senior Classes.
17. Approve purchase of Infield Groomer from ABI Attachments, Inc. - \$23,714.26.
18. Approve additions to part-time pay plan.

END OF CONSENT AGENDA

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

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

RESOLUTION:

After discussion and review, Alderman Guth makes a motion to adopt the 9th Edition of the City of Perryville Street Policy. Motion is seconded by Alderman Riney, and on vote carried. Said Resolution is as follows:

RESOLUTION NO. 2021-05

A RESOLUTION AMENDING THE STREET POLICY

WHEREAS, the Board of Aldermen has directed city administrator and city staff to prepare an amendment to the 8th 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 8th Revision of the Street Policy and rename the Street Policy as the "**9th Revision to the City of Perryville's Street Policy**" adopted the 20th day of April, 2021.

PASSED AND APPROVED this 20th day of April, 2021, by a vote of 5 ayes, 0 nay, 0 abstentions, and 1 absent.

ATTEST:
Tracy Prost, City Clerk

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

SECOND READINGS AND FINAL PASSAGE:

Now, at this time, the Board proceeds to approve Bill No. 6146, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **THE SOUTHEAST MISSOURI REGIONAL PLANNING AND ECONOMIC DEVELOPMENT COMMISSION** RELATIVE TO **SIDEWALK ADA SELF-ASSESSMENT SERVICES**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6146 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, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6367 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6146

ORDINANCE NO. 6367

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **THE SOUTHEAST MISSOURI REGIONAL PLANNING AND ECONOMIC DEVELOPMENT COMMISSION** RELATIVE TO **SIDEWALK ADA SELF-ASSESSMENT SERVICES**; 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 **Southeast Missouri Regional Planning and Economic Development Commission**. 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 she is hereby authorized and directed to execute said contract for and on behalf of the City of Perryville, Missouri.

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

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

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

FIRST READING: April 6, 2021.

SECOND READING: April 20, 2021.

PASSED AND APPROVED this 20th day of April, 2021, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 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. 6150, AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.88, ARTICLE 9, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO NEPOTISM; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH . Bill No. 6150 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, nay; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, absent. Totals: aye, four; nay, one; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6368 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6150

ORDINANCE NO. 6368

AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.88, ARTICLE 9, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO NEPOTISM; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

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

Section 1. That Title 2, Chapter 2.88, Article 9, Section 2.88.915, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended to read as follows:

"2.88.915 Nepotism.

No two members of an immediate or extended family, as defined in this chapter, shall be considered for city employment or promotion if one member of a family would be

the supervisor (direct or indirect) of another family member unless the city administrator with the approval of the board of aldermen determines the necessity therefor because of the lack of qualified applicants for such position. For the purpose of this section, supervisor shall be defined as the actual supervisor of the relative on a routine basis; emergency or short-term supervision as determined by the city administrator does not violate this section.

No member of the immediate family of any board of aldermen member, the mayor, or the city administrator may be considered for full or part-time employment.”

Section 2. That Title 2, Chapter 2.88, Article 9, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by adding Section 2.88.917 to read as follows:

“2.88.917 Family members same department.

No two members of an immediate or extended family, as defined in this chapter, shall be considered for city employment within the same department unless the city administrator, or in the case of the police department, the chief of police, with the approval of the board of aldermen determines the necessity therefor. In such cases neither employee shall be eligible for promotion into a supervisory position within that department so long as both individuals remain employed in said department.”

Section 3. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

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

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: April 6, 2021.

SECOND READING: April 20, 2021.

PASSED AND APPROVED this 20th day of April, 2021, by a vote of 4 ayes, 1 nay, 0 abstentions, and 1 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. 6151, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **STRICKLAND ENGINEERING, LC** RELATIVE TO **ELECTRICAL DESIGN OF THE PERRY PARK CENTER ELECTRICAL SERVICE RENOVATION**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6151 is read a second time on motion by Alderman Riney, seconded by Alderman Buerck. Thereupon on motion by Alderman Riney, seconded by Alderman Buerck, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill

passed and approved and the bill thereupon became Ordinance No. 6369 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6151

ORDINANCE NO. 6369

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **STRICKLAND ENGINEERING, LC** RELATIVE TO **ELECTRICAL DESIGN OF THE PERRY PARK CENTER ELECTRICAL SERVICE RENOVATION**; 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 **Strickland Engineering, LC**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

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

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

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

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

FIRST READING: April 6, 2021.

SECOND READING: April 20, 2021.

