

REGULAR CITY COUNCIL MEETING
JANUARY 9, 2023

The regular Sikeston City Council meeting of January 9, 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, John Leible, Tom Robison, Brian Self and Vest Baker. Councilman David Teachout was absent. Councilwoman Onethia Williams arrived at 5:25 p.m. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Rhonda Council, Finance Director Karen Bailey, HR Director Amanda Groves, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Community Development Director Barry Blevins, Public Safety Director James McMillen, Captain Ryan Smith and Captain Derick Wheatley.

APPROVAL OF CITY COUNCIL MINUTES

City Council minutes of the regular meeting of December 5, 2022 were presented for approval. Councilman Robison moved to approve the minutes as presented. Councilman Self seconded the motion and the following roll call vote was recorded:

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

ITEMS OF BUSINESS

1st Reading, Bill #6294, Adult Retail Definition

Councilman Self moved for the first reading of Bill Number 6294. The motion was seconded by Councilman Leible and the following vote recorded:

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

City Counselor Thurman presented the bill for reading. This bill as approved shall become Ordinance Number 6294 and shall amend Title IV Land Use, Chapter 405 Zoning Regulations in the Municipal Code of the City of Sikeston, Missouri.

2nd Reading & Consideration, Bill #6290, Request to Subdivide Hilltop Estates

Councilman Leible moved for the first reading of Bill Number 6290. The motion was seconded by Councilman Robison and the following vote recorded:

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

City Counselor Thurman presented the bill for reading.

BILL Number 6290

ORDINANCE Number 6290

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6290 PROVIDING FOR THE APPROVAL OF SUBDIVIDING 0.81 ACRE, MORE OR LESS TRACT OR PARCEL OF LAND BEING KNOWN AS HILLTOP ESTATES.

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 November 8, 2022 and voted to approve the subdividing of a tract or parcel of land the plat of which is attached hereto, marked Exhibit "A" and incorporated by reference and legally described as follows and known as Hilltop Estates:

All of Lot 2 of CAPCO addition to the City of Sikeston Scott County, Missouri, as recorded in plat book 2018 at page 2908 in the office of the recorder deeds for Scott County, Missouri. Containing in all 0.81 acres, more or less. Subject to all easements, if any, affecting the same.

SECTION III: Said plat and subdivision is accepted and approved subject to full compliance with all applicable building and other codes and the stormwater management plan.

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

SECTION V: 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 VI: Record of Passage

- A. Bill Number 6290 was introduced to Council and read the first time this 5th day of December 2022.
- B. Bill Number 6290 was read the second time and discussed on this 9th day of January 2023. Following discussion, Councilman Self moved to approve Bill Number 6290. The motion was seconded by Councilman Baker, discussed and the following roll call vote was recorded:

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

- C. Ordinance 6290 shall be in full force and effect from and after February 8, 2023.

2nd Reading & Consideration, Bill #6292, Parcel Redevelopment Agreement for 60 W. TIF

Councilman Leible moved for the first reading of Bill Number 6292. The motion was seconded by Councilman Robison and the following vote recorded:

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

City Counselor Thurman presented the bill for reading.

BILL Number 6292

ORDINANCE Number 6292

AN ORDINANCE APPROVING A PARCEL DEVELOPMENT AGREEMENT IN CONNECTION WITH THE SIKESTON 60 WEST TAX INCREMENT FINANCING REDEVELOPMENT PLAN.

WHEREAS, the City has approved “The Sikeston 60 West Tax Increment Financing Redevelopment Plan” (as amended, the “Plan”) pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri; and

WHEREAS, the City and Cotton Ridge Development Co., LLC (“CRD”) are parties to a certain Redevelopment Agreement dated as of May 2, 2016 with respect to the development of the RPA 2A Redevelopment Project described in the Plan (the “RPA 2A Redevelopment Agreement”); and

WHEREAS, the RPA 2A Redevelopment Agreement contemplates that, from time to time, the City, CRD and various sub-developers will enter into parcel development agreements, whereby sub-developers will complete portions of the “Work” described in the RPA 2A Redevelopment Agreement in exchange for a portion of the tax increment financing assistance available thereunder; and

