

**May 4, 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; 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. Absent: Alderman Curt Buerck.

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

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

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

Public Works Director Layton introduces Cody Hahs, new Public Works employee.

Mayor Baer and Darrell Niswonger present the 2021 Melvin D. Niswonger "The MEL" Scholarships to Genevieve Lipe and Addie Unterreiner.

City Clerk Tracy Prost proceeds to administer the Oath of Office to newly elected Alderman David J. Schumer.

**CONSENT AGENDA ITEMS**

6. Approve minutes from meeting of April 20, 2021.

7. Approve bills for April 2021.

At this time Alderman Riney, Chairman of the Finance Committee, presents the following bills and invoices for the month of April, 2021, vendor checks numbered 118343-118344; 118493 - 118752; 20 ACH transfers; payroll checks numbered: (skipped 658822) 658823 - 658830.

The following bills are presented to be paid for the month of April, 2021. Board finds that \$425,494.19 is chargeable to and payable out of the General Revenue Account; \$40,143.55 is out of Airport; \$59,158.19 is out of Transportation Trust; \$169,091.93 is out of Perry Park Center; \$1,701.97 is out of Veterans Memorial Field; \$7,218.75 is out of TIF #3; \$2,480.75 is out of Street Improvement; \$52,873.38 is out of Refuse; \$308,481.86 is out of CWSS; \$292,158.37 is out of Gas Operation; and \$10,007.50 is out of WWTP Project. The Board, upon investigation, found the sum to be \$1,368,810.44.

8. Approve unbudgeted transfer from CWSS (614) to WWTP (641) - \$500,000.

9. Approve purchase of sludge vac system rebuild kits from Westech Engineering - \$21,181.00.

10. Approve purchase of four turbidimeters from USA Blue Book - \$11,170.56.

11. Approve purchase of electrical panel for Perry Park Center.

12. Approve specifications for Perry Park Center Exterior Masonry Sealing Project and authorize staff to advertise for bids.

13. Approve specifications for Perry Park Center Water Slide Restoration Project and authorize staff to advertise for bids.

14. Approve specifications for Perry Park Center Roof Repair Project and authorize staff to advertise for bids.
15. Approve request from County Commission to utilize poles for Bicentennial banners.
16. Approve request from Rotary Club regarding the fireworks display at City Park to be held on Sunday, July 4, 2021 (with a rainout date of July 5).
17. Approve request for 90-day extension for the Downtown TIF projects.
18. Approve modification to t-hangar rental agreement.
19. Approve recommendation from Asst. Chief Jones regarding street markings and speed limit on Rosati Court.
20. Approve Mayor's appointments for:
  - Airport Advisory Board – 3 year term
  - Greg Taul - appointment

**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 Guth seconds the motion, and on vote the motion carries.

**SECOND READINGS AND FINAL PASSAGE:**

Now, at this time, the Board proceeds to approve Bill No. 6155, 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. Bill No. 6155 is read a second time on motion by Alderman Martin, seconded by Alderman Riney. Thereupon on motion by Alderman Martin, 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, absent; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6373 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6155

ORDINANCE NO. 6373

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.

WHEREAS, **MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION** has generously dedicated to the City of Perryville, Missouri, the properties described in the Quit-Claim Deed attached hereto.

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 Quit-Claim Deed which is attached hereto, subject to all of the terms and conditions therein expressed.

Section 2. That the Mayor and the 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 above Quit-Claim Deed.

Section 3. That the City Clerk is hereby directed to file a copy of the Quit-Claim Deed with the Recorder of Deeds of Perry County, Missouri.

Section 4. This ordinance shall take effect from and after its passage and approval.

FIRST READING: April 20, 2021.

SECOND READING: May 4, 2021

PASSED AND APPROVED this 4<sup>th</sup> day of May, 2021, by a vote of 5 ayes, 0 nays, 0 abstentions, and 1 absent.

CITY OF PERRYVILLE, MISSOURI

By: Ken Baer, Mayor

ATTEST:

Tracy Prost, City Clerk

Now, at this time, the Board proceeds to approve Bill No. 6156, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PERRYVILLE, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED GENERAL WARRANTY DEED. Bill No. 6156 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, absent; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one. The Mayor thereupon declared the bill passed and approved and the bill thereupon became Ordinance No. 6374 of the City of Perryville, and is in words and figures as follows:

BILL NO. 6156

ORDINANCE NO. 6374

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

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

Section 1. The Mayor and Board of Aldermen of the City of Perryville, Missouri, do hereby accept the General Warranty Deed from **HABITAT FOR HUMANITY – CAPE AREA, a not for profit corporation**, which is attached hereto, subject to all of the terms and conditions therein expressed.

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

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

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

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

FIRST READING: April 20, 2021.

SECOND READING: May 4, 2021

PASSED AND APPROVED this 4<sup>th</sup> day of May, 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

**FIRST READINGS:**

Alderman Martin presents motion, seconded by Alderman Hudson, and on vote carried Bill No. 6157, entering into Transportation Alternatives Funds Program TAP-5000(009) agreement with Missouri Highways and Transportation Commission relative to construction of a trail along Perryville Boulevard from Star Street to Old St. Mary's Road, 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 AN AGREEMENT BY AND BETWEEN THE CITY AND **MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION** RELATIVE TO **TRANSPORTATION ALTERNATIVES FUNDS PROGRAM AGREEMENT TAP-5000(009) RELATIVE TO MULTI-USE TRAIL ALONG PERRYVILLE BOULEVARD FROM STAR STREET TO OLD ST. MARY'S ROAD**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Hudson presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6158, amending Maximum Speed Limits Schedule relative to Rosati Court, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AMENDING TITLE 10 OF THE CODE OF ORDINANCES OF THE CITY OF PERRYVILLE, MISSOURI, AND SPECIFICALLY THE "MAXIMUM SPEED LIMIT SCHEDULE" ADOPTED THEREIN AND ESTABLISHED BY ORDINANCE NO. 1741 RELATING TO ADDITIONAL MAXIMUM SPEED LIMIT DESIGNATIONS IN THE CITY OF PERRYVILLE, MISSOURI; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

Alderman Hudson asks the Board to consider the addition of a crosswalk on Rosati Court. After discussion, it is decided that staff will observe the traffic flow after the installation of the new speed limit signs and the turn lane and lane markers are added to the street and will then make a recommendation to the Board regarding an additional crosswalk.

Alderman Schumer presents motion, seconded by Alderman Martin, and on vote carried Bill No. 6159, granting a quit claim deed to Larry and Charlyn Winkler Revocable Trust, is read for the first time by title only. The heading is as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF PERRYVILLE, MISSOURI, TO EXECUTE A QUIT CLAIM DEED BY AND BETWEEN THE CITY OF PERRYVILLE AND **LARRY W. AND CHARLYN D. WINKLER REVOCABLE TRUST** RELEASING **AN EASEMENT DEED RECORDED AT BOOK 283, PAGE 147 OF THE PERRY COUNTY LAND RECORDS**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Martin presents motion, seconded by Alderman Hudson, and on vote carried Bill No. 6160, accepting an easement deed from Larry and Charlyn Winkler Revocable Trust, 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.

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6161, entering into an agreement with BETA Technologies, Inc., relative to electric vehicle charging station host site at Perryville Regional Airport, 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 **BETA TECHNOLOGIES, INC.** RELATIVE TO **ELECTRIC VEHICLE CHARGING STATION HOST SITE AGREEMENT**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Alderman Riney presents motion, seconded by Alderman Guth, and on vote carried Bill No. 6162, entering into an agreement with Dille Pollard Architecture relative to design of impound shed, 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 **DILLE POLLARD ARCHITECTURE** RELATIVE TO **CONSULTANT SERVICES FOR CONSTRUCTION OF AN IMPOUND BUILDING**; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

Mayor Baer asks for Committee Reports.

Alderman Schumer, as Chairman of the Public Works Committee, asks if the sewer line has been repaired on Big Springs Boulevard. Public Works Director Layton tells the Board that the sewer line has been repaired; however, they are still looking for the water issue.

Alderman Guth, as Chairman of the Economic Development Committee, asks EDA Director Scott Sattler to update the Board on economic development activities. Director Sattler updates the Board on the Higher Education Feasibility Study, noting that they would like more participation from Perry County residents. He also tells the Board that grants are available from the stimulus Restaurant Revitalization Fund.

City Administrator Report:

- **“Leading the Way” Award from ETC** - ETC recognized us as one of their TOP performing cities, with our scores ranking in the TOP 10% of all cities surveyed. This is a tribute to the leadership of the Mayor and Board as well as Department Heads and employees throughout the City.
- **Prop COPS Ltr from County Commissioners** - The County Commission is beginning their process to move this project forward. There is much work to be done over the upcoming months and years and we will be actively involved in supporting them in this endeavor.
- **Chester Bridge Comment Ltr** - The Cities of Perryville and Chester jointly penned a letter in support of the Chester Bridge. Both mayors signed it and submitted it to MoDOT for their consideration. If others are interested, comments are being accepted for 30 days and officially close May 17.

- **Higher Ed Survey closes May 7** - This survey is critical to our regional efforts to secure viable, long-term vocational technical and higher education for Perry County and the region. Survey results have been good but we still need a push to reach our targets. If you haven't responded or know someone who should, please direct them to this website.

- **MML Southeast Regional Mtg** - MML has scheduled a meeting for June 8 at the Lincoln Street Event Center in Desloge. This workshop will focus on the outcomes and outputs of the 2021 Legislative Session.

- **Sale of Fire Department Breathing Control Panel** - The city inherited this particular piece of equipment when we purchased a used air van from the Department of Conservation. The van was eventually returned as inoperable but the equipment was retained. At this time, Cape has a need for this piece of equipment. Although they have offered to pay \$3,500 for this equipment, staff is also agreeable to donating it to them as a partner agency (similar to the ARRF Truck at our airport).

After discussion and review, Alderman Hudson makes a motion to donate the Airworks Breathing Air Control Panel to the Cape County Firefighters Association. Alderman Riney seconds the motion, and on vote the motion carries.

City Engineer Report:

- **NE Outfall Sewer Project** – We continue to work on securing easements for this project.
- **Fire Station on Rand Avenue** – We are reviewing the site layout options and will give to the architect to design.
- **Miget Park Playground Progress** – The concrete sidewalks and retaining wall should be done as soon as the rain lets up. They hope to be done in early July.

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

Alderman Guth states that the lights have been on near the old sand volleyball court for the last two mornings. He also notes that he is pleased with the maintenance the park crew is doing on the trail.

Alderman Martin thanks staff for the recent alley cleanup.

Alderman Hudson asks staff to determine who owns the alley directly behind the cemetery on Feltz Street.

Parks & Recreation Director Cadwell informs the Board that 120 people have signed up for the Mayfest Run, noting that this is the first year the Cape Road Runners have signed up for the run. He also tells the Board that park staff will be assisting with the Optimist Club's soccer tournament this weekend.

Now, at this time, upon motion by Alderman Hudson, seconded by Alderman Riney, it is ordered that the Board now convene into closed session to discuss real estate matters in accordance with Section 610.021(2) RSMo; contractual matters in accordance with Section 610.021(9) RSMo; and litigation matters in accordance with Section 610.021(12) RSMo. Roll call showed the aye and nay votes as follows: Curt Buerck, absent; Tom Guth, aye; Prince Hudson, aye; Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one.

Following discussion and review, it is upon motion by Alderman Riney, seconded by Alderman Hudson, 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, absent; Tom Guth, aye; Prince Hudson, aye;

Douglas K. Martin, aye; Larry Riney, aye; David J. Schumer, aye. Totals: aye, five; nay, none; absent, one.

Alderman Riney asks if City crews can deliver porta-potties and tables to the airport for the May 15<sup>th</sup> Fly-In. He also asks crews to check on the deep holes on Miles Road and Moore Drive.

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, May 18, 2021, at 6:30 p.m., the regular meeting in course.

MAYOR

ATTEST:

CITY CLERK