PASSED AND APPROVED this 20th day of April, 2021, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 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. 6152, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **DILLE POLLARD ARCHITECTURE** RELATIVE TO **CONSULTANT SERVICES FOR PERRY PARK CENTER ROOF REPAIRS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR. Bill No. 6152 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, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6370 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6152

ORDINANCE NO. 6370

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **DILLE POLLARD ARCHITECTURE** RELATIVE TO **CONSULTANT SERVICES FOR PERRY PARK CENTER ROOF REPAIRS**; 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 **Dille Pollard Architecture**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Perryville, that the City enters into said contract.

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

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

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

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

FIRST READING: April 6, 2021.

SECOND READING: April 20, 2021.

PASSED AND APPROVED this 20th day of April, 2021, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 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. 6153, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **AMERICAN HOME REALTY, INC.** RELATIVE TO **RIGHT TO SELL AGREEMENT FOR PROPERTY KNOWN AS 351 NORTH PERRYVILLE BOULEVARD**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF

THE MAYOR. Bill No. 6153 is read a second time on motion by Alderman Riney, seconded by Alderman Buerck. Thereupon on motion by Alderman Riney, seconded by Alderman Buerck, and on vote carried, it is ordered that the bill be placed on final passage. Roll call showed the aye and nay vote as follows: Curt Buerck, aye; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6371 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6153

ORDINANCE NO. 6371

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY AND **AMERICAN HOME REALTY, INC.** RELATIVE TO **RIGHT TO SELL AGREEMENT FOR PROPERTY KNOWN AS 351 NORTH PERRYVILLE BOULEVARD**; 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 **American Home Realty, 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: April 6, 2021.

SECOND READING: April 20, 2021.

PASSED AND APPROVED this 20th day of April, 2021, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 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. 6154, AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.20, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO EVENT PARKING AND EMERGENCY OR DISASTER PARKING; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH. Bill No. 6154 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, absent. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6372 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6154

ORDINANCE NO. 6372

AN ORDINANCE AMENDING TITLE 10, CHAPTER 10.20, OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, RELATIVE TO EVENT PARKING AND EMERGENCY OR DISASTER PARKING; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

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

Section 1. That Title 10, Chapter 10.20, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by adding Section 10.20.105 to read as follows:

“10.20.105 Event parking.

- A. The chief of police or his designee shall act in the position of traffic control officer.
- B. After the board of aldermen authorizes a special event and the traffic control officer determines that special parking regulations are necessary for said event, then the traffic control officer is hereby empowered to post signs or direct the posting of signs limiting or modifying parking within the area designated for the event.
- C. The signs shall be substantially in a format which shall read:

No Parking

Date: _____

Time: _____ to _____

as Authorized in Sections 10.20.105 and 10.20.107
of the Code of Ordinances of the City of Perryville
Vehicle May Be Towed at Owner's Expense

- D. The organizer of an event that is not an official event of the city shall be responsible for the placement of event no parking signs as directed by the traffic control officer. The sign shall be posted 24 hours in advance of the event. The event organizer shall pay to the city a non-refundable fee of one dollar (\$1.00) per sign and shall maintain the signs in the designated location throughout the duration of the event at the cost of the event organizer.
- E. It shall be unlawful for any person, firm, or corporation to park a motor vehicle in violation of an event parking sign. Individuals in violation of this section shall be punished in accordance with Section 1.16.010 of this code.

- F. Any vehicle found to be in violation of this section may be ordered towed by authority of a police officer and such vehicle shall be impounded until all costs of towing have been paid on such vehicle.”

Section 2. That Title 10, Chapter 10.20, of the Code of Ordinances of the City of Perryville, Missouri, is hereby amended by adding Section 10.20.107 to read as follows:

“10.20.107 Emergency or disaster parking.

- A. The chief of police or his designee shall act in the position of traffic control officer.
- B. In the event of an emergency or disaster, the traffic control officer may determine that special parking restrictions are necessary to enable police, fire, and other emergency services to deal with the emergency or disaster. In that event the traffic control officer is hereby empowered to post signs limiting or modifying parking within the area subject to the emergency or disaster.
- C. The signs shall be substantially in a format which shall read:

No Parking
as Authorized in Sections 10.20.105 and 10.20.107
of the Code of Ordinances of the City of Perryville
Vehicle May Be Towed at Owner’s Expense

- D. It shall be unlawful for any person, firm, or corporation to park a motor vehicle in violation of an emergency or disaster parking sign. Individuals in violation of this section shall be punished in accordance with Section 1.16.010 of this code.
- E. Any vehicle found to be in violation of this section may be ordered towed by authority of a police officer and such vehicle shall be impounded until all costs of towing have been paid on such vehicle.”