WHEREAS, the City, CRD and Sikeston Hotel Owner JV LLC (the “Sub-Developer”) desire to enter into a parcel development agreement in substantially the form of Exhibit A attached hereto (the “Parcel Development Agreement”), whereby the Sub-Developer will construct an approximately 102-room hotel as a part of the “Work” and will receive tax increment financing assistance in connection therewith;

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

Section 1. The City Council finds and determines that it is necessary and desirable to enter into the Parcel Development Agreement. The Mayor is hereby authorized and directed to execute the Parcel Development Agreement on behalf of the City. The Parcel Development Agreement shall be in substantially the form attached as Exhibit A, which Parcel Development Agreement is hereby approved by the City Council, with such changes therein as shall be approved by the Mayor.

Section 2. The officers, agents and employees of the City are hereby authorized and directed to execute all documents and take such steps as they deem necessary and advisable in order to carry out and perform the purpose of this Ordinance.

Section 3. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (i) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has or would have enacted the valid sections without the void ones; and (ii) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Record of Passage:

- A. Bill Number 6292 was introduced to Council and read the first time this 5th day of December 2022.
- B. Bill Number 6292 was read the second time and discussed on this 9th day of January 2023. Following discussion, Councilman Baker moved to approve Bill Number 6292. The motion

was seconded by Councilman Leible, discussed and the following roll call vote was recorded:

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

- C. Upon passage by the City Council, this Bill shall become Ordinance Number 6292 and shall be in full force and effect 30 days after its passage.

Authorization to Accept and Proceed with Purchase of Mobile Command Truck Services with Funding from State Homeland Security Grant Program

The Sikeston Department of Public Safety applied for a grant to fund services required on the mobile command truck which include an additional 11 months of Satellite service for the vehicle as well as the addition of a Dejero Cellular Gateway. Both services are being 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 \$17,300.10. This amount will cover most of the cost associated with these purchases.

Councilman Self moved to accept the funding from the State Homeland Security Grant Program in the amount of \$17,300.10 and proceed with the purchase of satellite services and Dejero Cellular services for the mobile command truck. The motion was seconded by Councilman Baker, discussed and the following vote recorded:

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

Approval of Grant for Arson Detection Dog

Several months ago, Department of Public Safety applied for an arson detection K-9 through a program ran by State Farm Insurance. State Farm Insurance only sponsors 12 dogs a year for the United States of America, and we were luckily selected for 2023. This grant pays 100 percent for the dog, training for both handler and K-9, travel expense there and back, food and lodging. This is a 4-week program in New Hampshire where both will receive over 200 hours of training, learning how to locate accelerates that are used during arsons. The only annual cost for the City of Sikeston will be the annual vet bills, food and annual recert which we estimate to be roughly \$4,000. The startup cost will only be a kennel and equipment needed for the dog. At the end of the course the K-9 and handler will receive a National Certificate certified through all 50 states. The estimated amount of the grant is \$25,000 for the K-9 and training.

Councilman Baker moved to approve the State Farm Insurance Arson K-9 Grant and proceed with the program. The motion was seconded by Councilman Self, discussed and the following vote recorded:

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

Authorize Purchase of Vehicle for Fire Division

Sikeston DPS is asking for approval from City Council to enter into a purchase agreement with Don Brown Chevrolet of St. Louis, MO for a 2023 Tahoe-LT 4WD in the amount of \$49,693.00.

This vehicle will replace a 2009 Chevy Tahoe with 182,000 miles and will continue with Fire Division fleet upgrades.

Councilman Self moved to authorize the purchase of a 2023 Tahoe LT 4WD from Don Brown Chevrolet in the amount of \$49,693.00. The motion was seconded by Councilman Leible, discussed and the following vote recorded:

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

Councilwoman Onethia Williams arrived at 5:25 p.m.

Approve Contract with Dille Pollard for Construction of New Fire Station

The City advertised for architectural services via the newspaper, FaceBook and direct submission. Two proposals were received. On October 31st, the Professional Consulting Committee met and evaluated the submissions. The highest ranked proposal was from Dille Pollard Architecture.

Staff met with Brett Dille and Michael Pollard of Dille Pollard LLC on November 29th and discussed the project. Following that meeting, a contract was presented by Dille Pollard LLC to begin the process of designing and constructing a new Fire Station 2.

Councilman Self moved to approve the contract with Dille Pollard for the architectural services for the new Fire Station 2. The motion was seconded by Councilwoman Williams, discussed and the following vote recorded:

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

Authorization to Remove Former Employees from City Banking Accounts

Rae Lynn Munoz, Cindy Sturgeon and Katherine Brooke Reeves have terminated their employment with the City of Sikeston. I contacted the bank to delete their access to our bank accounts. In addition to a statement on city letterhead with my signature, they require the action approved in the city council minutes.

I have provided them with a written letter with the understanding that proof of council action would be provided. Staff requests a motion to remove Rae Lynn Munoz, Cindy Sturgeon and Katherine Brooke Reeves from all city bank accounts at Southern Bank. Additionally, staff would request to add Municipal Clerk Sherry Givens to the city's bank accounts.

Councilman Leible moved to authorize the removal of Rae Lynn Munoz, Cindy Sturgeon and Katherine Brooke Reeves from all city bank accounts at Southern Bank and authorize adding Municipal Clerk Sherry Givens to the city's bank accounts. The motion was seconded by Councilman Robison, discussed and the following vote recorded:

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

Approval of 2023 Street & Drainage Improvement Plan

The Department of Public Works is seeking council approval of the Calendar Year 2023 Street and Drainage Program. On 12/13/22, staff presented the 2023 plan to the Planning and Zoning Commission. The P&Z board approved the plan unanimously. We now seek council's authorization to proceed with both list of projects and the assigned consulting engineers. Councilman Self moved to approve the 2023 Street & Drainage list as presented. The motion was seconded by Councilman Baker, discussed and the following vote recorded:

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

1st Reading, Bill #6295, Recreational Marijuana-Zoning

Councilman Self moved for the first reading of Bill Number 6295. The motion was seconded by Councilman Leible and the following vote recorded:

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

City Counselor Thurman presented the bill for reading. This bill as approved shall become Ordinance Number 6295 and shall amend Article XII, Chapter 405, of the City Code of the City of Sikeston, Missouri regarding marijuana facilities.

1st & 2nd Reading, Emergency Bill #6293, Marijuana Sales Tax

Councilman Leible moved for the first reading of Bill Number 6293. The motion was seconded by Councilman Self and the following vote recorded:

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

City Counselor Thurman presented the bill for reading. An ordinance imposing a sales tax at a rate of three percent on all tangible personal property retail sales of adult use marijuana sold within the City of Sikeston, Missouri, pursuant to Article XIV, Section 2.6(5) of the Missouri Constitution subject to the approval by the voters of the City at the General Municipal Election to be held on April 4, 2023; designating the form of ballot; and directing the City Clerk to provide notice of said election.

Councilman Baker moved for the second reading of Bill Number 6293. The motion was seconded by Councilman Self and the following vote recorded:

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

City Counselor Thurman presented the bill for reading.

BILL NO. 6293
6293

ORDINANCE NO.

AN ORDINANCE IMPOSING A SALES TAX AT A RATE OF THREE PERCENT ON ALL TANGIBLE PERSONAL PROPERTY RETAIL SALES OF ADULT USE MARIJUANA SOLD WITHIN THE CITY OF SIKESTON, MISSOURI, PURSUANT TO ARTICLE XIV, SECTION 2.6(5) OF THE MISSOURI CONSTITUTION SUBJECT TO THE APPROVAL BY THE

VOTERS OF THE CITY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 4, 2023; DESIGNATING THE FORM OF BALLOT; AND DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF SAID ELECTION.

WHEREAS, on November 8, 2022, the electors of the State of Missouri approved Amendment 3 to the Missouri Constitution enacting Section 2 of Article XIV of the Missouri Constitution effective December 8, 2022; and

WHEREAS, the newly enacted Article XIV, section 2.6(5) of the Missouri Constitution authorizes the City of Sikeston, Missouri to impose, by ordinance, an additional sales tax in amount not to exceed three percent on all tangible personal property retail sales of adult use marijuana sold in such political subdivision subject to approval by voters of the City of Sikeston, Missouri; and

WHEREAS, the CITY COUNCIL finds that it is in the best interests of the citizens of the City of Sikeston, Missouri to impose a sales tax of three percent on all tangible personal property retail sales of adult use marijuana sold in the City of Sikeston, Missouri and to submit the same to the voters of the City for approval by a majority of those voting at the general municipal election to be held on April 4, 2023.

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

SECTION I. Adult Use Marijuana Sales Tax. A sales tax at the rate of three percent on all tangible personal property retail sales of adult use marijuana sold in the City of Sikeston, Missouri, as authorized by Article XIV, section 2.6(5) of the Missouri Constitution, is hereby imposed. The tax imposed hereunder shall be in addition to any and all other sales taxes allowed by law.

SECTION II. Effective Date. The sales tax imposed by this Ordinance shall not be effective unless approved by a majority of the votes cast by the qualified voters voting thereon at the General Municipal Election to be held on April 4, 2023, at which election a proposal to authorize the CITY COUNCIL of the City of Sikeston, Missouri, to impose the tax herein provided for shall be submitted to the voters of the City of Sikeston.

SECTION III. Form of Ballot. The ballot to be used in such election shall contain the following question:

Question 1

Shall the City of Sikeston, Missouri impose a sales tax of three percent (3%) on all retail sales of adult use marijuana sold in the City of Sikeston, Missouri?

Yes

No

SECTION IV. Notice of Election. The City Clerk is hereby directed to notify the County Clerks Scott and New Madrid County, Missouri, of the enactment of this Ordinance no later than 5:00 p.m. on Tuesday, January 24, 2023, in accordance with the Comprehensive Election Act, Chapter 115 of the Revised Statutes of Missouri, as amended.

SECTION V: General Repealer Section: Any 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, then the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION VII: Emergency Clause. This Ordinance is adopted as an emergency measure to meet the certification date required by State Statute.

SECTION VIII: Record of Passage:

A. Bill Number 6293 was introduced to Council and read the first time this 9th day of January 2023.

B. Bill Number 6293 was read the second time and discussed on this 9th day of January 2023. Following discussion, Councilman Robison moved to approve Bill Number 6293. The motion was seconded by Councilman Leible, discussed and the following roll call vote was recorded:

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

C. Ordinance 6293 shall be in full force and effect from and after January 9, 2023.

ADJOURNMENT INTO EXECUTIVE SESSION

There being no further business before the City Council, Councilman Self moved to adjourn into Executive Session (Property and Personnel). The motion was seconded by Councilman Leible and the following roll call vote was recorded:

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

Mayor Turnbow called the Executive Session to order. Present were: Mayor Turnbow and Councilmembers Brian Self, Onethia Williams, Vest Baker, John Leible and Tom Robison. Staff present were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Rhonda Council, Finance Director Karen Bailey, Community Development Director Barry Blevins and Public Safety Director James McMillen.

Councilman Leible motioned to execute necessary documents to sell property to Tony Heckemeyer located on County Line Road and to split all closing costs. The motion was seconded by Councilman Baker, discussed and the following roll call vote was recorded:

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

Councilman Self moved to offer the position of City Treasurer to Amanda Groves and in consideration of her 20 plus years of service to the city, to waive the city limits living restriction. The motion was seconded by Councilwoman Williams, discussed and the following roll call vote was recorded:

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

ADJOURNMENT OUT OF EXECUTIVE SESSION

Councilman Self moved to adjourn from executive session. The motion was seconded by Councilman Baker and the following roll call vote recorded:

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

ADJOURNMENT

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

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

APPROVED:

GREG TURNBOW, MAYOR

ATTEST:

RHONDA COUNCIL, CITY CLERK

SEAL: