

TENTATIVE AGENDA

REGULAR CITY COUNCIL MEETING
CITY HALL
COUNCIL CHAMBERS
105 E. CENTER ST., SIKESTON MO
MONDAY, JANUARY 8, 2024
5:00 P.M.

- I. CALL TO ORDER
- II. RECORD OF ATTENDANCE
- III. OPENING PRAYER
- IV. PLEDGE OF ALLEGIANCE
- V. APPROVAL OF CITY COUNCIL MINUTES
 - A. Regular Council Minutes November 27, 2023
 - B. Regular Council Minutes December 4, 2023
- VI. ITEMS OF BUSINESS
 - A. Discussion: Closure Options for New Madrid Street, Legion Park Project
 - B. 1st Reading, Bill #6332, Request to Rezone 491 Davis Blvd. from IL (Light Industrial) to IH (Heavy Industrial)
 - C. 1st Reading, Bill #6333, Amend Chapter 500, Article XV, Existing Building Code
 - D. Position Statement Regarding Future I-57 Interchange Locations
 - E. Resolution 24-01-01, Surplus DPS Vehicle
 - F. Authorization to Proceed with Regional Homeland Security Oversight Committee Grant Purchases
 - G. Approve Purchase to Upgrade Nelson Systems 911 Recorder Equipment
 - H. Resolution 24-01-02, Surplus of SCBA Fill Station
 - I. Receive 2023 Financial Audit
 - J. Appointment to Scott County Extension Council
 - K. Interim Appointment to Board of Municipal Utilities
 - L. Other Items as May Be Determined During the Course of the Meeting
- VII. ADJOURNMENT

Dated this 3rd day of January 2024.

Rhonda Council

Rhonda Council, City Clerk

REGULAR CITY COUNCIL MEETING
NOVEMBER 27, 2023

The regular Sikeston City Council meeting of November 27, 2023 was called to order at 5:00 p.m. at City Hall located at 105 E. Center St., Sikeston. Present at the meeting were: Mayor Greg Turnbow, Vest Baker, John Leible, Tom Robison and David Teachout. Councilmen Onethia Williams and Ryan Lindsey were absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Graham, City Clerk Rhonda Council, Finance Director Amanda Groves, HR Director Carrie Burgfeld, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Community Development Director Barry Blevins, Public Safety Director James McMillen and Public Safety Captain Ryan Smith.

ITEMS OF BUSINESS

2nd Reading & Consideration, Bill #6322, Flood Plain Regulations Amendments

Councilman Leible moved for the second reading of Bill Number 6322. The motion was seconded by Councilman Teachout and the following vote recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye,
Williams Absent, and Turnbow Aye, thereby being passed.

City Counselor Graham presented the bill for reading.

Bill Number 6322

Ordinance Number 6322

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6322 AND SHALL AMEND TITLE IV: LAND USE, CHAPTER 410 FLOODPLAIN REGULATIONS IN THE MUNICIPAL CODE OF THE CITY OF SIKESTON, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIKESTON, MISSOURI AS FOLLOWS:

SECTION I: This Ordinance shall be codified in the City Municipal Code.

SECTION II: Title IV: LAND USE – Chapter 410 – Floodplain Regulations shall be amended as follows:

Article I Statutory Authorization, Findings of Fact, Purpose and Objectives

Section 410.010 Statutory Authorization.

The legislature of the State of Missouri has in, RSMo 89.020 delegated the responsibility to local units to adopt floodplain management regulations designed to protect the health, safety, and general welfare of the public. Therefore, the City Council of Sikeston, Missouri, does ordain as follows.

Section 410.020 Finding of Fact.

- A. The special flood hazard areas of Sikeston, Missouri, are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

B. These flood losses are caused by:

1. The cumulative effect of development in any delineated floodplain causing increases in flood heights and velocities; and
2. The occupancy of flood hazard areas by uses vulnerable to floods, or uses hazardous to others, inadequately elevated or otherwise unprotected from flood damages.

Section 410.030 Statement of Purpose.

A. It is the purpose of this Chapter to promote the public health, safety and general welfare of the public; to minimize those losses described in Article 1, Section 410.020 (1); to establish or maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations (CFR) § 59.22(a) (3); and to meet the requirements of 44 CFR § 60.3(d) by applying the provisions of this ordinance to:

1. To protect human life and health;
2. To minimize expenditures of public money for costly control projects;
3. To minimize the need of rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
6. To help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas;
7. To insure that potential home buyers are notified that property is in a flood area; and
8. To insure that those who occupy the areas of special hazard assume responsibilities for their actions.

Section 410.040 Methods of Reducing Flood Losses.

A. In order to accomplish its purposes, this Chapter includes methods and provisions for:

1. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion or to flood heights or velocities.
2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

3. Controlling the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters.
4. Controlling filling, grading, dredging and other development which may increase erosion or flood damage.
5. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

Article II Definitions

Section 410.050 Definitions.

Unless specifically defined below, words or phrases used in this Chapter shall be interpreted so as to give them the meaning they have in common usage and to give this Chapter its most reasonable application.

ACCESSORY STRUCTURE

A structure that is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

ACTUARIAL RATES OR RISK PREMIUM RATES

Those rates established by the Federal Insurance Administrator pursuant to individual community studies and investigations which are undertaken to provide flood insurance in accordance with Section 1307 of the Act and accepted actuarial principles. "*Risk premium rates*" include provisions for operating cost and allowances.

AGENCY

Governing body of floodplain regulations: FEMA and/or SEMA.

APPEAL

A request for a review of the City Administrator's interpretation of any provision of this Chapter or a request for a variance.

AREA OF SPECIAL FLOOD HAZARD

The land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year.

BASE FLOOD

The flood having a one percent (1%) chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION

The elevation of the surface of the water during a (1%) annual chance flood event.

BASEMENT

Any area of the building having its floor subgrade (below ground level) on all sides.

BUILDING

Principle structure on the parcel of property.

CHANNEL

A natural or artificial watercourse of perceptible extent, with a definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow, thus, is that water which is flowing within the limits of a defined channel.

COMMUNITY

State or area or political subdivision thereof, which has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

DEVELOPMENT

Any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

ELEVATED BUILDING

For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

ELIGIBLE COMMUNITY” OR “PARTICIPATING COMMUNITY

A community for which the Federal Insurance Administrator has authorized the sale of flood insurance under the National Flood Insurance Program (NFIP).

EXISTING CONSTRUCTION

For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before this date. "*Existing construction*" may also be referred to as "existing structures".

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION

The preparation of additional sites by the construction of facilities for serving the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FLOOD OR FLOODING

1. General and temporary condition of partial or complete inundation of normally dry land areas from (1) The overflow of inland; and/or (2) The unusual and rapid accumulation or runoff of surface waters from any source.

2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge or by some similarly unusual and unforeseeable event which results in flooding as defined in Subsection (1) of this definition.

FLOOD ELEVATION DETERMINATION

A determination by the Federal Insurance Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

FLOOD FRINGE

The area outside the floodway encroachment lines, but still subject to inundation by the regulatory flood.

FLOOD INSURANCE RATE MAP (FIRM)

An official map of a community on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY OR FLOOD ELEVATION STUDY

An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations or an examination, evaluation and determination of mudslides (i.e., mudflow) and/or flood-related erosion hazards.

FLOOD PROTECTION SYSTEM

Those physical structural works for which funds have been authorized, appropriated and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such system typically includes dams, reservoirs, levees or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standards.

FLOODPLAIN ADMINISTRATOR OR CERTIFIED FLOODPLAIN MANAGER

Designated city employee who reviews floodplain/building permits for structures within floodplains and inspects developments to determine compliance with the community development standards and NFIP requirements. Explains floodplain development requirements to community leaders, citizens, and the general public when requested. Maintains records and documents that keep the community eligible to participate in the FEMA's NFIP and Community Rating System (CRS).

FLOODPLAIN OR FLOOD-PRONE AREA

Any land area susceptible to being inundated by water from any source, as designated by FEMA.

FLOODPLAIN MANAGEMENT

The operation of an overall program of corrective and preventive

measures for reducing flood damage including, but not limited to, emergency preparedness plans, flood control works and floodplain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS

Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain and grading ordinances) and other applications of police power. The term describes such state or local regulations in any combination thereof that provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING

Any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY OR REGULATORY FLOODWAY

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FLOODWAY ENCROACHMENT LINES

Lines marking the limits of floodways on Federal, State and local floodplain maps.

FREEBOARD

A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings and the hydrological effect of urbanization of the watershed.

HIGHEST ADJACENT GRADE

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE

Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a State Inventory of Historic Places in States

with historic preservation programs which have been approved by the Secretary of the Interior; or

4.

Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

- a.** By an approved State program as determined by the Secretary of the Interior; or
- b.** Directly by the Secretary of the Interior in States without approved programs.

LOWEST FLOOR

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements.

MANUFACTURED HOME

A structure transportable in one (1) or more sections that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "*manufactured home*" does not include a "*recreational vehicle*".

MANUFACTURED HOME PARK OR SUBDIVISION

A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

NEW CONSTRUCTION

For the purposes of determining insurance rates, structures for which the "*start of construction*" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "*new construction*" means structures for which the "*start of construction*" commenced on or after the effective date of the floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION

A manufactured home park or subdivision for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the community.

(NFIP)

National Flood Insurance Program

ONE PERCENT ANNUAL CHANCE FLOOD

See "base flood."

PARTICIPATING COMMUNITY

Known as an "eligible community," a community in which the Federal Insurance Administrator has authorized the sale of flood insurance.

PERSON

Any individual or group of individuals, corporation, partnership, association, or any other entity, including Federal, State, and local governments and agencies.

PERMIT

A signed document from a designated community official authorizing development in a floodplain, including all necessary supporting documentation such as: (1) the site plan; (2) an elevation certificate; and (3) any other necessary or applicable approvals or authorizations from local, state or federal authorities.

PRINCIPAL STRUCTURE

The main structure of building on a lot or parcel in which the primary permitted use by right occurs.

RECREATIONAL VEHICLE

A vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently towable by a light-duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REPETITIVE LOSS

Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, equals or exceeds twenty-five percent of the market value of the structure before the damage occurred.

SPECIAL FLOOD HAZARD AREA

See "area of special flood hazard."

START OF CONSTRUCTION

For other than new construction or substantial improvement under Coastal Barrier Resources Act Pub. L. 97-348, includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within one hundred eighty (180) days of permit date. The "actual start" means either the first (1st) placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation such as clearing, grading and filling; nor does it include the installation of street and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the "actual start of the

construction" means the first (1st) alteration of any wall, ceiling, floor or other structural part of building, whether or not that alteration affects the external dimensions of the building.

STATE COORDINATING AGENCY

Agency of the state government, or other office designated by the governor of the state or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program (NFIP) in that state.

STRUCTURE

For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. "*Structure*", for insurance purposes, means a walled and roofed building, other than gas or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" or the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local Code Enforcement Official and which are the minimum necessary to assure safe living conditions, or
2. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

VARIANCE

A grant of relief to a person from the requirements of this Chapter, which permits construction in manner otherwise prohibited by this Chapter, where specific enforcement would result in unnecessary hardship.

VIOLATION

The failure of a structure or other development to be fully compliant with

the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this chapter is presumed to be in violation until such time as that documentation is provided.

Article III General Provisions

Section 410.060 Lands To Which This Chapter Applies.

This Chapter shall apply to all lands within the jurisdiction of the City of Sikeston identified as numbered and unnumbered A Zones, AE, AO, and AH Zones on the Flood Insurance Rate Map (FIRM) for Scott County, Missouri on map panels 29201C0295D, 29201C0300D, 29201C0305D, 29201C0314D, 29201C0315D, 29201C0316D, 29201C0318D, 29201C0319D, 29201C0402D, 29201C0406D, 29201C0407D, and 29201C0425D dated June 5, 2012, as amended, and any future revisions thereto. In all areas covered by this Chapter, no development shall be permitted except through the issuance of a floodplain development permit granted by the Sikeston City Council or its duly designated representative under such safeguards and restrictions as the Sikeston City Council or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community, and as specifically noted in Article IV.

Section 410.070 Basis For Establishing The Areas of Special Flood Hazard.

The Flood Insurance Study (FIS) that is the basis of this ordinance uses a standard engineering method of analyzing flood hazards, which consist of a series of interrelated steps.

- A.** Selection of a base flood that is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this Chapter is representative of large floods which are characteristic of what can be expected to occur on the particular streams subject to this Chapter. It is in the general order of a flood which could be expected to have a one percent (1%) chance of occurrence in any one (1) year as delineated on the Federal Insurance Administrator's FIS and illustrative materials for Scott County dated June 5, 2012 as amended, and any future revisions thereto.
- B.** Calculation of water surface profiles are based on a standard hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood.
- C.** Computation of a floodway required to convey this flood without increasing flood heights more than one (1) foot at any point.
- D.** Delineation of floodway encroachment lines within which no development is permitted that would cause **any** increase in flood height.
- E.** Delineation of flood fringe, i.e., that area outside the floodway encroachment lines, but still subject to inundation by the base flood.

Section 410.080 Penalties For Non-Compliance.

- A.** No structure or other development without a floodplain development permit or

other evidence of compliance is presumed to be in violation until such documentation is provided. Imposition of such fines or penalties for any violation for non-compliance with this Chapter shall not excuse the violation or noncompliance or allow it to continue. All such violations or non-compliant actions shall be remedied within an established and reasonable time.

- B.** Violation of the provisions of this Chapter or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor.
- C.** Any person, firm, corporation, or other entity that violates this Chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than ninety (90) days, or both, and in addition shall pay all cost and expenses involved in the case. Each day such violation continues shall be considered a separate offense.
- D.** Nothing herein contained shall prevent the City of Sikeston or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 410.090 **Abrogation and Greater Restrictions.**

- A.** This Chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this Chapter imposes greater restrictions, the provisions of this Chapter shall prevail. All other Chapters inconsistent with this Chapter are hereby repealed to the extent of the inconsistency only.

- B. **Compliance****

No development located within the special flood hazard areas of this community shall be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

Section 410.100 **Interpretation.**

- A.** In the interpretation and application of this Chapter, all provisions shall be:
 - 1.** Considered as minimum requirements;
 - 2.** Liberally construed in favor of the Governing Body; and
 - 3.** Deemed neither to limit nor repeal any other powers granted by Missouri Statutes.

Section 410.110 **Warning and Disclaimer of Liability.**

The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This Chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This Chapter

shall not increase liability on the part of the City of Sikeston, Missouri, or by any officer or employee thereof for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made thereunder.

Article IV Administration

Section 410.120 Establishment of A Floodplain Development Permit.

- A.** A development permit shall be required for all proposed construction or development, including the placement of manufactured homes, in areas as established in Article III, Section **410.060**. No person, firm or corporation or unit of government shall initiate any development or substantial improvement or cause the same to be done without first obtaining a separate permit for each development. Application for a development permit shall be made on forms furnished by the Community Development Department other and may include, but not limited to, plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:
1. Elevation, in relation to mean sea level, of the lowest floor (including basement) of all structures.
 2. Elevation, in relation to mean sea level, to which any non-residential structure is to be floodproofed.
 3. Certification from a Missouri registered professional engineer or architect that non-residential floodproofed structure will meet the floodproofing criteria in Article V, Section **410.180**.
 4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

Section 410.130 Designation of Floodplain Administrator.

The City Manager or his/her designee is hereby appointed to administer and implement the provisions of this Chapter by granting or denying development permit applications in accordance with its provisions.

Section 410.140 Duties and Responsibilities of The Floodplain Administrator.

- A.** Duties of the Floodplain Administrator shall include, but not be limited to:
1. Review all applications for floodplain development permits to assure that sites are reasonably safe from flooding and that the permit requirements of this Chapter have been satisfied.
 2. Review all applications for floodplain development permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required by Federal, State, or local law.
 3. When base flood elevation data have not been provided, then the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation or floodway data available from a Federal, State or

other source in order to administer the provision of Article V.

4. Verify and maintain a record of the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures.
5. Verify and maintain a record of the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been floodproofed.
6. When floodproofing is utilized for a particular non-residential structure, the Floodplain Administrator shall obtain certification from the permittee's Missouri registered professional engineer or architect that floodproofing standards have been met.
7. Notify adjacent communities and the Missouri State Emergency Management Agency (MoSEMA) prior to any alteration or relocation of a watercourse and shall submit evidence of such notification to the Federal Emergency Management Agency (FEMA).
8. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
9. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions, the Floodplain Administrator shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in the Article.
10. Review all subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;
11. Issue floodplain development permits for all approved applications.

B. Application For Floodplain Development Permit

1. To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every floodplain development permit application shall:
 - a. Describe the land on which the proposed work is to be done by lot, block and tract, house and street address, or similar description that will readily identify and specifically locate the proposed structure or work;
 - b. Identify and describe the work to be covered by the floodplain development permit;
 - c. Indicate the use or occupancy for which the proposed work is intended;
 - d. Indicate the fair market value of the structure and the fair market value of

the improvement;

- e. Specify whether development is located in designated flood fringe or floodway;
- f. Identify the existing base flood elevation and the elevation of the proposed development;
- g. Give such other information as reasonably may be required by the floodplain administrator;
- h. Be accompanied by plans and specifications for proposed construction; and
- i. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.

Section 410.150 **Variance Procedures.**

A. Establishment of Appeal Board

The Board of Adjustment as established by the City of Sikeston, Missouri, shall hear and decide appeals and requests for variances from the requirements of this Chapter.

B. Responsibility of Appeal Board

- 1. Where an application for a floodplain development permit or request for a variance from the floodplain management regulations is denied by the Floodplain Administrator, the applicant may apply for such floodplain development permit or variance directly to the appeal board, as defined in Article IV, Section A.
- 2. The Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in any requirement, decision or determination made by the Floodplain Administrator in the enforcement or administration of this Chapter.

C. Further Appeals

Any person aggrieved by the decision of the Board of Adjustment, or any taxpayer may appeal such decision to the Scott County or New Madrid County Circuit Court as provided in RSMo 89.110.

D. Floodplain Management Variance Criteria

In passing upon such applications for variances, the Board of Adjustment shall consider all technical evaluations, all relevant factors, standards specified in other Sections of this Chapter and:

- 1. The danger that materials may be swept onto other lands causing injury to persons or property;

2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the Comprehensive Plan and Floodplain Management Program for that area;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and sediment transport of flood waters, if applicable, expected at the site; and
11. The cost of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electric and water systems and streets and bridges.

E. Conditions For Approving Floodplain Management Variances.

1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot one-half ($\frac{1}{2}$) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (2—6) below have been fully considered. As the lot size increases beyond the one-half ($\frac{1}{2}$) acre, the technical justification required for issuing the variance increases.
2. Variances may be issued for the repair or rehabilitation of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or local inventory of historic places upon determination provided the proposed activity will not preclude the structure's continued historic designation and the variance is the minimum necessary to preserve the historic character and design of the structure.
3. Variances shall not be granted within any designated floodway unless an engineer has submitted an evaluation of the hydraulic impact of the proposed development as well as signed, sealed

and dated "no rise" certification.

4. Variances shall only be issued upon determination that the variance is the minimum necessary, considering the flood hazard, to avoid relief.
5. Variances shall only be issued upon:
 - a. A showing of good and sufficient cause,
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant, and
 - c. A determination that granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, increase nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
6. Any applicant to whom a variance is granted shall be given a written notice that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
7. A community shall maintain a record of all variance actions, including justification for their issuance.
8. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of items 1 through 5 of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

F. Conditions For Approving Variances Of Accessory Structures

1. Any permit granted for an accessory structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Permits shall meet the following conditions.
2. In order to minimize flood damages during the one percent annual chance flood event, also referred to as the 100-year flood and the threat to public health and safety, the following conditions shall be required for any permit issued for accessory structures that are constructed at-grade and wet-floodproofed:
 - a. Use of the accessory structures must be solely for parking and limited storage purposes in any special flood hazard area as identified on the community's Flood Insurance Rate Map (FIRM).
 - b. For any new or substantially damaged accessory structures, the exterior and interior building components

and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Article 4, Section A (4)(b) of this ordinance.

- c. The accessory structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure in accordance with Article 4, Section A (4)(a) of this ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
- d. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Article 4, Section A (4)(d) of this ordinance.
- e. The accessory structures must meet all NFIP opening requirements. The NFIP requires that enclosure or foundation walls, subject to the one percent annual chance flood event, also referred to as the 100-year flood, contain openings that will permit the automatic entry and exit of flood waters in accordance with Article 4, Section B (1)(c) of this ordinance.
- f. The accessory structures must comply with the floodplain management floodway encroachment provisions of Article 4, Section D (2) of this ordinance. No permits may be issued for accessory structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.
- g. Equipment, machinery, or other contents must be protected from any flood damage.
- h. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the accessory structures.
- i. Wet-floodproofing construction techniques must be reviewed and approved by the community. The community may request approval by a registered professional engineer or architect prior to the issuance of any floodplain development permit for construction. Cost for any required professional certification to be paid by the developer.

G. Conditions For Approving Variances Of Agricultural Structures

- 1. Any permit granted for an agricultural structure shall be decided individually based on a case by case analysis of the building's

unique circumstances.

2. In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any permit issued for agricultural structures that are constructed at-grade and wet-floodproofed:
 - a. All proposed agricultural structures shall demonstrate that no other alternate location outside of the special flood hazard area exists for the agricultural structure. Residential structures, such as farm houses, cannot be considered agricultural structures.
 - b. Use of the structures must be limited to agricultural purposes in any special flood hazard area only as identified on the community's Flood Insurance Rate Map (FIRM).
 - c. For any new or substantially damaged agricultural structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with Article 4, Section A (4)(b) of this ordinance.
 - d. The agricultural structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structures in accordance with Article 4, Section A (4)(a) of this ordinance. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
 - e. Any mechanical, electrical, or other utility equipment must be located *one (1) foot above the base flood elevation*. or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Article 4, Section A (4)(d) of this ordinance. The elevation shall be certified by a licensed land surveyor or professional engineer.
 - f. The agricultural structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the one percent annual chance flood event, also referred to as the 100-year flood, contain openings that will permit the automatic entry and exit of flood waters in accordance with Article 4, Section B (1)(c) of this ordinance.
 - g. The agricultural structures must comply with the floodplain management floodway encroachment provisions of Article 4, Section D (2) of this ordinance. No permits may be

issued for agricultural structures within any designated floodway, if any increase in flood levels would result during the one percent annual chance flood event, also referred to as the 100-year flood.

- h. Major equipment, machinery, or other contents must be protected from any flood damage.
- i. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the agricultural structures.
- j. Wet-floodproofing construction techniques must be reviewed and approved by the community. The community may request approval by a registered professional engineer or architect prior to the issuance of any floodplain development permit for construction. Cost for any required professional certification to be paid by the developer.

Article V Provisions For Flood Hazard Reduction

Section 410.160 General Standards.

No permit for floodplain development shall be granted for new construction, substantial-improvements, and other improvements, including the placement of manufactured homes, within any numbered or unnumbered A zones, AE, AO, and AH zones, unless the conditions of this section are satisfied.

- A.** All new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other developments shall require:
 - 1. All new construction, including manufactured homes and substantial improvements, shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - 2. All new construction and substantial improvements shall be constructed with materials resistant to flood damage.
 - 3. All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damages.
 - 4. All new construction and substantial improvements shall be constructed with electrical, heating, ventilating, plumbing and air-conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

5. All new and replacement water supply systems be designed to minimize or eliminate infiltration of floodwaters into the system.
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwater into the systems and discharges from the systems into floodwaters. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
7. All-areas identified as unnumbered A zones on the FIRM are subject to inundation of the one percent annual chance (aka 100-year) flood; however, the base flood elevation is not provided. Development within unnumbered A zones is subject to all provisions of this ordinance. If Flood Insurance Study data is not available, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State, or other sources.
8. Until a floodway has been designated, no new construction, substantial improvements, including fill, may be permitted within any unnumbered or numbered A zones, or AE zones on the City's FIRM unless the applicant for the land use has demonstrated that the proposed use, when combined with all other existing and reasonably anticipated development, will not increase the water surface elevation of the 100-year flood more than (1) foot on the average cross section of the reach in which the development or landfill is located as shown on the Flood Insurance Rate Study.

B. Storage, Material, and Equipment

1. The storage or processing of materials that are in time of flooding, buoyant, flammable, explosive or could be injurious to human, animal or plant life is prohibited.
2. Storage of other material or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.

C. Accessory Structures

1. Structures used solely for parking and limited storage purposes, not attached to any other structure on the site, of limited investment value, and not larger than 400 square feet, may be constructed at-grade and wet-floodproofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; the accessory structure meets the following floodplain management requirements; and a floodplain development permit has been issued. Wet-floodproofing is only allowed for small low-cost structures.

D. Agricultural Structures

1. Structures used solely for agricultural purposes in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock, may be constructed at-grade and wet-floodproofed provided there is no human habitation or occupancy of the structure; the structure is of single-wall design; there is no permanent retail, wholesale, or manufacturing use included in the structure; the structure meets the following floodplain management requirements; and a floodplain development permit has been issued.

Section 410.170 Standards For Subdivision Proposals.

- A. All subdivision proposals and other proposed new developments, including manufactured home parks or subdivisions, shall be consistent with the need to minimize flood damage.
- B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- D. All proposals for development, including proposals for manufactured home park and subdivisions greater than either fifty (50) lots or five (5) acres, whichever is lesser, include within such proposals base flood elevation data.

Section 410.180 Specific Standards.

- A. In all areas identified as numbered and unnumbered A zones, AE, and AH zones, where **base flood elevation** data has been provided as set forth in Article IV, Section **410.140**, the following provisions are required:
 1. *Residential construction.* New construction or substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated one (1) foot above the base flood elevation. The elevation of the lowest floor shall be certified by a Missouri licensed land surveyor, engineer, or architect.
 2. *Non-residential construction.* New construction or substantial improvement of any commercial, industrial or other non-residential structure, including manufactured homes, shall either have the lowest floor, including basement, elevated to at least one (1) foot above the level of the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed so that below such a level the structure is water-tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A Missouri registered professional engineer or architect shall certify that the standards of this Subsection are satisfied. Such certification shall be provided to the official as set forth in

Article IV, Section 410.140(6).

3. *Enclosures below lowest floor.* Require for all new construction and substantial improvement that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a Missouri registered professional engineer or architect or meet or exceed the flowing minimum criteria:
 - a. A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.
 - b. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

Section 410.190 **Manufactured Homes.**

- A. All manufactured homes to be placed within all unnumbered and numbered A zones, AE, and AH zones, on the community's FIRM shall be required to be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Manufactured homes must be anchored in accordance with State and local building codes and FEMA guidelines. In the event that over-the-top frame ties to ground anchors are used, the following specific requirements (or their equivalent) shall be met:
 1. Over-the-top ties shall be provided at each of the four (4) corners of the manufactured home with two (2) additional ties per side at intermediate locations and manufactured homes less than fifty (50) feet long requiring only one (1) additional tie per side;
 2. Frame ties shall be provided at each corner of the manufactured home with five (5) additional ties per side at intermediate points and manufactured homes less than fifty (50) feet long requiring only four (4) additional ties per side;
 3. All components of the anchoring system be capable of carrying a force of four thousand eight hundred (4,800) pounds; and
 4. Any additions to the manufactured home be similarly anchored.
- B. Require that all manufactured homes to be placed within or substantially improved within unnumbered or numbered A zones, AE, and AH zones, on the community's FIRM on site:
 - a. Outside of manufactured home park or subdivision;

- b. In a new manufactured home park or subdivision;
 - c. in an expansion to and existing manufactured home park or subdivision; or
 - d. In an existing manufactured home park or subdivision on which a manufactured home has incurred substantial-damage as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is one (1) foot above the base flood elevations and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement in accordance with the provisions of this Section. The elevation of the lowest floor shall be certified by a Missouri licensed land surveyor, engineer, or architect.
- C.** Require that manufactured homes to be placed or substantially improve on sites in an existing manufactured home park or subdivision within all unnumbered and numbered A zones, AE and AH zones, on the community's FIRM, that are not subject to the provisions of Article V, Section **410.190** (B) of this Chapter, be elevated so that either:
- 1. The lowest floor of the manufactured home is at one (1) foot above the base flood level; or
 - 2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade, and be securely attached to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- D.** Require that recreational vehicles placed on sites within all unnumbered and numbered A Zones, AO, AE and AH Zones on the community's FIRM either:
- 1. Be on a site for fewer than one hundred eighty (180) consecutive days, or
 - 2. Be fully licensed and ready for highway use,*or
 - 3. Meet the permitting, elevation and anchoring requirements for manufactured homes of this Chapter
- *A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices and has no permanently attached additions.

Section 410.200 Areas of Shallow Flooding (AO and AH Zones).

- A.** Located within the areas of special flood hazard established in Article III, Section **410.060** are areas designated as AO zones. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and intermediate; therefore, the

following provisions apply:

1. AO Zones.

- a. All new construction and substantial improvements of residential structures, including manufactured homes, shall have the lowest floor (including basement) elevated above the highest adjacent grade at least one (1) foot above depth number specified in feet on the community's FIRM (at least two (2) feet plus one *(1) foot of freeboard* if no depth number is specified).
- b. All new construction and substantial improvements of non-residential structures, including manufactured homes, shall:
 - (1) Have the lowest floor (including basement) elevated above the highest adjacent grade at least one (1) foot above the depth number specified in feet on the community's FIRM (at least two (2) feet plus one *(1) foot of freeboard* if no number is specified), or
 - (2) Together with attendant utility and sanitary facilities be completely floodproofed to or above the level so that any space below that level is water-tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- c. Adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.
- d. The anchoring requirements for manufactured homes established in Article V, Section **410.190** shall be required.

2. AH Zones.

- a. The specific standards for all areas of special flood hazard where base flood elevation data has been provided shall be required as set forth in Article V, Section **410.180**.
- b. Adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.

3. Floodway

Located within areas of special flood hazard established in Article 3, Section **410.060** are areas designated as floodways. Since the

floodway is an extremely hazardous area due to the velocity of flood waters that carry debris and potential projectiles, the following provisions shall apply:

- a. The community shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one (1) foot at any point.
- b. The community shall prohibit any encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in **any** increase in flood levels within the community during the occurrence of the base flood discharge.
- c. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and Floodway revision, fulfills the requirements of such revisions as established under the provisions of 44 CFR § 65.12, and receives the approval of FEMA.
- d. If Article **V**, Section **410.200 (3) (b)** is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article **V**.
- e. In unnumbered A zones, the community shall obtain, review, and reasonably utilize any base flood elevation or floodway data currently available from Federal, State, or other sources as set forth in Article **V**, Section **410.160 (A) (7)**.

Article VI Non-Conforming Use of Federal Floodplain Regulations

Section 410.210 Non-Conforming Use.

- A.** A structure or the use of a structure or premises which was lawful before the passage or amendment of the original floodplain ordinance, but which is not in conformity with the provisions of this Chapter, may be continued subject to the following conditions:
 - 1.** If such use is discontinued for twelve (12) consecutive months, any future use of the building premises shall conform to this Chapter. The Board of Municipal Utilities (Utility Department) shall notify the Floodplain Administrator in writing of any location that has had utility services disconnected for a period of twelve (12) months.
 - 2.** Uses of adjuncts thereof, which are or become nuisances, shall

not be entitled to continue as non-conforming uses.

- B.** If any non-conforming use structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than fifty percent (50%) of the market value of the structure before the damage occurred, except that if it is reconstructed in conformity with the provisions of this Chapter.

This limitation does not include the cost of any alteration to comply with existing State or local health, sanitary, building or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Article VII Amendments

Section 410.220 Amendments.

- A.** The regulations, restrictions, boundaries set forth in this Chapter may from time to time be amended, supplemented, changed or appealed to reflect any and all changes in the National Flood Disaster Protection Act of 1973, provided however, that no such action may be taken until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City of Sikeston.
- B.** At least twenty (20) days shall elapse between the date of this publication and the public hearing. A copy of such amendments will be provided to the Federal Emergency Management Agency (FEMA). The regulations of this Chapter are in compliance with the National Flood Insurance Program (NFIP) Regulations as published in Title 44 of the Code of Federal Regulations.

SECTION III: General Repealer Section: Any ordinance or parts thereof inconsistent herewith are hereby repealed.

SECTION IV: Severability: Should any part or parts of this ordinance be found or held to be invalid by any court of competent jurisdiction, then the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION V: Record of Passage:

- A. Bill Number 6322 was introduced and read the first time this 6th day of November 2023.
- B. Bill Number 6322 was read the second time and discussed on this 27th day of November 2023. Following discussion, Councilman Leible moved to approve Bill Number 6322. The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye,
Williams Absent, and Turnbow Aye, thereby being passed.

- C. Ordinance Number 6322 shall be in full force and effect from and after December 27, 2023.

1st Reading, Bill #6329, Calling for General Election

Councilman Baker moved for the first reading of Bill Number 6329. The motion was seconded by Councilman Teachout and the following roll call vote recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye, Williams Absent, and Turnbow Aye, thereby being passed.

City Counselor Graham presented the bill for reading. This bill as approved shall become Ordinance Number 6329, calling for a general election in the City of Sikeston, Missouri on Tuesday, April 2, 2024 for the purpose of electing a candidate for the position of Mayor, Councilman Ward 2 and Councilman Ward 3.

1st Reading, Bill #6331, Creating Title I, Article VII, Section 130.605 – Vacancies, How Filled; Three Terms Disqualifies; Nepotism Forbidden (Library Board)

Councilman Teachout moved for the first reading of Bill Number 6331. The motion was seconded by Councilman Leible and the following roll call vote recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye, Williams Absent, and Turnbow Aye, thereby being passed.

City Counselor Graham presented the bill for reading. A bill, which upon adoption and passage shall become Ordinance Number 6331, creating Title I, Article VII, Section 130.605 – Vacancies, How Filled; Three Terms Disqualifies; Nepotism Forbidden – in the Municipal Code of the City of Sikeston, Missouri to bring Library Board of Trustee Terms into compliance with State Statute.

Resolution 23-11-01, Surplus DPW Equipment

RESOLUTION 23-11-01

A RESOLUTION OF THE CITY OF SIKESTON, MISSOURI DECLARING CERTAIN EQUIPMENT, VEHICLES, AND ITEMS IN THE CITY'S INVENTORY TO BE SURPLUS PROPERTY AND AUTHORIZING ITS DISPOSAL.

WHEREAS, Certain equipment, vehicles and items in the City's inventory, due to its age or state of disrepair can no longer adequately perform the day-to-day operations of the City; and

WHEREAS, the City of Sikeston seeks to remove such items from its inventories to maximize operations, and while providing a safe and efficient environment for its employees.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIKESTON, MISSOURI AS FOLLOWS:

The items enumerated below are hereby declared surplus and the City Manager is directed to proceed with the removal of this item from City inventories by sale at public auction, sale by sealed bid, or when the item is no longer usable, by disposal.

Equipment :

1. 2008 Utility Trailer, VIN: 4YSWS162X85000239
2. 2008 Utility Trailer, VIN: 4YSWS162685000240
3. 2005 Swenson Salt Spreader, SN: 0805-1194

Councilman Baker motioned to surplus two (2) utility trailers and a salt spreader to be auctioned/sold. The motion was seconded by Councilman Robison, discussed and the following roll call vote recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye, Williams Absent, and Turnbow Aye, thereby being passed.

Capital Improvement Plan 2025-2029

The Capital Improvement Plan (CIP) is the city's 5 year plan for investment in capital assets. Development of the 2025-2029 CIP began in October with city staff. This plan will inform decisions made in the FY2025 budget process which will begin this spring.

The City Charter requires that the city manager submit a five year capital program to the city council at least six months prior to the start of the new fiscal year.

The top ranked item on the CIP is the replacement of Fire Station 2, which has already begun. Another item on the CIP is basic infrastructure needs including stormwater detention projects that would help prevent flooding. Some other projects included on the CIP are:

- Automated locks for restroom doors in Sikeston parks
- Sound/video system for City Council chambers
- City Hall improvements
- Several park projects, including a maintenance road at the old Bootheel Golf Course that will provide an emergency outlet at big events like the rodeo and balloon festival.

Councilman Leible motioned to receive the 2025-2029 Capital Improvement Plan. The motion was seconded by Councilman Baker, discussed and the following roll call vote recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye, Williams Absent, and Turnbow Aye, thereby being passed.

Other Items:

Council meetings scheduled for December 25, 2023 and January 1, 2024 have been cancelled. The first meeting in 2024 will be held Monday, January 8.

ADJOURNMENT

There being no further business before the City Council, Councilman Teachout moved to adjourn. The motion was seconded by Councilman Leible and the following roll call vote was recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye, Williams Absent, and Turnbow Aye, thereby being passed.

APPROVED:

GREG TURNBOW, MAYOR

ATTEST:

RHONDA COUNCIL, CITY CLERK

SEAL:

REGULAR CITY COUNCIL MEETING
DECEMBER 4, 2023

The regular Sikeston City Council meeting of December 4, 2023 was called to order at 5:00 p.m. at City Hall located at 105 E. Center St., Sikeston. Present at the meeting were: Mayor Greg Turnbow, Onethia Williams, John Leible, Tom Robison and David Teachout. Councilmen Vest Baker and Ryan Lindsey were absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Graham, City Clerk Rhonda Council, Finance Director Amanda Groves, HR Director Carrie Burgfeld, Street Supervisor Darren Martin, Community Development Director Barry Blevins, Public Safety Director James McMillen and Public Safety Captain Ryan Smith.

APPROVAL OF CITY COUNCIL MINUTES

City Council minutes of the regular meeting of October 30 and November 6, 2023 were presented for approval. Councilman Leible moved to approve the minutes as presented. Councilman Teachout seconded the motion and the following vote was recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye,
Williams Aye, and Turnbow Aye, thereby being passed.

ITEMS OF BUSINESS

2nd Reading & Consideration, Bill #6329, Calling for General Election

Councilman Teachout moved for the second reading of Bill Number 6329. The motion was seconded by Councilman Leible and the following vote recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye,
Williams Aye, and Turnbow Aye, thereby being passed.

City Counselor Graham presented the bill for reading.

Bill Number 6329

Ordinance Number 6329

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6329, CALLING FOR A GENERAL ELECTION IN THE CITY OF SIKESTON, MISSOURI, ON TUESDAY, APRIL 2, 2024, FOR THE PURPOSE OF ELECTING A CANDIDATE FOR THE POSITION OF MAYOR, COUNCILMAN WARD 2 AND COUNCILMAN WARD 3.

BE IT ORDAINED by the City Council of the City of Sikeston, Missouri, as follows:

SECTION I: This ordinance shall not be codified.

SECTION II: That in accordance with the Missouri Comprehensive Election Laws of the State of Missouri, applicable Missouri Revised Statutes of the State of Missouri and the ordinances of the City of Sikeston, Missouri, a General Election shall be held and the same is hereby ordered to be held on Tuesday, April 2, 2024.

SECTION III: That the polls be open for said election continuously from six o'clock in the forenoon until seven o'clock in the afternoon of that day, April 2, 2024.

SECTION IV: That said election be held in the City of Sikeston, Missouri, in the polling places and precincts designated by the County Clerks.

SECTION V: That said election is hereby called for the purpose of electing one (1) candidate for the office of Mayor, one (1) candidate for the office of Councilman Ward 2 and one (1) candidate for the office of Councilman Ward 3.

SECTION VI: That the Judges and Clerks of said election shall be those appointed by the County Clerks.

SECTION VII: That the City Clerk shall cause notice, poll books, ballots, and all other matters necessary to the election to be requested from the County Clerks' office as required by law.

SECTION VIII: That the City Clerk of the City of Sikeston, Missouri, be and she is hereby authorized and directed to notify the County Clerks of Scott and New Madrid County, Missouri, of the adoption of this ordinance no later than January 23, 2024, and to include in said notification all the terms and provisions required by the Comprehensive Election Act of 1986, as amended, and the above cited Statutes and ordinances.

SECTION IX: General Repealer Section. Any other ordinance or parts thereof inconsistent herewith, are hereby repealed.

SECTION X: Severability. Should any part or parts of this Ordinance be found or held to be invalid by any court of competent jurisdiction, the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION XI: Record of Passage.

- A. Bill Number 6329 was introduced and read the first time this 27th day of November 2023.
- B. Bill Number 6329 was read the second time and discussed on this 4th day of November 2023. Following discussion, Councilman Robison moved to approve Bill Number 6329. The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye,
Williams Aye, and Turnbow Aye, thereby being passed.

- C. Ordinance Number 6329 shall be in full force and effect from and after January 3, 2023.

2nd Reading, Bill #6331, Library Terms

Councilman Teachout moved for the second reading of Bill Number 6331. The motion was seconded by Councilman Leible and the following vote recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye,
Williams Aye, and Turnbow Aye, thereby being passed.

City Counselor Graham presented the bill for reading.

BILL NUMBER 6331

ORDINANCE NUMBER 6331

A BILL, WHICH UPON ADOPTION AND PASSAGE SHALL BECOME ORDINANCE NUMBER 6331 CREATING TITLE 1, ARTICLE VII, SECTION 130.605 – VACANCIES, HOW FILLED; THREE TERMS DISQUALIFIES; NEPOTISM FORBIDDEN, IN THE MUNICIPAL CODE OF THE CITY OF SIKESTON, MISSOURI TO BRING LIBRARY BOARD OF TRUSTEE TERMS INTO COMPLIANCE WITH STATE STATUTE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIKESTON, MISSOURI, AS FOLLOWS:

SECTION I: This ordinance shall be codified in Title I, Article VII, Section 130.605 of the Sikeston City Code.

SECTION II: Title 1, Article VII, Section 130.605 is created to read as follows:

Section 130.605. Vacancies, How Filled; Three Terms Disqualifies; Nepotism Forbidden

Vacancies in the board of trustees, occasioned by removals, resignations or otherwise, shall be reported to the proper official and be filled in like manner as original appointments, except that if the vacancy is an unexpired term, the appointment shall be made for only the unexpired portion of that term. No member of the board shall serve for more than three successive full terms and shall not be eligible for further appointment to the board until two years after the expiration of the third term. No trustee shall receive compensation as such, and no person shall be employed by the board who is related either by blood or by marriage to any trustee of the board.

SECTION III: General Repealer Section. Any ordinance or parts thereof inconsistent herewith are hereby repealed.

SECTION IV: Severability. Should any part or parts of this Ordinance be found or held to be invalid by any court of competent jurisdiction, then the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION V: Record of Passage:

- A. Bill Number 6331 was introduced and read the first time this 27th day of November 2023.
- B. Bill Number 6331 was read the second time and discussed on this 4th day of November 2023. Following discussion, Councilman Robison moved to approve Bill Number 6331. The motion was seconded by Councilman Williams, discussed and the following roll call vote was recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye,
Williams Aye, and Turnbow Aye, thereby being passed.

Ordinance Number 6331 shall be in full force and effect from and after January 3, 2023

Award Bid #24-15, Occupational Testing

On October 2, 2023, bids for Alcohol/Substance Abuse Testing, Occupational Medicine for Pre-Hire Screening, Fit for Duty, and Workers Compensation testing were opened. A total of two bids were received from two agencies.

The City has been using Missouri Delta Occupational Medicine office since 2020. Missouri Delta Medical Center came in slightly lower in pricing on pre-employment physicals, drug screens, DOT drug screens, and Fit for Duty physicals. Missouri Delta Medical Center can offer the City an Occupational physician that is located in Sikeston, and 24/7 post accident drug and alcohol testing through their Occupational Medicine office, Urgent Care or their ER.

Saint Francis Medical Center did have a lower per test cost for the alcohol testing. They cannot provide us with 24/7 testing at this time and their Occupational Medicine office is in Cape Girardeau. This will be an inconvenience to our employees. It is the recommendation of city staff to award the bid to Missouri Delta Medical Center.

Councilman Teachout motioned to award Bid #24-15, Occupational Testing, to Missouri Delta Medical Center. The motion was seconded by Councilman Leible, discussed and the following roll call vote recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

Authorize Contract with Scott County 911 Emergency Service Board

In 2022, Scott County voted to pass a sales tax to establish a 911 board and provide funding to help maintain and improve existing 911 services in the county. The 911 board was established, and the county has been collecting tax revenue since Jan. 2023.

Sikeston DPS is currently one of three 911 centers in the county. The current agreement the board approved was to fund 50% of those three 911 centers' operating budgets. Sikeston DPS' current 911 operating budget is \$824,143 so we would receive \$412,071.50 annually. These payments will begin once we enter into the contract. Those payments will be made quarterly, beginning the fourth quarter (Oct. – Dec.) of 2023 in the amount of \$103,017.87.

The 911 board requires some basic training for all dispatchers and we already comply with this requirement. The 911 Director will be allowed call information to ensure quality and run occasional audits for the same.

Sikeston DPS will notify the 911 board of any budgetary changes on their new budget(s) and the board will make a budget amendment to maintain current on any quarterly payment adjustments.

Councilman Williams motioned to authorize City of Sikeston's Department of Public Safety to enter into a contract with Scott County 911 Emergency Service Board to collect their portion of the 911 tax revenue. The motion was seconded by Councilman Leible, discussed and the following roll call vote recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

ADJOURNMENT INTO EXECUTIVE SESSION

There being no further business before the City Council, Councilman Teachout moved to adjourn into executive session. The motion was seconded by Councilman Leible and the following vote was recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

EXECUTIVE SESSION

Present at the Executive Session meeting were: Mayor Greg Turnbow, David Teachout, John Leible, Onethia Williams and Tom Robison. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha J. Graham, City Clerk Rhonda Council, Finance Director Amanda Groves, Community Development Director Barry Blevins and Public Safety Director James McMillen.

Councilman Robison Motion to authorize execution of contract for sale of 11.36 acres in the South Industrial Park to SEMO Electric/GoSEMO at a price of \$20,000/acre, subject to finalization of the restrictive covenants and with the understanding that the sale is subject to the

restrictive covenants; and to accept earnest money in the amount of the total sale price which may be returned in whole if agreement on restrictive covenants cannot be reached. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

ADJOURNMENT OUT OF EXECUTIVE SESSION

There being no further business before the City Council, Councilman Leible moved to adjourn out of Executive Session. The motion was seconded by Councilman Teachout and the following vote was recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

ADJOURNMENT

There being no further business before the City Council, Councilwoman Williams moved to adjourn. The motion was seconded by Councilman Robison and the following vote was recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Absent, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

APPROVED:

GREG TURNBOW, MAYOR

ATTEST:

RHONDA COUNCIL, CITY CLERK

SEAL:

Council Letter

Date of Meeting 24-01-08

Originating Department: Public Works

To the Mayor and City Council:

Subject: ARPA Legion Park Revitalization Project # 34196844

Attachment(s):

1. Conception Plan, Options A-C

Action Options:

1. Discuss Options for Street Closure
2. Other action the City Council deems appropriate.

Background:

The City of Sikeston was awarded project funding for the revitalization of Legion Park using ARPA funds through the Missouri Department of Economic Development. Part of this project involves selecting a consultant for design and inspection services.

In starting this project, careful consideration needs to be given to if we are going to close New Madrid Street. At one time a poll of some citizens at a public meeting suggested closing the street for the project. Since that time, a new business has located at the corner of Front and New Madrid, and a grant application for a new playground was not successful.

One of the main reasons for the closure was to provide safe passage for children between the playground and the fountain. This is no longer a concern at the moment.

We would like to engage the council in a discussion about where we wish to close New Madrid Street, leave it as it is, or consider options of traffic calming to slow traffic, install an improved crossing and still allow access.

[illegible]

NEW CONC. PAVEMENT

NEW LAWN AREA

NEW PLANTER AREA

NEW ORNAMENTAL TREE

NEW STREET TREE

0

20

40

SCALE 1" = 20'-0"

PROPOSED CONDITION LEGEND

NEW CONC. PAVEMENT

NEW LAWN AREA

NEW PLANTER AREA

NEW ORNAMENTAL TREE

NEW STREET TREE

This aerial concept plan for Legion Park - West illustrates proposed developments and existing infrastructure. The plan includes a large central building with a brown roof, a 40' x 150' Farmers Market Pavilion, a Sanitary Lift Station, a Restroom Building, and a new playground area. A 12 ft. wide concrete walkway runs along the building. The plan also shows a new sanitary sewer lateral, a trail head, and various plantings including ornamental and street trees. Dimensions for various areas and setbacks are provided. The plan is bounded by Front Street to the west, New Madrid Street to the north, and Scott Street to the south. A property line is indicated. A north arrow and scale bar (1" = 20'-0") are located in the bottom left corner.

PROPOSED CONDITION LEGEND

- NEW CONC. PAVEMENT
- NEW LAWN AREA
- NEW PLANTER AREA
- NEW ORNAMENTAL TREE
- NEW STREET TREE

SCALE 1" = 20'-0"

Prepared For:
City of Sikeston
Parks and Recreation Dept.

LEGION PARK - WEST
Sikeston, MO

File: C:\2021\proj\021-07\CP1-LegionWest-Final-REV 3-17-22

REVISIONS:
City Comments 3-17-22

Sheet No.

CP-1B

Chd. By: Original Date: 2/21/22
RPM GIS/RPW
Project No: 021-07

NOTE:
- Existing conditions information taken from Google Earth
aerial photo imagery dated 2017.

A record original of this document is on file at the office of
GATEWAY DESIGN STUDIO. Any unauthorized alterations
or changes made without the expressed consent from GATEWAY
DESIGN STUDIO shall deem us not responsible for any said
alterations and changes.



File: C:\21proj\021-07A
CPI-LegionWest-Final-REV 3-11-22

CP-1C

Ckcd. By. Original Date: 2/21/22
RPW CJS/RPW Dwn. By.
Project No: 020-07

A record original of this document is on file at the office of GATEWAY DESIGN STUDIO. Any unauthorized alterations or changes made without the expressed consent from GATEWAY DESIGN STUDIO shall deem us not responsible for any said alterations and changes.



Council Letter

Date of Meeting: 24-01-08

Originating Department: Department of Community Development

To the Mayor and City Council:

Subject: 1st Reading, Bill # 6332, Authorization to Rezone 491 Davis from IL to IH

Attachment(s):

1. Bill # 6332
2. Plat

Action Options:

1. 1st Reading and Briefing only. Council action will be requested on January 29, 2024.
2. Other action Council may deem appropriate

Background:

Staff received a request from Lambert Engineering & Surveying, on behalf of G Copeland enterprises, LLC, to rezone 491 Davis Blvd from Light Industrial (IH) to Heavy Industrial Zone (IH) in the City of Sikeston, Missouri.

The Planning and Zoning committee met December 12, 2023 and passed a favorable recommendation to approve the rezoning request.

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6332 PROVIDING FOR THE REZONING FROM “IL” LIGHT INDUSTRIAL TO “IH” HEAVY INDUSTRIAL ZONE THE FOLLOWING DESCRIBED REAL ESTATE TO-WIT: 491 DAVIS BLVD CONTAINING 2.03 ACRES, MORE OR LESS, SCOTT COUNTY, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIKESTON, MISSOURI AS FOLLOWS:

SECTION I: This Ordinance shall not be codified in the City Municipal Code.

Section II: The Planning And Zoning Commission met on December 12, 2023 and voted to approve the rezoning from “IL” Light Industrial to “IH” Heavy Industrial the following described real estate to-wit: A tract of land lying and being in Lot 1 and Lot 2 of Outblock 34 in U.S.P.S. No. 625, Township 26 North, Range 13 East, Sikeston, Scott County, Missouri, and being more fully described by metes and bounds as follows: Commencing at the Northwest corner of Outblock 34, said point being at the intersection of the North line of U.S.P.S. No 625 and the East R/W Line of the St. Louis-San Franciso Railroad; thence N. 83°00’ E. on and along the North line of U.S.P.S. No. 625 a distance of 250 feet to a point of beginning; thence continuing N. 83°00’ E. on and along the North Line of U.S.P.S. No. 625 a distance of 293.30 feet to a point set in the West R/W Line of Davis Boulevard; thence S. 09°30’ E. on and along said West R/W Line of Davis Boulevard a distance of 208.33 feet to a point; thence S. 71°36’ W. a distance of 50 feet to a point; thence S. 07°36’ E. a distance of 220 feet to a point set in the North R/W Line of North Street; thence S. 71°36’ W. along said North R/W Line of North Street a distance of 8 feet to a point; thence N. 10°02’W. a distance of 160 feet to a point; thence S. 71°36’W. a distance 140 feet to a point; thence S. 10°02’E. a distance of 160 feet to a point set in the North R/W Line of North Street; thence S. 71°36’W. on and along said North R/W Line a distance of 89 feet to a point; thence N. 02°53’W. a distance of 375 feet to a point; thence N. 31°24’09”W. a distance of 121.69 feet to the point of beginning. Containing in all 2.03 acres, more or less. Subject to all easements, if any, affecting the same.

SECTION III: A plat of said real estate is marked as Exhibit “A” attached hereto and incorporated by reference.

SECTION IV: The above tract of land is hereby rezoned from “IL” Light Industrial to “IH” Heavy Industrial.

SECTION V: General Repealer Section: Any other ordinance or parts thereof inconsistent herewith, are hereby repealed.

SECTION VI: Severability: Should any part or parts of this ordinance be found or held to be invalid by any court of competent jurisdiction, the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION VII: Record of Passage

- A. Bill Number 6332 was introduced and read the first time this 8th day of January 2024.
- B. Bill Number 6332 was read the second time and discussed on this 29th day of January 2024 and was voted as follows:

Lindsey, _____, Baker, _____, Leible, _____, Robison, _____
Teachout, _____, Williams, _____, and Turnbow_____,
hereby being _____.
- C. Ordinance 6332 shall be in full force and effect from and after February 28, 2024.

Greg Turnbow, Mayor

Approved as to form
Tabatha Graham, City Counselor

Seal / Attest:

Rhonda Council, City Clerk

Exhibit "A"



Council Letter

Date of Meeting: 24-01-08

Originating Department: Community Development Department

To the Mayor and City Council:

Subject: Bill 6333, Amend Chapter 505, Article XV – Existing Building Code

Attachment(s):

1. Bill 6333

Action Options:

1. First reading of Bill 6333
2. Other action Council may deem appropriate

Background:

This is to make a correction of errors in the current code. The wrong code year to the current Existing Building Code was used in the update of the codes in 12-6-21.

Council's approval of the ordinance will be requested at the January, 29th 2023, meeting.

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6333 AND SHALL AMEND TITLE V, CHAPTER 500, ARTICLE XV, SECTION 500.1150 IN THE MUNICIPAL CODE OF THE CITY OF SIKESTON, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIKESTON, MISSOURI AS FOLLOWS:

SECTION I: This Ordinance shall be codified in the City Municipal Code.

SECTION II: Title V– Chapter 505 – Article XV Existing Building Code shall be amended as follows:

Section 500.1150. Adoption of Existing Building Code.

A certain document, a copy of which is on file in the office of the City Clerk of the City of Sikeston, Missouri, being marked and designated as the "International Code Council," be and is hereby adopted as the Existing Building Code of the City of Sikeston in the State of Missouri for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the 2012 2018 International Existing Building Code are hereby referred to, adopted and made a part thereof, as if fully set out in this Article with the additions, insertions, deletions and changes prescribed in Section 500.1160 of this Article.

SECTION III: General Repealer Section: Any ordinance or parts thereof inconsistent herewith are hereby repealed.

SECTION IV: Severability: Should any part or parts of this ordinance be found or held to be invalid by any court of competent jurisdiction, then the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION V: Record of Passage:

- A. Bill Number 6333 was introduced and read the first time this 8th day of January, 2024.
- B. Bill Number 6333 was read the second time and discussed this 29th day of January, 2024, and voted as follows:

Lindsey, _____, Baker, _____, Leible, _____, Robison, _____
Teachout, _____, Williams, _____, and Turnbow_____,
hereby being _____.
becoming ordinance 6333.
- C. Ordinance 6333 shall be in full force and effect from and after Wednesday, February 28th , 2024.

Greg Turnbow, Mayor

Approved as to form
Tabatha Graham, City Counselor

Seal / Attest:

Rhonda Council, City Clerk

Council Letter

Date of Meeting: January 8, 2023

Originating Department: City Manager

To the Mayor and City Council:

Subject: Position Statement Regarding Future I-57 Interchange Locations

Attachment(s):

1. Position Statement

Action Options:

1. Approve Position Statement Regarding Future I-57 Interchange Locations
2. Other Action Council May Deem Necessary

Background:

In 2017 the U.S. Congress designated Highway 60 from Sikeston to Poplar Bluff, and Highway 67 from Poplar Bluff to Little Rock, Arkansas, as Future I-57. The City of Sikeston wholeheartedly supports the designation and the projects needed to upgrade portions of that route to interstate. The Missouri Department of Transportation (MoDOT) is currently undertaking a traffic study to explore potential improvements needed to provide access to Future I-57 from I-55 in Sikeston to just west of Morehouse, Missouri.

Staff requests Council approval of the attached “position statement” laying out the City’s official position on where we believe interchanges should be built within the corridor currently being studied by MoDOT. We will use this statement to advocate with MoDOT and state and federal legislators for the City’s position. In summary, the City’s position is declared as follows:

The City of Sikeston declares our support for interchanges on Highway 60/Future I-57 at Ingram Rd in Sikeston, near Route BB/FF (Brown Spur Rd) in New Madrid County, and near the City of Morehouse. The interchange at Ingram Road is needed immediately, and the other interchanges will be needed later, once Highway 60 is upgraded to Interstate 57 and existing at-grade crossings are closed.



105 E. Center Street
Sikeston, MO 63801
573-471-2512
www.Sikeston.org

FOR IMMEDIATE RELEASE

January 8, 2024

City of Sikeston Unveils Strategic Vision for I-57 Interchange Locations

The City of Sikeston is taking a proactive stance in shaping the future development and connectivity of the region by announcing its official position on the proposed interchange locations along Future I-57 in Southeast Missouri.

In 2017 the U.S. Congress designated Highway 60 from Sikeston to Poplar Bluff, and Highway 67 from Poplar Bluff to Little Rock, Arkansas, as Future I-57. The City of Sikeston wholeheartedly supports the designation and the projects needed to upgrade portions of that route to interstate. The Missouri Department of Transportation (MoDOT) is currently undertaking a traffic study to explore improvements needed to provide access to Future I-57 from I-55 in Sikeston to just west of Morehouse, Missouri.

The City of Sikeston declares our support for interchanges on Highway 60/Future I-57 at Ingram Rd in Sikeston, near Route BB/FF (Brown Spur Rd) in New Madrid County, and near the City of Morehouse. The interchange at Ingram Road is needed immediately, and the other interchanges will be needed later, once Highway 60 is upgraded to Interstate 57 and existing at-grade crossings are closed.

In 2019 the MoDOT Southeast District signed a support letter recommending to the Highway Commission's Cost Share Committee an interchange at Ingram Rd, stating "This portion of US 60 has been designated as Future I-57 and these improvements are in line with this designation." The Bootheel Regional Planning Commission has ranked this project as the #1 transportation project in the region for many years. Building an interchange at this location will allow the closure of several at-grade crossings, improving safety through the corridor.

Not building an interchange at Ingram is not a responsible option. The nearby at-grade crossings need to be closed and there is no better location for the interchange than Ingram Rd. To not build an interchange between I-55 and Highway 61 would be a death sentence for local businesses, including TAG Truck Center, PTI, and others, who would have to direct customers to an exit miles away from the businesses and drive a convoluted and congested route to reach them.

To build an interchange further east of Ingram would be a waste of taxpayer dollars as the overpass at Ingram Rd is already under construction and only needs the addition of on/off ramps. Missouri taxpayers have dedicated \$2,600,000 to the Ingram location. Sikeston taxpayers have already committed the other \$2,000,000 for the overpass, Sikeston and New Madrid County taxpayers have spent \$750,000 on right-of-way purchases for the overpass and ramps, and over \$5,300,000 for an outer road to connect to the Ingram location. The overpass currently under construction at Ingram has intentionally been designed by MoDOT to accommodate ramps in the future.

We encourage our federal and state legislators, as well as other citizens, to contact MoDOT and voice your support for the City's position on this issue. An interchange must be approved and built at Ingram Rd and US 60/Future I-57.

For more information or media inquiries, please contact:

Greg Turnbow, Mayor, City of Sikeston, (573) XXX-XXXX or mayor@sikeston.org

Council Letter

Date of Meeting: 24-01-01

Originating Department: Department of Public Safety

To the Mayor and City Council:

Subject:

Surplus of DPS Vehicle

Attachments:

1. Resolution #24-01-01, DPS Surplus of Vehicle

Action Options:

1. Approval of Resolution 24-01-01
2. Other action Council may deem appropriate

Background:

Certain vehicles in the City's inventory, due to their age or state of disrepair, can no longer adequately perform the day-to-day operations of the City. The City of Sikeston seeks to remove such items from its inventories to maximize operations and to provide a safe and efficient environment for its employees.

Vehicle:

1. 2013 Dodge Charger, VIN: 2C3CDXAT1DH720819, Unit 96

RESOLUTION 24-01-01

A RESOLUTION OF THE CITY OF SIKESTON, MISSOURI DECLARING CERTAIN EQUIPMENT, VEHICLES, AND ITEMS IN THE CITY'S INVENTORY TO BE SURPLUS PROPERTY AND AUTHORIZING ITS DISPOSAL.

WHEREAS, Certain equipment, vehicles, and items in the City's inventory, due to its age or state of disrepair can no longer adequately perform the day-to-day operations of the City; and

WHEREAS the City of Sikeston seeks to remove such items from its inventories to maximize operations, and while providing a safe and efficient environment for its employees.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIKESTON, MISSOURI AS FOLLOWS:

The item enumerated below is hereby declared surplus and the City Manager is directed to proceed with the removal of this item from City inventories by sale at public auction, sale by sealed bid, or when the item is no longer usable, by disposal.

Vehicles:

2013 Dodge Charger (Unit 96), VIN: 2C3CDXAT1DH720819

Read this 8th day of January 2024, discussed, and voted as follows:

Leible _____, Self _____, Teachout _____, Williams _____,
Robison _____, Baker _____ and Turnbow _____
thereby being _____.

Greg Turnbow, Mayor

Approved as to Form:
Tabatha Thurman, City Counselor

ATTEST:

Rhonda Council, City Clerk

Council Letter

Date of Meeting: 24-01-08

Originating Department: Department of Public Safety

To the Mayor and City Council:

Subject:

Authorization to accept and proceed with the 2023 RHSOC Grant purchase

Attachments:

1. Quotes provided by Instant Connect and Peake
2. Subaward agreement contract

Action Options:

1. Authorize staff to proceed with acceptance of grant and purchases.

Background:

The Sikeston DPS applied for a grant to fund services required on the mobile command truck. The services applied for include an additional 12 months of Satellite service for the vehicle as well as 17 months of service for the Dejero Cellular Gateway. Sikeston DPS also applied for continued support with Instant Connect, which provides service to the land mobile radio interface program utilized by operators on the mobile command truck (computer-based dispatch software). The satellite and Dejero services will be purchased from PEAKE, which is the current service provider for a lot of communication services on the Mobile Command Truck. Sikeston DPS was approved through the local RHSOC for a grant in the amount of \$19,306.40. This amount will cover all costs associated with these purchases.

RESELLER	CUSTOMER	Quote Number:	QIC247462-20
Instant Connect LLC	City of Sikeston, Missouri	Quote Expiration:	4/30/2024
		Created By:	Jeff Lucas
		Account Executive:	Jeff Lucas
Ship to:		Terms:	Net 30
		Currency:	USD
Bill to:			

SKU	DESCRIPTION	START	END	LIST	TERM	DISC (%)	SALES	TAX (%)	TAX	TOTAL
QTY	ENVIRONMENT	DATE	DATE	PRICE	PRICE		PRICE		AMOUNT	
ICE-M-SVR 1	Maintenance for ICE System	2024-07-01	2025-08-31	4,500.00	5,264.38	75.00%	1,316.10	0.000	0.00	1,316.10
ICE-M-XMLC 25	Maintenance for ICE IP Phone Client	2024-07-01	2025-08-31	200.00	233.97	75.00%	58.49	0.000	0.00	1,462.33
ICE-M-MC 10	Maintenance for ICE Mobile Client	2024-07-01	2025-08-31	200.00	233.97	75.00%	58.49	0.000	0.00	584.93
ICE-M-DC 65	Maintenance for ICE Desktop Client	2024-07-01	2025-08-31	240.00	280.77	75.00%	70.19	0.000	0.00	4,562.47
...										
							Total			\$31,703.29
							Discount			\$23,777.47
							Subtotal			\$7,925.82
							Tax			\$0.00
							Grand Total			\$7,925.82

Your acceptance of this Price Quote is contingent upon acceptance of Instant Connect's End User License Agreement, found here: [Instant Connect Support](#)

Should any sales tax be imposed on any part of this transaction, said tax shall be based upon the Ship To address listed above. If there is a discrepancy between the Quote Ship To address and the Purchase Order Ship To address, Instant Connect Software will reissue the Quote with a corrected Ship To address. Any reissuance may change the final cost to you and may result in delays executing the transaction.



Quotation

Quote #: 23-0504-01
Quoted To: City of Sikeston
105 East Center
Sikeston, MO 63801

Period of Performance: See Quote Details
Contract: 021-60199
FEIN: 20-4960613
DUNS: 784154895

Terms		Contract/PO Number	Date		Revision
Net Due			5/4/23		0
Qty	Item	Description	Price Each	Term	Extended
Period of Performance for Dejero Service: 4/1/2024 - 8/31/2024					
5	Dejero Service	Monthly Dejero Blending Service. NOTE: Customer can combine this with TacticalIP VSAT Service and receive further discounts.	\$ 200.00		\$ 1,000.00
Period of Performance for Dejero Service: 9/1/2024 - 8/31/2025					
12	BLEND MAX	Tactical IP Connect VSAT Service - 20x5 Multi-Look 3 days/month with Dejero Bonding Service and Control Center. \$150/Day VSAT Overage, Cellular Service not included.	\$ 450.00		\$ 5,400.00
12	PEAKE-TV-006	Monthly Premium Service rate for 1 TacticalVoice VoIP Line with CIR	\$ 75.00		\$ 900.00
12	PEAKE-TV-006	Monthly Premium Service rate for 1 TacticalVoice VoIP Line with CIR	\$ 75.00		\$ 900.00
12	PEAKE-PRO-SUPPORT L3	ICS Level 3 PRO Support Service 24/7 Engineer on Call with Modem Spare in the Air	\$ 199.00		\$ 2,388.00
					\$ -
Notes:			Subtotal		\$ 10,588.00
			Discount	10%	\$ (1,058.80)
			Shipping		
			Price		\$ 9,529.20

Remit Payment to: Incident Communication Solutions d/b/a PEAKE LLC
8684 Veterans Highway, Suite 100
Millersville, MD 21108
ACH Payments:
Sandy Spring Bank
Routing: 055001096
Account: 1599204901



PEAKE.COM

SUBAWARD AGREEMENT

Southeast Missouri Regional Planning Commission
1 W. St. Joseph Street
PO Box 366
Perryville, MO 63775

Southeast Missouri Regional Planning Commission 1 W. St. Joseph Street PO Box 366 Perryville, MO 63775		DATE December 21, 2023	
		FEDERAL IDENTIFICATION NUMBER EMW-2023-SS-00085	OHS CONTROL NUMBER 05-09
SUBRECIPIENT NAME City of Sikeston		UEI NUMBER C252AHSK7KL3	
ADDRESS 105 E Center St.			
CITY Sikeston	STATE MO	ZIP CODE 63801	
TOTAL AMOUNT OF THE FEDERAL AWARD \$19,306.40		AMOUNT OF FEDERAL FUNDS OBLIGATED BY THIS ACTION \$19,306.40	
TOTAL AMOUNT OF FEDERAL FUNDS OBLIGATED TO THE SUBRECIPIENT \$19,306.40		TOTAL APPROVED COST SHARING OR MATCHING \$0.00	
PROJECT PERIOD FROM 09/01/2023	PROJECT PERIOD TO 08/31/2025	FEDERAL AWARD DATE 09/01/2023	
PROJECT TITLE Sikeston Command Vehicle		FUNDED BY FY 2023 Homeland Security Grant Program	
FEDERAL AWARDOING AGENCY Department of Homeland Security	PASS THROUGH ENTITY DHS/FEMA/DPS & SEMO RPC	IS THIS AWARD R&D YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	INDIRECT COST RATE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> AMOUNT
CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER 97.067		METHOD OF PAYMENT (Reimbursement -- Advanced) Reimbursement	
CONTACT INFORMATION			
SEMO RPC GRANT SPECIALIST		SUBRECIPIENT PROJECT DIRECTOR	
NAME Leslie Seabaugh		NAME Ryan Smith	
E-MAIL ADDRESS lseabaugh@semorpc.org		ADDRESS (If different from above) 201 S. Kingshighway	
TELEPHONE 573-547-8357		CITY, STATE AND ZIP CODE Sikeston MO 63801	
PROGRAM MANAGER Jeremy Tanz		TELEPHONE 573-475-3756	E-MAIL ADDRESS rsmith@sikeston.org
SUMMARY DESCRIPTION OF PROJECT This project is intended to allow continued sustainment/operations of the rapid deployable command/communications vehicle operated by the Sikeston DPS. This sustainment is achieved by the continuation of data/comms for the satellite communications system through the current provider. This funds continued services for cellular connectivity that is combined with the satellite service fees. This would continue software support for the onboard radio communications computer integration software.			
AWARDING AGENCY APPROVAL		SUBRECIPIENT AUTHORIZED OFFICIAL	
TYPED NAME AND TITLE OF RPC/COG OFFICIAL Jeremy Tanz, Executive Director		TYPED NAME & TITLE OF SUBRECIPIENT AUTHORIZED OFFICIAL Jonathan Douglass, City Manager	
SIGNATURE OF APPROVING RPC/COG OFFICIAL	DATE	SIGNATURE OF SUBRECIPIENT AUTHORIZED OFFICIAL	DATE
THIS SUBAWARD IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS SET FORTH ON THE ATTACHED SPECIAL CONDITION(S). BY SIGNING THIS SUBAWARD AGREEMENT THE SUBRECIPIENT IS AGREEING TO READ AND COMPLY WITH ALL SPECIAL CONDITIONS.			

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Article I – Summary Description of Award

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The purpose of the FY 2023 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community.

Article II – DHS Standard Terms and Conditions Generally

The Fiscal Year (FY) 2023 DHS Standard Terms and Conditions apply to all new federal financial assistance awards funded in FY 2023. These terms and conditions flow down to subrecipients unless an award term or condition specifically indicates otherwise. The United States has the right to seek judicial enforcement of these obligations. All legislation and digital resources are referenced with no digital links. The FY 2023 DHS Standard Terms and Conditions will be housed on dhs.gov at www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions.

Article III – Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

I. DHS/DPS/OHS financial assistance subrecipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200 and adopted by DHS at 2 C.F.R. Part 3002.

II. By accepting this agreement the subrecipient and its executives, as defined in 2 C.F.R. section 170.315, certify that the subrecipient's policies are in accordance with OMB's guidance located at 2 C.F.R. Part 200, all applicable federal laws, and relevant Executive guidance.

Article IV – General Acknowledgements and Assurances

All subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS/DPS/OHS access to records, accounts, documents, information, facilities and staff.

1. Subrecipients must cooperate with any compliance reviews or compliance investigations conducted by DHS/DPS/OHS.
2. Subrecipients must give DHS/DPS/OHS access to examine and copy records, accounts and other documents and sources of information related to the federal financial assistance award and permit access to facilities or personnel.
3. Subrecipients must submit timely, complete, and accurate reports to the appropriate DHS/DPS/OHS officials and maintain appropriate backup documentation to support the reports.

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4. Subrecipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law, or detailed in program guidance.

Article V – Acknowledgement of Federal Funding from DHS

Subrecipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article VI – Activities Conducted Abroad

Subrecipients must ensure that project activities performed outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article VII – Age Discrimination Act of 1975

Subrecipients must comply with the requirements of the Age Discrimination Act of 1975, Public Law 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article VIII – Americans with Disabilities Act of 1990

Subrecipients must comply with the requirements of Titles I, II and III of the Americans with Disabilities Act, Pub. L. 101-336 (1990) (codified as amended 42 U.S.C. sections 12101-12213), which prohibits subrecipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

Article IX – Best Practices for Collection and Use of Personally Identifiable Information (PII)

Subrecipients who collect personally identifiable information (PII) are required to have a publicly available privacy policy that describes standards on the usage and maintenance of PII they collect. DHS defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Subrecipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

Article X – Civil Rights Act of 1964 – Title VI

Subrecipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

Article XI – Civil Rights Act of 1968

Subrecipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. 90-284, as amended through Pub. L. 113-4, which prohibits subrecipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. section 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The

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prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators) - be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article XII – Copyright

Subrecipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U. S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article XIII – Debarment and Suspension

Subrecipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180, as adopted by DHS at 2 C.F.R. Part 3002. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs and activities.

Article XIV – Drug-Free Workplace Regulations

Subrecipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the subrecipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. sections 8101 - 8106).

Article XV – Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude subrecipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article XVI – Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX

Subrecipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

Article XVII – E.O. 14074 – Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety

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Subrecipient State or local law enforcement agencies must comply with the requirements of section 12(c) of E.O. 14074. Subrecipient State or local law enforcement agencies are also encouraged to adopt and enforce policies consistent with E.O. 14074 to support safe and effective policing.

Article XVIII – Energy Policy and Conservation Act

Subrecipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. 94-163 (1975) (codified as amended at 42 U.S.C. section 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article XIX – False Claims Act and Program Fraud Civil Remedies

Subrecipients must comply with the requirements of the False Claims Act, 31 U.S.C. sections 3729-3733, which prohibit the submission of false or fraudulent claims for payment to the Federal Government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

Article XX – Federal Debt Status

All subrecipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

Article XXI– Federal Leadership on Reducing Text Messaging while Driving

Subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official Government business or when performing any work for or on behalf of the Federal Government.

Article XXII – Fly America Act of 1974

Subrecipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C.) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. section 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article XXIII – Hotel and Motel Fire Safety Act of 1990

Subrecipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. section 2225a.

Article XXIV – John S. McCain National Defense Authorization Act of Fiscal Year 2019

Subrecipients, their contractors, and subcontractors are subject to the prohibitions described in section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. sections 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. Beginning August 13, 2020, the statute – as it applies to DHS subrecipients, their contractors, and subcontractors – prohibits obligating or expending federal award funds on certain telecommunications and video surveillance products and contracting with certain entities for national security reasons.

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Article XXV – Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Subrecipients must comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. section 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that subrecipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article XXVI – Lobbying Prohibitions

Subrecipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the subrecipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to the federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article XXVII – National Environmental Policy Act

Subrecipients must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. 91-190 (1970) (codified as amended at 43 U.S.C. section 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require subrecipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article XXVIII – Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Subrecipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article XXIX – Non-Supplanting Requirement

Subrecipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article XXX – Notice of Funding Opportunity Requirements

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All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All subrecipients must comply with any such requirements set forth in the program NOFO.

Article XXXI – Patents and Intellectual Property Rights

Subrecipients are subject to the Bayh-Dole Act, 35 U.S.C. section 200 et seq., unless otherwise provided by law. Subrecipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

Article XXXII – Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with section 6002 of the Solid Waste Disposal Act, Pub. L. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. section 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article XXXIII – Rehabilitation Act of 1973

Subrecipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (1973) (codified as amended at 29 U.S.C. section 794), which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article XXXIV – Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the subrecipient's currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

Article XXXV – Reporting Subawards and Executive Compensation

Subrecipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F. R. Part 170, Appendix A, the full text of which is incorporated here by the reference in the award terms and conditions.

Article XXXVI – Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

Subrecipients must comply with the Build America, Buy America provisions of the Infrastructure Investment and Jobs Act and E.O. 14005. Subrecipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

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1. All iron and steel used in the project are produced in the United States – this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. All manufactured products used in the project are produced in the United States – this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. All construction materials are manufactured in the United States – this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desk, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

Waivers

When necessary, subrecipients may apply for, and the agency may grant, a waiver from these requirements. Information on the process for requesting a waiver from these requirements is on the website below.

- a. When the federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the agency determines that:
 1. Applying the domestic content procurement preference would be inconsistent with public interest;
 2. The types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
 3. The inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the OMB Made in America Office.

There may be instances where an award qualifies, in whole, or in part, for an existing waiver described at “Buy America” Preference in FEMA Financial Assistance Programs for Infrastructure.

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The awarding Component may provide specific instructions to subrecipients of awards from infrastructure programs that are subject to the Build America, Buy America provisions. Subrecipients should refer to the Notice of Funding Opportunity for further information on the Buy America preference and waiver process.

To see whether a particular DHS federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please either contact the applicable DHS FAO, or for FEMA awards, please see Programs and Definitions: Build America, Buy America Act.

Article XXXVII – SAFECOM

Subrecipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article XXXVIII – Terrorist Financing

Subrecipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Subrecipients are legally responsible to ensure compliance with the Order and laws.

Article XXXIX – Trafficking Victims Protection Act of 2000 (TVPA)

Subrecipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106 (g) of the Trafficking Victims Protection Act of 2000, (TVPA) (codified as amended by 22 U.S.C. section 7104). The award term is located at 2 C.F.R. section 175.15, the full text of which is incorporated here by reference.

Article XL – Universal Identifier and System of Award Management

Subrecipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

Article XLI – USA PATRIOT Act of 2001

Subrecipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), which amends 18 U.S.C. sections 175-175c.

Article XLII – Use of DHS Seal, Logo and Flags

Subrecipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article XLIII – Whistleblower Protection Act

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Subrecipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C. section 2409, 41 U.S.C. 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310.

Article XLIV – Environmental Planning and Historic Preservation (EHP) Review

DHS/FEMA funded activities that may require an Environmental Planning and Historic Preservation (EHP) review are subject to the FEMA EHP review process. This review does not address all federal, state, and local requirements. Acceptance of federal funding requires the subrecipient to comply with all federal, state, and local laws.

DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP review process, as mandated by: the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and executive orders. General guidance for FEMA's EHP process is available on the DHS/FEMA Website. Specific applicant guidance on how to submit information for EHP review depends on the individual grant program and applicants should contact their grant Program Officer to be put into contact with EHP staff responsible for assisting their specific grant program. The EHP review process must be completed before funds are released to carry out the proposed project; otherwise, DHS/FEMA may not be able to fund the project due to noncompliance with EHP laws, executive orders, regulations, and policies.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered the applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Article XLV – Disposition of Equipment Acquired Under the Federal Award

For purposes of original or replacement equipment acquired under this award, state subrecipients must follow the disposition requirements in accordance with state laws and procedures.

Article XLVI – Missouri Department of Public Safety (DPS) Office of Homeland Security (OHS), Specific

By accepting this award, the subrecipient agrees:

1. To participate in the development and submission of their respective regional Threat and Hazard Identification and Risk Assessment (THIRA) and/or Stakeholder Preparedness Review (SPR). Participation in the THIRA is defined as the completion and submission of the regional THIRA to the Missouri Department of Public Safety, Office of Homeland Security, no later than October 1, every three years as required. Participation in the SPR is defined as the completion and submission of the regional SPR to the Missouri Department of Public Safety, Office of Homeland Security no later than October 1, annually if the respective region has necessary changes or updates to their SPR.
2. To utilize standard resource management concepts, such as typing inventorying, organizing and tracking resources that facilitate the identification, dispatch, deployment and recovery of their resources.
3. To coordinate with their stakeholders to examine how they integrate preparedness activities across disciplines, agencies, and levels of government.

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4. Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost, which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$1,000. Expenditures for equipment shall be in accordance with the approved budget. The subrecipient shall use and manage equipment in accordance with its procedures as long as the equipment is used for its intended purposes. When original or replacement equipment acquired under this award by the subrecipient is no longer needed for the original project or program or for other activities currently or previously supported by DPS/OHS, you must request instructions from DPS/OHS to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313 and the OHS Administrative Guide.
5. Expenditures for supplies and operating expenses shall be in accordance with the approved budget and documentation in the form of paid bills and vouchers shall support each expenditure. Care shall be given to assure that all items purchased directly relate to the specific project objectives for which the contract was approved.
6. For Contractual Services the following general requirements will be followed when subcontracting for work or services contained in this grant award:
 - a. All consultant and contractual services shall be supported by written contracts stating the services to be performed, rate of compensation and length of time over which the services will be provided, which shall not exceed the length of the grant period.
 - b. As described in the OHS Administrative Guide for Homeland Security Grants, a copy of any contractual agreement made as a result of this award must be forwarded to DPS/OHS for review or be readily available for review prior to execution of the contract.
7. OHS reserves the right to terminate any contract entered into as a result of this grant award at its sole discretion and without penalty or recourse by giving a thirty (30) day written notice to the subrecipient of the effective date of termination. In the event of termination pursuant to this paragraph, all documents, data, and reports prepared by the subrecipient under the contract shall, at the option of the DPS/OHS, become property of the State of Missouri. The subrecipient shall be entitled to receive just and equitable compensation for that work completed prior to the effective date of termination.
8. It is understood and agreed upon that in the event funds from state and/or federal sources are not appropriated and continued at an aggregate level sufficient to cover the contract costs, or in the event of a change in federal or state laws relevant to these costs, the obligations of each party hereunder shall thereupon be terminated immediately upon receipt of written notice.
9. To follow the grant program guidelines as stated in the OHS Administrative Guide for Homeland Security Grants, as well as the Information Bulletins released by DPS/OHS to

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provide important updates, clarifications and policy statements related to homeland security grant programs.

10. To follow requirements of the DHS Grant Programs Directorate Information Bulletins.
11. In the event DPS/OHS determines that changes are necessary to the award document after an award has been made, including changes to period of performance or Articles of Agreement, the subrecipient will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate subrecipient acceptance of the changes to the award.
12. Prior written approval from DPS/OHS is required prior to making any change to the OHS approved budget for this award.
13. To submit Grant Status Reports to DPS/OHS by the due dates of July 10 and January 10 throughout the grant period, which must include the status updates of the milestones achieved. Final Status Reports are due to DPS/OHS within 45 days after the end of the project period.
14. All items that meet the DPS/OHS definition of equipment that are purchased with Homeland Security Grant Funds must be tagged "Purchased with U.S. Department of Homeland Security Funds."
15. If the subrecipient is a pass-through entity, copies of signed subaward agreements are due to the DPS/OHS prior to the start of any project.
16. Projects that involve changes to the natural or built environment require the completion and approval of an Environmental Historic Preservation Screening Form (EHP) prior to initiating any work on the project. Changes to the project after the approval of the EHP requires DPS/OHS review and approval. Changes to the project may require the submission and approval of an updated EHP Screening Form. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; Nation Flood Insurance Program regulation; and, any other applicable laws and Executive Orders.
17. The purchase of any generator requires prior approval from the DPS/OHS, documentation must clearly depict the full scope of the project and prove the equipment is a deployable resource.
18. Purchases from a single feasible source over \$10,000.00 must have prior approval from the DPS/OHS.
19. Subrecipient is required to complete the 2023 Nationwide Cybersecurity Review (NCSR), enabling agencies to benchmark and measure progress of improving their cybersecurity posture. The Chief Information Officer (CIO), Chief Information Security Officer (CISO), or equivalent for each subrecipient should complete the NCSR. If there is no CIO or CISO, the

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most senior cybersecurity professional should complete the assessment. The NCSR is available at no cost to the user and takes approximately 2-3 hours to complete. The 2023 NCSR will be open October 1, 2023 and must be completed by each subrecipient no later than December 31, 2023.

20. Subrecipients that contract with and utilize WebEOC Emergency Management Software – Juvare, must fully fuse and maintain an active connection with Missouri’s State Emergency Management Agency (SEMA). This setup will allow for a more efficient resource response to Missouri communities during an emergency incident as well as allow emergency personnel to monitor events that may impact their community during an extended event. Fusion of other WebEOC accounts in Missouri will also assist in streamlining resource requests by reducing redundant entry in a local WebEOC account and then once again in the Missouri WebEOC account should the request not be able to be filled locally. Redundant data entry during an emergency can lead to time loss, data entry errors and omission of important details. This required setup will also allow SEMA Emergency Service Function (ESF) partners to monitor the use of resources throughout the state for Mutual aid needs.
21. Law enforcement agencies must be compliant with the requirements listed below and must maintain compliance throughout the period of performance.
 - a. National Incident-Based Reporting System (NIBRS), formerly Uniform Crime Reporting (UCR):
Subrecipients that are a law enforcement agency, assure its agency is in compliance with the state provisions of Section 43.505 RSMo which states each law enforcement agency is required to submit crime incident reports to the Department of Public Safety on forms or in the format prescribed by the department, and submit any other crime incident information which may be required by the Department of Public Safety. Law enforcement agencies will be considered non-compliant if they have not submitted MIBRS reports for three or more months in the prior twelve month period. The subrecipient must remain compliant with Section 43.505 RSMo for the duration of the grant period of performance.
 - b. Vehicle Stops:
Subrecipients that are a law enforcement agency, assure its agency is in compliance with the state provisions of Section 590.650 RSMo relating to vehicle stop reporting and will remain in full compliance for the duration of the project period.
 - c. Police Use of Force Transparency Act of 2021:
Subrecipients that are a law enforcement agency, assure its agency is in compliance with the state provisions of Section 590.1268 RSMo relating to use of force incidents reporting standards and procedures, and publication of report data, analysis report. Law enforcement agencies will be considered non-compliant if they have not submitted Use of Force reports for three or more months in the prior twelve month period. The subrecipient must remain compliant with Section 590.1268 for the duration of the grant period of performance.
 - d. Federal Equitable Sharing Funds:

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Subrecipients that are a law enforcement, assure its agency is in compliance with the state provisions of Section 513.653 RSMo relating to participation in the federal forfeiture system and the reporting of proceeds therefrom to the Missouri State Auditor.

e. Intoxication-Related Traffic Offenses:

Subrecipients that are a law enforcement agency, assure its agency is in compliance with the state provisions of Section 43.544 RSMo relating to forwarding intoxication-related offenses and has adopted a written policy to forward arrest information for all intoxication-related offenses to the central repository as required by Section 43.503 RSMo.

f. Rap Back Program Participation:

Subrecipients that are a law enforcement agency, assure its agency is in compliance with the state provisions of Section 590.030 RSMo. The law enforcement agency shall enroll in the state and federal Rap Back programs on or before January 1, 2022 and will continue to remain enrolled. The law enforcement agency shall take all necessary steps to maintain officer enrollment for all officers commissioned with that agency in the Rap Back programs. An officer shall submit to being fingerprinted at any law enforcement agency upon commissioning and for as long as the officer is commissioned with that agency.

g. Custodial Interrogations:

Subrecipients that are a law enforcement agency, assure its agency is in compliance with the state provisions of Section 590.700 RSMo relating to custodial interrogations and has adopted a written policy to record custodial interrogations of persons suspected of committing or attempting to commit the felony crimes described in subsection 2 of this section.

h. Body Armor:

The subrecipient understands, if monies are requested and awarded for the purchase of body armor, that funds may be used to purchase body armor. Further, the subrecipient understands that body armor purchased with HSGP funds may be purchased at any threat level, designation, make, or model from any distributor or manufacturer, as long as the body armor has been tested and found to comply with the latest applicable National Institute of Justice (NIJ) ballistic or stab standards. Further, body armor or armor vests must also be "uniquely fitted vests". In addition, body armor purchased with must be made in the United States.

i. Body Armor Policy:

The subrecipient understands, if monies are requested and awarded for the purchase of body armor, that the law enforcement agency must have a written "mandatory wear" policy in effect. The subrecipient will be required to forward a copy of such policy to the Missouri Department of Public Safety at the time of claim submission.

j. Body-Worn Camera Policy:

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The subrecipient understands, if monies are requested and awarded for the purchase of body-worn cameras, the law enforcement agency must have written policies and procedures in place related to equipment usage, data storage and access, privacy considerations, training, etc. The subrecipient will be required to forward a copy of such policy(s) to the Missouri Department of Public Safety at the time of claim submission.

22. Fire protection agencies must be compliant with the requirements listed below and must maintain compliance throughout the period of performance.
 - a. Fire Department Registration:
The subrecipient assures, where the project agency is a fire protection district, fire department, or volunteer fire protection association as defined in Section 320.300 RSMo, its agency is in compliance with Section 320.271 RSMo by completing and filing with the state fire marshal within 60 days after January 1, 2008, and annually thereafter, a fire department registration form provided by the state fire marshal.
 - b. Turnout Gear Maintenance Policy:
The subrecipient understands, if monies are requested and awarded for the purchase of turnout gear, the fire protection agency must have a policy to document cleaning and maintenance processes and procedures for turnout gear. The subrecipient will be required to forward a copy of such policy(s) and procedure(s) to the Missouri Department of Public Safety at the time of claim submission.
23. Agencies purchasing license plate reader (LPR) equipment and technology with grant funds administered by the Missouri Department of Public Safety, must adhere to the following requirements:
 - a. LPR vendors chosen by an agency must have an MOU on file with the MSHP Central Vendor File as developed and prescribed by the Missouri Department of Public Safety pursuant to 11 CSR 30-17.
 - b. Prior to purchasing LPR services, the agency should verify the vendor's MOU status with the MSHP CJIS Division by emailing mshphelpdesk@mshp.dps.mo.gov.
 - c. Share LPR data through the MoDEX process with statewide sharing platforms (i.e., MULES).
 - d. Enable LPR data sharing with other Missouri Law Enforcement agencies and enforcement support entities within the selected vendor's software. Examples include, but are not limited to fusion centers, drug task forces, special investigations units, etc.
 - e. Connect to the Missouri State Highway Patrol's Automated License Plate Reader (ALPR) File Transfer Protocol Access Program. This program provides the information necessary to provide a NCIC and/or MULES hit when used in conjunction with a License Plate Reader (LPR) device. An MOU must be on file with the Access Integrity Unit (AIU) for the vendor and the law enforcement agency and a registration process must be completed.
 - f. Agency shall have a license plate reader policy and operation guideline prior to the implementation of LPRs. Reimbursements will not be made on the project until the policy has been provided to the Missouri Department of Public Safety.

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- g. If LPR will be installed on Missouri Department of Transportation right-of-way(s) agency must request installation through the Missouri Department of Public Safety. Once approved, agency must adhere to the Missouri Department of Transportation's guidelines regarding installation of LPR's on Missouri Department of Transportation right-of-way(s).

Article XLVII – Agency Specific Special Conditions

- N/A

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Article XLVIII – Project Budget Summary

Total Supplies/Operation: \$19,306.40

Total Project Cost: \$19,306.40

Council Letter

Date of Meeting: 24-01-08

Originating Department: Department of Public Safety

To the Mayor and City Council:

Subject:

Approve purchase on Nelson Systems Recorder equipment upgrade

Attachments:

Nelson Systems Quote

Action Options:

1. Approve purchase to cover cost of system upgrade
2. Other action Board may deem appropriate.

Background:

The Department of Public Safety has utilized Nelson Systems as the recorder vendor since 2010. The services provided by Nelson Systems has been second to none. Nelson Systems integrated with our radio recordings when Sikeston DPS began using the MOSWIN radio network in late 2011 early 2012. The system installed at that time is still functioning today however, the hardware used and some of the software systems are end-of-life. We anticipate another 10 plus years of service once this upgrade is completed. All existing recordings (phone lines and radio communications), currently dating back to December 2012, will be retained and available once the upgrade is completed. The cost of the upgrade is \$79,984.88. This quote contains a one-year warranty on all hardware and software. This has been presented to the Scott County Emergency Service 911 board. That board has agreed to fully reimburse the City of Sikeston for the \$79,984.88 by use of the 911 tax money. Sikeston DPS would then continue paying yearly for ongoing maintenance and warranties as we have for the last 10 years.

**Nelson Systems**

I N C O R P O R A T E D

PO Box 21175

Springfield, IL 62708-1175

(800) 851-3348

Office use only

	Customer Sales Contact	Date	11/21/23
31	Ryan Smith	Phone #	573-471-6200
Cust PO#	Customer Project Coordinator	Cust #	PO #
		Phone #	Zone#

3

Prepared for:

Sikeston Dept Public Safety
201 S Kings Highway
Sikeston, MO 63801

Ship To:

System					
Hardware/Software					
Product No.	Description	Serial #	Unit Price	Qty	Total Price
NexLog 740 DX Series					
NexLog740DX	NexLog 740 DX-Series base system: 3U rack-mountable, Core i5 CPU, 16GB DDR4 RAM, 2 Network Ports (100/1000), Embedded Linux, NexLog DX-Series software, web-based configuration manager, audio controls & amplified speaker on front panel		\$9,600.00	1	\$9,600.00
DX742	Upgrade NexLog740 DX-Series (at time of order) to 32GB DRAM		\$400.00	1	\$400.00
DX702	Front Panel without display (use external peripherals)		Standard	1	\$0.00
108233-000	Dual hot-swap power supplies, 120/240 VAC		Standard	1	\$0.00
DX730	Standard NexLog 740 DX-Series Archive: 1 Blu-ray Drive (also supports single-side DVD-RAM media)		Standard	1	\$0.00
DX709-1	Upgrade to 2 x 4 TB Hot Swap h/w-RAID1 + Hotspare 2TB = 4TB Storage		\$6,150.00	1	\$6,150.00
DX755	Quad Port 100/1000 PCIe Network Card		\$1,440.00	1	\$1,440.00
Rack Mount Kits					
324430-DX	Rack Mount Slides - 4 Post, 3U (for NexLog 740)		\$360.00	1	\$360.00
Analog Telephone/2-way Radio Channel Record Cards					
DXANA16	AnalogTelephone/2-way Radio Channel Record Card - 16 Channels Each		\$4,800.00	1	\$4,800.00
VOIP Recording Licenses					
271052	Internal IP Recorder w/ 8 G.711 Ch. Licenses		\$4,200.00	1	\$4,200.00
DX939	Add-on License Pack (Internal IP Recording Engine) with 8 Channel Licenses for G.711 RTP/RoIP/NG911		\$1,920.00	4	\$7,680.00
PSAP NG911 Call Recording, Metadata and SMS Bundles					
DX914	Motorola CallWorks NG911 Call Recording Bundle (Voice, Metadata and SMS)		\$8,700.00	1	\$8,700.00

Metadata Integrations				
271176	RapidSOS Integration for wireless 9-1-1 caller location display (1 license required for each NexLog Recorder that will connect to RapidSOS); Also requires ANI/ALI CAD Spill Integration (p/n 209029) and Geo Search/View option (p/n 271098). *see note below	\$5,500.00	1	\$5,500.00
271138	Cisco Built-in-Bridge (BiB) Interface license *see note below	\$1,995.00	1	\$1,995.00
MediaWorks DX - Web Access Playback Licenses				
271083	MediaWorks DX (Web) Concurrent Access for 8 Users	\$1,090.00	2	\$2,180.00
271098	Geo Search/View (requires Lat/Lon, MW PLUS, Google Maps)	\$1,090.00	1	\$1,090.00
115021	NexLog Reporting Engine (Enhanced Reporting)	\$1,640.00	1	\$1,640.00
271167	Pack and Go Feature Export of Incident Packaged Windows Installable Player	\$590.00	1	\$590.00
271109	SSL Enabler Option	\$0.00	1	\$0.00
Decorder Units for P25				
324720-DX	DVSI 2-Port USB Decorder Unit for DMR, TRBO and NXDN (Max-8)	\$3,000.00	2	\$6,000.00
Motorola ASTRO 25 Integration				
209220	Integration to ASTRO 25 system - Initial ASTRO SINGLE AIS	\$14,995.00	1	\$14,995.00
Motorola ASTRO 25 AIS-API Licensing NON Discountable				
115015	Initial license processing, handling and management per end user for P25 or TETRA; (Mandatory - Non-Discountable)	\$3,500.00	1	\$3,500.00
271141-NC	Mandatory license fee for Initial System Release-ONE AIS (Non-Discountable; must be pre-paid) Motorola	\$54,995.00	1	NC
Special Instructions/Transferred items do not order				
IP breakdown: 10 for Motorola Radio, 3 for Callworks positions, 24 for Cisco Built-in Bridge.				
System Price (Total of Hardware and Software)				\$80,820.00

Services				
Services	Description	Rate	Qty	Total Price
	Installation, training, and project management			\$12,000.00
				\$0.00
				\$0.00
Services Price				\$12,000.00
Maintenance Agreement				
Standard		Yearly Amt	# of months	Total Price
*205-2000	8-5 Service GMA	\$6,483.96	12	\$6,483.96
DXSUS-12MO	Software Update Subscription from Eventide required with GMA purchase	\$2,308.80		\$2,308.80
24Hour Service				\$1,620.99
Summary				
Solution Components				Price
System Price				\$80,820.00
Services Price				\$12,000.00
Maintenance Price	Declined			\$0.00
Discount				-\$12,835.12
1 YEAR WARRANTY ON NEW HARDWARE AND SOFTWARE, 90 DAY WARRANTY FOR ADD ONS				
Freight and/or sales tax -- to be added if applicable.				\$0.00
Total Investment				\$79,984.88

* line items may be subject to 3rd party licensing and hardware. Please contact any applicable vendors for requirements and costs.

Price for presentation purposes only, subject to change based on final configuration. Price quotation does not include freight or sales tax -- to be added to invoiced amount as applicable. Lease rates valid upon acceptance by leasing company. Down payment of 50% on any orders over \$5,000 is required. Final invoice to be sent upon delivery. Invoices are net 10 days - 1.5% per mo on past due balances.

Customer Acceptance _____ Date _____

Nelson Systems, Inc. Representative _____ Sales Rep # _____ Date _____

This document becomes a confirmed sales order upon signature of customer and Nelson Systems, Inc. representative

Pricing valid for 60 days.

Possession of Equipment

I have verified that our facility has received all equipment purchased from Nelson Systems, Inc., including CD's, manuals, etc.

Authorized Signature _____ Date _____

Council Letter

Date of Meeting: 24-01-08

Originating Department: Department of Public Safety

To the Mayor and City Council:

Subject:

Resolution 24-01-02, Surplus and donation of old SCBA bottle fill station.

Attachments:

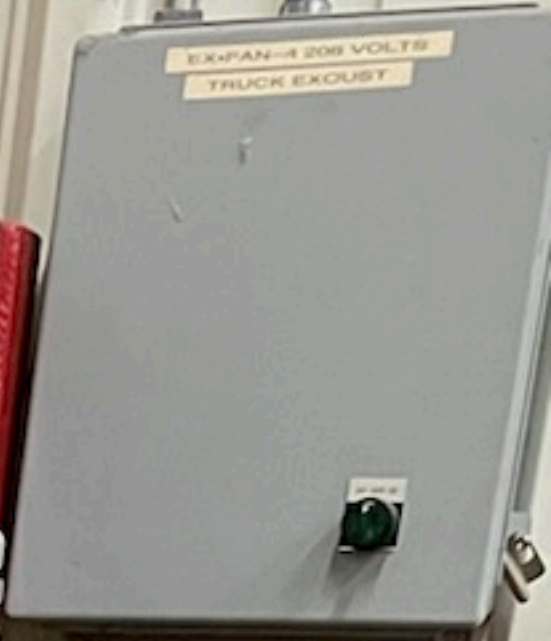
1. Resolution 24-01-02
2. Picture of 1994 Bauer fill station

Action Options:

1. Request approval to proceed with surplus and donation.

Background:

Sikeston DPS is requesting we surplus and donate the old SCBA fill station that was replaced the beginning of 2023. The fill station we are replaced has been in service since 1994 and it is almost impossible to find parts when issues occur due to its age. The unit does currently work but isn't currently in service. I would like to donate the unit to Morehouse Fire Department to help them finish their current project of getting a complete SCBA fill unit functional. We work closely with Morehouse FD and the unit will still help benefit each department. The unit I'm requesting to donate would roughly be estimated at \$500.



Council Letter

Date of Meeting: 24-01-08

Originating Department: Finance Department

To the Mayor and City Council:

Subject: FY2023 Audit

Attachment(s):

1. Correspondence from Beussink, Hay, Roe & Stroder, L.L.C. to the Sikeston City Council dated 01/10/2023
2. Management Representation Letter dated 12/08/2023
3. Hard copies of the FY2023 Audit will be available to the council at the meeting.
4. Electronic copies of the audit are currently available on the city's website.

Action Options:

1. Receive the FY2023 Financial Audit.
2. Other action Council may deem appropriate.

Background:

Every year, the city undergoes an independent audit of its financial statements by a certified public accountant. The audit of the Fiscal Year 2023 financials has been completed by Beussink, Hey, Roe & Stroeder, L.L.C., and is available for review by the City Council and the public. Hard copies of the audit will be available to the Council at the January 8th meeting and it is also posted at https://www.sikeston.org/financial_and_annual_reports/index.php for free 24/7 access by the public.

Some highlights of the financial statements and auditor's report include the following:

- From Page 1 of the audit - In the auditor's opinion, the City's financial statements "present fairly, in all material respects, the respective modified cash basis financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Sikeston, Missouri as of June 30, 2023, and the respective changes in modified cash basis financial position for the year then ended in accordance with the modified cash basis of accounting described in Note 1." (see p. 13).
- The audit "did not identify any deficiencies in internal control that we consider to be material weaknesses" (p. 40).
- Total expenditures exceeded revenues by approximately \$1.2 million (p. 8). This is primarily due to grant expenditures. Bond proceeds do not count as revenue. It is considered Another Financing Source.
- Fund Balance for all governmental funds decreased from \$21.9 million, to \$20.8 million. This is due to the repayment of bond debt and spending of ARPA funds.

- Long term debt was decreased by \$3.4 million (p. 25). The decrease is from the refunding of Special Obligations and Improvement Bonds.

The audit this year has a new Federal Compliance Section. Due to federal grant funds exceeding \$750,000, we were required to comply with a Single Audit. That report is at the back of the audit and begins on Page 42. On page 48 the following statement appears:

Auditee qualified as low-risk ☐ yes ☒ no

To qualify as low risk, we must undergo two consecutive single audits with no findings or discrepancies. This is our second Single Audit so we are automatically excluded from qualifying as low risk.

City staff is happy to answer any questions the Council may have regarding the audit, and if needed, we can schedule a time for the auditor to appear before the Council to answer any questions.

Council Letter

Council Letter: 24-01-08

Originating Department: Department of Governmental Services

To the Mayor and City Council:

Subject: Appointment to Scott County Extension Council

Attachments:
None

Action Options:
A. Make appointment for 2-year term
B. Other action as may be deemed appropriate

Background:
The term of the City's current appointee, Lori Caldwell, expires on February 28, 2024. Lori is eligible for a second term but does not seek reappointment.

The Extension Council is comprised of elected and appointed citizens, and partners with Missouri's land-grant universities to deliver educational programs and research-based information to area residents. It meets at 7 p.m. on the first Tuesday of the month at the Scott County Extension Center in Benton. All appointees must be a resident of Sikeston in Scott County.

Term: March 1, 2024 through February 28, 2026

Resource Bank Applicants: (Must be a resident of Sikeston)
Camille Lancaster, 113 Holmes Dr.

Council Letter

Council Letter: 24-01-08

Originating Department: Department of Governmental Services

To the Mayor and City Council:

Subject: Interim Appointment to Board of Municipal Utilities (BMU) Board

Attachments:

1. None

Action Options:

1. Make one (1) interim appointment to Board of Municipal Utilities (BMU)
2. Other action as Council may deem appropriate.

Background:

City staff received notice from Steven Burch of his desire to resign as a member of the BMU Board. Mr. Burch's term will expire in October 2026, leaving his unexpired term to be filled.

We currently have 6 resource bank applications on file: Diedre Peters, Missy Marshall, Yolanda Redd, Larry Hancock, Frankie Adams, Pershard Owens and Austin Curtis.

Staff is requesting Council to make an interim appointment to replace Steven Burch on the BMU Board.