Section 3. It is the intent of the Mayor and Board of Aldermen of the City of Perryville, Missouri, and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Perryville, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

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

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: April 6, 2021.

SECOND READING: April 20, 2021.

PASSED AND APPROVED this 20th day of April, 2021, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

ATTEST:

CITY OF PERRYVILLE, MISSOURI
By: Ken Baer, Mayor

Tracy Prost, City Clerk

FIRST READINGS:

Alderman Guth presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 6155, accepting quit claim deed from Missouri Highways and Transportation Commission conveying two tracts along Route AC to the City of Perryville, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTIES DEDICATED TO THE CITY, WHICH SAID PROPERTIES ARE PARTICULARLY SET FORTH IN THE ATTACHED QUIT-CLAIM DEED.

Alderman Riney presents motion, seconded by Alderman Buerck, and on vote carried Bill No. 6156, accepting a warranty deed from Habitat for Humanity – Cape Area, is read for the first time by title only. The heading is as follows:

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

Mayor Baer asks for Committee Reports.

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: (a) Leadership Perryville recently participated in Industrial Day. They visited Altenburg Hardwood, SEMCO Stone, and TG; (b) Wisper Internet plans to place devices on towers on Highway F and on County Road 501 to provide broadband to rural areas in Perry County. Residents desiring to utilize the broadband will need to reside no more than 3-5 miles from the elevated structure and have line of sight; (c) They recently hosted the Commissioner of the State of Missouri's Higher Education to assist them in understanding the need for higher education opportunities in the Southeast Missouri area. A feasibility study is being prepared and is expected to be completed by June, 2021.

City Administrator Report:

- **Distribution of grotto sculpin placemats** – Placemats have been delivered to the various restaurants in the city of Perryville in an effort to educate about the grotto sculpin.
- **Big BAM – June 16, 2021** - This event was postponed last year but has been rescheduled for June 16. As a reminder, they will stay overnight in Perryville and many will be spending the night in the park. Music and food service is expected.
- **Transportation Officials Announce Chester Bridge NEPA Study Preferred Alternative** - The Missouri Department of Transportation (MoDOT), in cooperation with the Federal Highway Administration (FHWA) and the Illinois Department of Transportation (IDOT), has been following National Environmental Policy Act (NEPA) guidelines to identify a Preferred Alternative to improve the current Chester Bridge Mississippi River crossing connecting Missouri Route 51 and Illinois Route 150 at Chester, Illinois. The Chester Bridge Study's Environmental Assessment (EA) was recently approved for public distribution by MoDOT and FHWA following a multi-year study of the existing crossing and alternatives for maintaining, rehabilitating, or replacing the crossing. This included study of flooding-related impacts at the river crossing, the cost to improve the bridge's condition, ways to widen the bridge, and how to maintain transportation connectivity within the region. MoDOT will host study information and virtual public exhibits for the Preferred Alternative online at www.chesterbridgestudy.com with a 30-day public comment period. Additional options are available for providing comments on the Preferred Alternative and EA as described below.

Parks & Recreation Director Cadwell reports that: (a) they are purchasing a bounce house for the Perry Park Center; (b) Crevice Cave has been sprayed; (c) the new trees around the Downtown Square have been inspected to ensure that they are healthy; and, (d) Operations Supervisor Casey Brewer is attending the Chamber's Leadership Class.

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

Alderman Guth questions who should be mowing the right-of-way at the corner of St. Joseph and Perryville Boulevard. City Administrator Buerck states that the property owner should be mowing that property. Alderman Hudson notes that he saw a city employee mowing the area today. City Administrator Buerck will check into the matter.

Alderman Buerck asks the Police Department to keep a close watch on the city parking lot at the corner of East St. Joseph and Main Street. He was informed that catalytic converters were stolen off of a couple of the SMTS buses.

Alderman Martin asks if Mr. and Mrs. Naeger on Elliot Court have been contacted regarding an easement for the sinkhole on their property. Public Works Director Layton informs the Board that DNR has agreed to the city's proposed course of action, and the easement has been sent to Mr. and Mrs. Naeger for their review and signature.

Alderman Hudson asks the Police Department to station an officer in the vicinity of Zeno Street around the noon hour to check for speeders.

Now, at this time, upon motion by Alderman Buerck, seconded by Alderman Martin, 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, absent. Totals: aye, five; nay, none; absent, one.

Following discussion and review, it is upon motion by Alderman Riney, seconded by Alderman Martin, 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, absent. Totals: aye, five; nay, none; absent, one.

There being no further business, it is upon motion by Alderman Buerck, second by Alderman Hudson, and on vote carried, ordered that the Board now adjourn until Tuesday, May 4, 2021, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK