

TENTATIVE AGENDA

SPECIAL CITY COUNCIL MEETING  
SIKESTON CITY HALL

Monday, February 3, 2020  
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 January 6, 2020
- VI. PRESENTATION

Receive Letters of Appreciation from American Legion Officers
- VII. ITEMS OF BUSINESS
  - A. Update: Repairs to Roof of Stallcup Building
  - B. Amending Sikeston Public Housing Authority Supplemental Police Services
  - C. 2<sup>nd</sup> Reading & Consideration, Bill #6181, Rental Registration & Inspection Program
  - D. Approve Airport Farm Lease
  - E. 1<sup>st</sup> Reading, Bill #6182, Allowing the Use of Fireworks in the City of Sikeston
  - F. Receive Annual Financial Audit
  - G. Other Items as May Be Determined During the Course of the Meeting
- VII. ADJOURNMENT

Dated this 29th day of January 2020

Rhonda Council

Rhonda Council, Deputy City Clerk

The City of Sikeston complies with ADA guidelines. Notify Rhonda Council at 471-2512 (TDD Available) to notify the City of any reasonable accommodation needed to participate in the City Council's Meeting.

**REGULAR CITY COUNCIL MEETING**  
**JANUARY 6, 2020**

The regular Sikeston City Council meeting of January 6, 2020 was called to order at 5:00 p.m. in the City Council Chambers, located at 105 East Center, Sikeston. Present at the meeting were: Mayor Steven Burch and Councilmembers Brian Self, Ryan Merideth, Karen Evans, Gerald Settles, Brandon Sparks and Onethia Williams. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Carroll Couch, City Treasurer Karen Bailey, Deputy City Clerk Rhonda Council, Public Works Superintendent Brian Dial, Street Supervisor Darren Martin, Parks Director Dustin Care, Public Safety Captains Ryan Smith and Austin Henley, Code Enforcement Manager Lorenzo Ware and City Collector Vicky Lewis.

**APPROVAL OF CITY COUNCIL MINUTES**

City Council minutes of December 2, 2019 were presented for approval. Councilman Self moved to approve the minutes as presented. Councilman Sparks seconded the motion and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

**ACCEPTANCE OF BOARD AND COMMISSION MINUTES**

None were presented.

**ITEMS OF BUSINESS**

2<sup>nd</sup> Reading, Bill #6162, General Election

Councilman Sparks moved for the second reading of Bill Number 6162. The motion was seconded by Councilman Merideth and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

City Counselor Thurman presented the bill for reading.

Bill Number 6162

Ordinance Number 6162

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6162, CALLING FOR A GENERAL ELECTION IN THE CITY OF SIKESTON, MISSOURI, ON TUESDAY, APRIL 7, 2020, FOR THE PURPOSE OF ELECTING A CANDIDATE FOR THE POSITION OF COUNCILMAN AT-LARGE.

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 7, 2020.

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 7, 2020.

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 Councilman At-Large.

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 he 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 28, 2020, 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 6162 was introduced and read the first time this 2nd day of December 2019.
- B. Bill Number 6162 was read the second time and discussed on this 6th day of January 2020. Following discussion, Councilman Settles moved to approve Bill Number 6162. The motion was seconded by Councilman Sparks, discussed and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6162 and shall be in full force and effect from and after February 5, 2020.

2<sup>nd</sup> Reading, Bill #6176, Economic Development Incentive Rate

Councilman Sparks moved for the second reading of Bill Number 6176. The motion was seconded by Councilman Self and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

City Counselor Thurman presented the bill for reading.

**BILL Number 6176****ORDINANCE Number 6176**

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6176 AND SHALL ESTABLISH TITLE VII, CHAPTER 706 ECONOMIC DEVELOPMENT INCENTIVE RATE OF THE CITY CODE OF THE CITY OF SIKESTON, MISSOURI.

WHEREAS, the State of Missouri passed legislation in 2018 that directed Missouri's Investor Owned Utilities to provide an economic development incentive rate (electric) to help entice business to locate or expand in Missouri, and

WHEREAS, the BMU Board approved a similar incentive rate for application in the City of Sikeston with the intention that Sikeston remain competitive with other areas of the State.

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

SECTION I: This Ordinance shall be codified in Chapter 706 of the Sikeston Municipal Code.

SECTION II: Chapter 706, Section 706.010 is hereby established and shall read as follows:

**Section 706.010. Availability.**

This rate is available to customers who (1) have submitted an application for this rate prior to beginning the project which meets the requirements of this rate, (2) are currently served under or will be served under BMU's Large General Service, Large Power Service, Large Industrial Service, or Large Industrial Service >5MW electric service rates, (3) receive local, regional, or state governmental economic development incentives in conjunction with the project generating the compliant load growth, and (4) are not receiving electric service under any other economic development or special incentive rate.

SECTION III: Section 706.020 is hereby established and shall read as follows:

**Section 706.020. Character of Service.**

BMU will specify and provide a standard single and/or three phase alternating current secondary service voltage.

SECTION IV: Section 706.030 is hereby established and shall read as follows:

**Section 706.030. Application.**

To single phase or three phase service for all large commercial Qualifying Load served solely by BMU. Qualifying load shall be the incremental load of a new customer at a single premises or incremental load added by an existing customer at a single premises. Should the existing customer remove some existing BMU load and add the new load, the net added load shall be the incremental load used as the determination for a Qualifying Load. In addition, the incremental load must meet the following requirements:

- 1) For a new customer, the Average Demand of the customer's incremental load is equal to or greater than 300 kw during each Contract Year of this Rate's application.

- 2) For an existing customer, the Average Demand of the customer's incremental load is equal to or greater than 150 kw during each Contract Year of this Rate's application.
- 3) The Average Load Factor of the customer's incremental load is equal to or greater than 55% during each Contract Year of this Rate's application.
- 4) The incremental load must be metered separately.

BMU may deny service under this rate to any customer that is not reasonably projected to meet the requirements and may terminate any service under this rate if the requirements are not maintained by the customer. BMU may deny service under this rate if BMU's current system capacities cannot supply the customer's projected incremental load.

SECTION V: Section 706.040 is hereby established and shall read as follows:

**Section 706.040. Rate.**

Contract Year 1 - \$0.035 per kWh  
Contract year 2 - \$0.035 per kWh  
Contract year 3 – 60% of applicable rate  
Contract year 4 – 60% of applicable rate  
Contract year 5 – 60% of applicable rate

Minimum Charge: In Contract years 3-5, the monthly minimum charge will be the Facilities Charge plus the monthly Billing Demand Charge. This schedule contemplates year around service with at least a minimum bill paid each month of the contract year. The amount of these charges will be determined by the rates listed in the service rate that applies to the customer.

SECTION VI: Section 706.050 is hereby established and shall read as follows:

**Section 706.050. Payment.**

Bills are rendered monthly and are due and payable within 10 days from the date of billing. Any monthly bills not paid by the 20th of the month shall be assessed a 5% add-on penalty charge and be subject to disconnection. The customer, in order to be reconnected, must pay all bills for electric service together with any applicable reconnection charges.

SECTION VII. Section 706.060 is hereby established and shall read as follows:

**Section 706.060. General.**

Customer is required to provide (1) verification from the local, regional, or state governmental entity that they are currently receiving economic development incentives in conjunction with the incremental load that is being added and (2) description of the incremental load demand and load factor which, in the case of eliminating existing load on the BMU system, includes a description of the load being eliminated and the load being added to determine the net load added.

Customers receiving service under this rate schedule are required to submit an application and sign a contract with the BMU specifying the nature of the service to be provided, the applicable BMU rate and any discounts applied to the rate, the projected demand (kw) and load factor (%) of the net incremental load, the term of the Agreement, and such other terms and conditions as are determined to be necessary and mutually agreeable. No discount will be provided without

an executed Agreement. Discount will only be applied to an operating facility capable of meeting the projected demand (kw) and load factor (%) and does not apply during any construction of such facility.

As far as practical, all energy delivered under this rate schedule should pass through one point of delivery and the BMU, at its option, may meter at primary voltage.

Power sold to the Customer under this rate shall not be resold or shared with another entity or facility.

Should a facility in a current Agreement under this rate be sold or otherwise change ownership, the BMU retains the right to approve or deny the transfer of the remainder of the Agreement to the new owner.

Maximum term for an agreement is five (5) years. Shorter terms may be negotiated. Any use and effect of Distributed Generation should be included in the initial application. No Distributed Generation that changes the original demand and load factor projections may be added during the term of the Agreement. No service under this rate will be offered past 12/31/23. Service existing under this rate as of 12/31/23 will continue to either the end of the term or until terminated under conditions listed herein.

Beginning at the end of the second year of the Agreement and annually for the remainder of the Agreement, the Customer's Average Demand and Load Factor will be evaluated for compliance with the requirements of the Agreement. Force Majeure conditions may be considered in this evaluation, but it is the Customer's responsibility to report or confirm such conditions with the BMU prior to the annual evaluation.

BMU shall terminate service under this rate if (1) the Customer fails to meet the demand or load factor minimum requirements, (2) any terms of this rate or the associated Agreement are determined to be unlawful, (3) if during the term of the agreement, changes in federal law, state law, or other authorized regulatory requirements allow the Customer, in part or in total, to take electric service from a provider other than the BMU or (4) the Customer adds Distributed Generation to a degree that their demand and load factor no longer meet the levels listed on the original application. Customer will be given written notice of such termination.

Customer may terminate service under this rate upon written notice to BMU.

BMU shall terminate this rate on the billing cycle following the billing cycle in which notice was given.

SECTION VII. Section 706.070 is hereby established and shall read as follows:

**Section 706.070. Definitions.**

Agreement – The Economic Development Incentive Rate Agreement between BMU and the customer

Average Demand – The average of the Contract Year (12 months) demand values.

Average Load Factor – One Hundred (100) times the Contract Year (12 months) energy usage divided by the product of the Average Demand and 8,760.  $[100 * (\text{Contract Year energy usage}) / (\text{Average Demand} \times 8,760)]$

Contract Year – Begins with the first full billing period after execution of the Agreement and is comprised of the 12 consecutive billing periods for the ensuing 12-month period.

Incremental Load – Customer load which is added to the system of BMU at either a new or existing premises in the BMU electric service area.

Qualifying Load – Customer load that meets the requirements of the Economic Development Incentive Rate.

Premises – A service address identified by number and street address.

SECTION VII. Section 706.080 is hereby established and shall read as follows:

**Section 706.080. Power Factor.**

This Section will apply beginning in Year 3 of the Agreement  
BMU will install a suitable demand meter for determining the monthly maximum indicated demand. The Customer will at all times maintain a power factor of not less than eighty-five percent (85%) lagging.

If the power factor is less than 85% and the customer does not expeditiously take corrective action, the BMU shall adjust the Customer's billed demand in accordance with the following formula:

Bill Demand (kw) = Actual Demand (kw) x (0.85 / Actual Power Factor)

Continued failure to maintain an 85% power factor may result in discontinuance of service to the customer until such time the customer installs suitable devices to bring the power factor up to 85%, or higher, or BMU may install necessary corrective equipment on its lines to improve the customer's power factor to at least 85% and will charge the customer for the total installed cost for same (including material, labor, and overhead costs).

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

SECTION IX: 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 X: Record of Passage:

- A. Bill Number 6176 was introduced and read the first time this 2nd day of December 2019.
- B. Bill Number 6176 was read the second time and discussed on this 6th day of January 2020. Following discussion, Councilman Sparks moved to approve Bill Number 6176. The motion was seconded by Councilman Merideth, discussed and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6176 and shall be in full force and effect from and after February 5, 2020.

2nd Reading, Bill #6177, Rental Lighting Rate

Councilman Self moved for the second reading of Bill Number 6177. The motion was seconded by Councilman Merideth and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye, Williams Aye, and Burch Aye, thereby being passed.

City Counselor Thurman presented the bill for reading.

**BILL Number 6177****ORDINANCE Number 6177**

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6177 AND SHALL AMEND CHAPTER 705 AND ESTABLISH SECTION 705.050, RENTAL LIGHT RATE, OF THE CITY CODE OF THE CITY OF SIKESTON, MISSOURI.

WHEREAS, the Board of Municipal Utilities (BMU) recently solicited the help of a nationally known rates consultant to review all of BMU's rates for accuracy and adequacy, and

WHEREAS, while BMU's Rental Light Rates were a part of that review, at the time of the review they did not include a rate to cover LED lights, and

WHEREAS, BMU recently added the LED light data and developed the associated rates.

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

SECTION I: This Ordinance shall be codified in Title VII, Chapter 705 of the Sikeston Municipal Code.

SECTION II: Section 705.050 is hereby established and shall read as follows:

**Section 705.050. Rental Light Rate.**

A. Installation Fees. The Board of Municipal Utilities (BMU) shall require the customer to pay a \$50.00 connection fee in advance for a new installation. The BMU shall require the customer to pay a \$50.00 conversion fee in advance to convert from a high pressure sodium or mercury vapor light to an LED light if the existing light is not in need of repair.

B. Payment. Bills rendered monthly and are due and payable within 10 days from the date of billing. Any monthly bills not paid by the 20th of the month shall be assessed a 5% add-on penalty charge and be subject to disconnection. The customer, in order to be reconnected, must pay all bills for electric service together with any applicable reconnection charges.

C. Tax Clause. Bills computed under this rate are NOT subject to any increase because of municipal taxes. Donations in free street lighting, electricity and other services are made by the BMU to the City of Sikeston in lieu of taxes.

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 6177 was introduced and read the first time this 2nd day of December 2019.
- B. Bill Number 6177 was read the second time and discussed on this 6th day of January 2020. Following discussion, Councilman Sparks moved to table Bill Number 6177. The motion was seconded by Councilman Merideth, discussed and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

2nd Reading, Bill #6171, Definitions - Utility Vehicles

Councilman Merideth moved for the second reading of Bill Number 6171. The motion was seconded by Councilman Sparks and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

City Counselor Thurman presented the bill for reading.

**BILL Number 6171**

**ORDINANCE Number 6171**

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6171 AND SHALL AMEND CHAPTER 300 GENERAL PROVISIONS OF THE CITY 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 Chapter 300 of the Sikeston Municipal Code.

SECTION II: Chapter 300, Section 300.010. Definitions, is amended to read as follows:

UTILITY VEHICLE - Any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes. (RSMo. §301.010, 2019)

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 6171 was introduced and read the first time this 2nd day of December 2019.
- B. Bill Number 6171 was read the second time and discussed on this 6th day of January 2020. Following discussion, Councilman Merideth moved to approve Bill Number 6171. The motion was seconded by Councilman Sparks, discussed and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6171 and shall be in full force and effect from and after February 5, 2020.

2nd Reading, Bill #6165, Utility Vehicles

Councilman Sparks moved for the second reading of Bill Number 6165. The motion was seconded by Councilman Evans and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

City Counselor Thurman presented the bill for reading.

BILL Number 6165

ORDINANCE Number 6165

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6165 AND SHALL AMEND CHAPTER 340 "MISCELLANEOUS DRIVING RULES" OF THE SIKESTON MUNICIPAL CODE OF THE CITY OF SIKESTON, MISSOURI.

NOW THEREFORE: Be It Ordained by the Council of the City of Sikeston as follows:

SECTION I: This Ordinance shall be codified in the Municipal Code of the City of Sikeston, Missouri.

SECTION II: Chapter 340, Section 340.110 is amended to read as follows:

Chapter 340, Section 340.110. Utility Vehicles, Operation on Highway and in Streams or Rivers Prohibited - Exceptions - Passengers Prohibited - Violations, Penalty

- A. No person shall operate a utility vehicle, as defined in Section 300.010 of this Title, upon the highways of this City or State, except as follows:
1. Utility vehicles owned and operated by a governmental entity for official use;
  2. Utility vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation, unless equipped with proper lighting;

3. Utility vehicles operated by handicapped persons for short distances occasionally only on the State's secondary roads when operated between the hours of sunrise and sunset;
  4. Utility vehicles shall be permitted by the City and operated in accordance with Sections 340.111 and 340.113.
- B. No person shall operate a utility vehicle within any stream or river in this City or State, except that utility vehicles may be operated within waterways which flow within the boundaries of land which a utility vehicle operator owns, or for agricultural purposes within the boundaries of land which a utility vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this City or State at such road crossings as are customary or part of the highway system. All Law Enforcement Officials shall enforce the provisions of this Subsection within the geographic area of their jurisdiction.
- C. A person operating a utility vehicle on a highway pursuant to an exception covered in this Section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle under Subsection (A)(3) of this Section shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than forty-five (45) miles per hour.
- D. No persons shall operate a utility vehicle:
1. In any careless way so as to endanger the person or property of another; or
  2. While under the influence of alcohol or any controlled substance.
- E. A violation of this Section shall be an ordinance violation. (RSMo. §304.032, 2013)

Section III. Section 340.111 is hereby established and shall read as follows:

Chapter 340, Section 340.111. Operation of Utility Vehicles on Public City Streets; When Permitted; Exemptions

- A. A utility vehicle may be operated upon the public City streets of Sikeston, but not State or Federal highways, other than for purposes of crossing the same. Every person operating a utility vehicle shall be granted all the rights and shall be subject to all the duties applicable to the driver of any other motor vehicle except as to the special regulations in this chapter and except as to those provisions which by their nature can have no application.
- B. The operator of a utility vehicle shall observe all traffic laws and local ordinances regarding the rules of the road. A utility vehicle may be operated on all public City streets with posted speeds of forty-five (45) miles per hour or less. The provisions of this Subsection shall not prohibit a utility vehicle from crossing a street or highway with a posted speed limit of up to forty-five (45) miles per hour at an intersection.
- C. Utility vehicles shall be exempt from the requirements of RSMo. Sections 307.350 to 307.402 for purposes of titling and registration.
- D. Every operator of a utility vehicle shall maintain financial responsibility on such utility vehicle as required by RSMo. Chapter 303 if the utility vehicle is to be operated upon public streets.

E. Each person operating a utility vehicle on public streets shall possess a valid driver's license issued pursuant to RSMo. Chapter 302 and be 18 years of age or older.

F. Unless they are equipped to do so, there can be no passengers riding on these vehicles. If they are equipped, any passenger under 18 must wear an approved Missouri Department of Transportation motorcycle helmet. The utility vehicle shall not be operated with more occupants than the number for which it was designed.

G. Each vehicle must have seatbelts in good working condition. The number of passengers on the utility vehicle shall not exceed the number of operating seatbelts.

H. The operation of Go Carts, Golf Carts, and All Terrain Vehicles/ATVs is prohibited on city streets and highways in the City of Sikeston.

SECTION IV: Section 340.112 is hereby established and shall read as follows:

Section 340.112. Application for and Proof of Registration of Utility Vehicles

A. Utility vehicles operating on public streets under the jurisdiction of the City of Sikeston shall be registered with the City Clerk for the City of Sikeston.

1. Each application for registration shall include:

- a. Basic identifying information for the utility vehicle (make, model, color and such other identifying information as the City Clerk deems advisable);
- b. The name and address of the owner of the utility vehicle;
- c. A copy of proof of financial responsibility via Certificate of Insurance.

2. A proof of registration issued by the City of Sikeston in the form of a receipt for registration and an identification sticker shall constitute all permits required from the City of Sikeston. The proof of registration shall be kept in the utility vehicle at all times of operation on a public street, and the current registration sticker shall be conspicuously displayed on the rear exterior of the utility vehicle.

- a. Registration and operation of utility vehicles in the City of Sikeston shall be restricted to residents of the City of Sikeston.
- b. Registrations must be renewed annually.

3. The City of Sikeston may charge registration fees as follows:

- a. Fifteen dollars (\$15) for each one-year utility vehicle registration plus a \$10 processing fee.

4. The utility vehicles must meet the following requirements and the registrant must sign and certify that such requirements have been met and are fully functional and operational:

- a. The brakes are operational;
- b. The parking brake (if equipped) is operational;
- c. The steering column is operational;

- d. The utility vehicle has not less than four (4) wheels;
- e. There is not less than two thirty-seconds (2/32) inch of tread depth remaining on each tire, there are no visible tire threads or cords showing and there is no visible rubber separation.
- f. All items listed in Section 340.113 1-5.

SECTION V: Section 340.113 is hereby established and shall read as follows:

Section 340.113. Equipment Required on Utility Vehicles

A. UTVs operated on public streets shall be manufactured and equipped in accordance with the requirements of Missouri Revised Statutes Chapter 304, Section 304.029, and, in any case, will minimally be equipped with the following:

- 1. Turn Signals;
- 2. Headlamps;
- 3. Tail lamps;
- 4. Stop lamps;
- 5. Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear; and
- 6. An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror.

B. Anyone found violating these requirements will have their permit revoked for one year and may be subject to applicable criminal charges.

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

SECTION VII: 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 VIII: Record of Passage:

A. Bill Number 6165 was introduced and read the first time this 2nd day of December 2019.

B. Bill Number 6165 was read the second time and discussed on this 6th day of January 2020. Following discussion, Councilman Sparks moved to table Bill Number 6165. The motion was seconded by Councilman Merideth, discussed and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6171 and shall be in full force and effect from and after February 5, 2020.

#### Briefing/Authorization - Stallcup Building Repairs & Options

Staff received two bids for rebuilding the back wall on the Stallcup Building, Boulder Construction for \$158,000 and Black Hickman Construction in the amount of \$108,000. Boulder Construction gave a start date of 1-2 months from contract, pending weather, with a completion date of 3-4 months, weather pending. Blake Hickman Construction could start immediately, with a completion date of 4-6 weeks, weather permitting.

Councilman Settles motioned to award the bid to Blake Hickman Construction in the amount of \$108,000. The motion was seconded by Councilwoman Williams, discussed and the following roll call vote was recorded:

Sparks Nay, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

#### Other Items

The Local Use Tax will be on the November 5th ballot. If passed, a Council meeting will need to be scheduled immediately to pass an ordinance to specify the effective date of the tax.

Dennis Ziegenhorn & Jim Beaird, both citizens of Sikeston, approached Council about issues with obtaining building permits and the process involved for certain documents that are needed for businesses in Sikeston.

#### **ADJOURNMENT INTO EXECUTIVE SESSION**

There being no further business before the City Council, Councilman Self moved to adjourn into executive session for discussion of litigation and personnel. The motion was seconded by Councilwoman Williams and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

Mayor Burch called the executive session to order. Present were: Councilmembers Brian Self, Karen Evans, Onethia Williams, Gerald Settles, Ryan Merideth and Brandon Sparks. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Carroll Couch, City Treasurer Karen Bailey, Deputy City Clerk Rhonda Council, Public Works Director Jay Lancaster and Code Enforcement Manager Lorenzo Ware.

No action was taken in executive session for litigation.

The Mayor excused City Clerk Carroll Couch, Deputy City Clerk Rhonda Council, Public Works Director Jay Lancaster and Code Enforcement Manager Lorenzo Ware for discussion of personnel.

No action was taken in executive session for personnel.

**ADJOURNMENT OUT OF EXECUTIVE SESSION**

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

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch 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 Settles and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
Williams Aye, and Burch Aye, thereby being passed.

APPROVED:

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STEVEN BURCH, MAYOR

ATTEST:

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CARROLL L. COUCH, CITY CLERK

SEAL:

# **Council Letter**

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Date of Meeting 20-02-03

Originating Department: Public Works

To the Mayor and City Council:

Subject: Briefing – Stallcup Building Repairs

Action Options:

1. Take Action on Roof Repairs
2. Other action the City Council deems appropriate.

Background:

While the Stallcup Building wall repairs are coming to a close, we now shift our attention to the roof repairs. Because of the structure's instability, it was impossible for us to properly assess the water damage to the roof. Our architect included 10' of roof repairs from the back of the building. After getting to the point where we could properly assess the damage, it was worse than we expected, and now we need to consider repairs at least a 20' section, rather than 10'.

This is prompting a decision in that do we pay the additional costs for more roof repairs, or do we pay additional costs and replace the roof.



## Council Letter

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Council Letter: 20-02-03

Originating Department: Administrative Services Department

To the Mayor and City Council:

Subject: Amendment to the Memo of Understanding with the Sikeston Public Housing Authority for Supplemental Police Services dated September 24, 2019

Attachments:

1. Correspondence from the Housing Authority Board
2. Proposed Amendment to the Memo of Understanding with the Sikeston Public Housing Authority
3. The current Memorandum of Understanding

Action Options:

1. Approve the Amendment to the Memo of Understanding as presented
2. Other action as Council may deem appropriate.

Background:

The City of Sikeston entered into a memorandum of understanding with the Sikeston Public Housing Authority to reimburse the City for supplemental police services. Originally, the agreement included salary, FICA, the City's cost for employee benefits such as health and life insurance, workers compensation insurance, retirement, and annual uniform allowance. This agreement modifies the reimbursable costs to include salary only.

In Fiscal Year 2019, the City received compensation of \$74,669.33. For the first six months of Fiscal Year 2020 the amount received was \$33,198.54. The new arrangement will produce \$19,580 per year.

# Housing Authority of the City of Sikeston

360 ALLEN BLVD. • P.O. BOX 829 • SIKESTON, MISSOURI 63801

DOUG FRIEND  
EXECUTIVE DIRECTOR

PHONE (573) 471-3012  
TDD 1-800-545-1833, EXT. 890  
FAX (573) 471-2895

January 14, 2020

TO: Mayor Steven Burch, City Council Members, and City Manager Jon Douglass

FROM: John Leible, Chairman of the Board of Commissioners Sikeston Housing Authority

RE: Amendment to Article IV of the Memo of Understanding for Supplemental Police Services

The Sikeston Housing Authority appreciates the professionalism, cooperation and service that the Department of Public Safety has provided through the aforementioned agreement. The Board and staff universally agree that the conduct of the officers that have served as our primary liaison through the history of this agreement have been instrumental in assisting our efforts in providing enhanced enforcement for the betterment of our tenants and our property maintenance.

However, as the federal budget has fluctuated throughout the last several years, we find that the appropriations that support our operational subsidy are not consistently funded to levels that allow us to achieve all our staffing, tenant support, maintenance and operations goals. Therefore, staff is charged with annually reviewing options to redirect resources that will serve to achieve our primary mission of providing affordable housing to citizens of the community.

At this time, the Board of Commissioners would request that Article IV "Compensation to the City" be amended to provide for only 20 hours of applicable reimbursement for the service of the dedicated officer per week, or 40 hours per pay period.

With agreement of the City Council, the Board would like for the amendment to be effective beginning with the first pay period in February. Should you have any questions, please do not hesitate in contacting Doug Friend, Executive Director at 573-471-3012.

Once again, the Board of Commissioners and I appreciate all the services provided by the City of Sikeston and the Department of Public Safety.



**CITY OF SIKESTON AND SIKESTON HOUSING AUTHORITY  
MEMORANDUM OF UNDERSTANDING  
FOR PROVISION OF SUPPLEMENTAL POLICE SERVICES**

WHEREAS, the City of Sikeston (hereinafter called the "City") and Sikeston Housing Authority (hereinafter called the "Authority") entered into a Memorandum of Understanding on September 24, 2019 for the provision of specific police services associated with the Authority's security programs, and

WHEREAS, the Authority desires to amend the Memorandum of Understanding, Article IV Compensation to the City.

NOW, THEREFORE, The City and Authority agree to the amendment of Article IV D. as follows:

**ARTICLE IV  
Compensation to the City**

D. The requested amount for reimbursement shall include 20 hours per week, with said hourly rate to be based upon the compensation of a public safety officer with three (3) years of experience.

Said Memorandum of Understanding to be effective the first pay period in February.

Dated this 3<sup>rd</sup> day of February, 2020.

ATTEST:

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Doug Friend  
Executive Director  
Housing Authority of the City of Sikeston

ATTEST:

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Carroll L. Couch  
City Clerk  
City of Sikeston

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John Leible  
Board Chairman  
Housing Authority of the City of Sikeston

---

Steven H. Burch  
Mayor  
City of Sikeston

**CITY OF SIKESTON & SIKESTON HOUSING AUTHORITY  
MEMORANDUM OF UNDERSTANDING  
FOR PROVISION OF SUPPLEMENTAL POLICE SERVICES**

This memorandum of understanding, made and entered into this 24<sup>th</sup> day of SEPTEMBER 2018 by and between the Housing Authority of the City of Sikeston (hereinafter called the "Authority") and the City of Sikeston, (hereinafter called the "City") is for the provision of specific police services associated with the Authority's security programs.

WHEREAS, the Authority desires to enter into this memorandum of understanding with the City for additional police services to create a drug-and crime-free environment and to provide for the safety and protection of the residents in its public housing developments; and

WHEREAS, the City, by and through its Department of Public Safety, desires to assist in the effort by providing effective police services at all Authority locations;

NOW, THEREFORE, the Authority and the City agrees as follows:

**ARTICLE I  
Scope of Services**

**SECTION ONE: SERVICES PROVIDED BY THE CITY**

The City agrees that the services rendered by the designated Housing Authority Public Safety Officer are in addition to baseline police services. The City agrees that it will not reduce its current level of police services to the public housing developments, particularly in the areas of community policing, patrol, criminal investigations, records, dispatch, and special operations.

The duties and extent of services of the designated Housing Authority Public Safety Officer shall include, but shall not be limited to:

- A. The City, by and through its Department of Public Safety, will provide a minimum of one (1) Public Safety Officer to perform specialized patrols to enforce all state and local laws, and to assist in the enforcement of Housing Authority Rules. Public Safety Officers shall at all times remain part of, subject to, and in direct relationship with the Department of Public Safety's chain of command, and under the Department's rules, regulations, and standard operating procedures.
- B. The City agrees that the designated Housing Authority Public Safety Officer will assist the Authority, when requested, by appearing as witnesses in the Authority's administrative grievance procedure, civil dispossessory hearings, or other civil or court proceedings where the issue includes criminal conduct in, or near, public housing developments involving any resident, member of the resident's household, or any guest of a resident or household member.

- C. The City agrees that the designated Housing Authority Public Safety Officer will be provided with the necessary basic equipment to reasonably perform the police duties necessary in this position.
- D. The City agrees that the designated Housing Authority Public Safety Officer will work as a Liaison, to work in concert with the Executive Director of the Authority, or his/her designee. In fulfilling this assignment, the officer should:
  - 1. Coordinate the dissemination and processing of public safety reports to the Authority as needed, to include police and fire reports for Authority owned, or controlled, properties; as well as ensuring daily dispatch (CAD) logs are provided to the Executive Director on a routine basis (preferably daily, when able).
  - 2. Establish lines of communication between the Authority and the City, including the Department of Public Safety, including officer making direct contact with Authority Staff a minimum of 2-3 times a week; understanding that exceptions may be necessary due to staffing, vacations, etc.
  - 3. Assist in addressing concerns brought forth by the City, the Authority, or other community members.
  - 4. Assist in providing community training to residents, when requested, or as needed.
- E. The City will at all times provide supervision, control, and direction of work assignments of police personnel, including all disciplinary actions.
- F. The City agrees that any designated Housing Authority Public Safety Officer shall maintain required Peace Officer Standards and Training certification, and any other certification or training deemed necessary by the City.

## SECTION TWO: SERVICES PROVIDED BY THE AUTHORITY

- A. The Authority shall reserve the right to reasonably request the Department of Public Safety to replace any designated Housing Authority Public Safety Officer for the following reasons:
1. Neglect or non-performance of duties;
  2. Disorderly conduct, use of abusive or offensive language, or fighting;
  3. Criminal activity;
  4. Selling, consuming, possessing, or being under influence of intoxicants, or illegal substances, while on duty as Housing Authority Public Safety Officer;
  5. Inadequate punctuality or attendance; or
  6. Substantiated complaints, or grievances, from public housing residents or management.

The Authority agrees that written enumeration of the reasons for replacement request shall be provided to the City, which should also include any documentation and witnesses to alleged activity.

- B. The Authority shall provide the City with any applicable Authority rules and regulations necessary for proper function as Housing Authority Public Safety Officer.

## ARTICLE II Enforcement of Rules and Regulations

- A. The City, through its Department of Public Safety, is hereby empowered to enforce the following authority rules and regulations, in addition to city, state, and federal law:
1. Unauthorized visitors in unoccupied structures of the Authority shall be removed
  2. Unauthorized visitors creating disturbances or otherwise interfering with the peaceful enjoyment of lessees on Authority property shall be removed.
  3. Unauthorized visitors destroying, defacing, or removing Authority property shall be removed and/or criminal enforcement actions shall be taken.

With regard to the foregoing rules and regulations, the City's public safety officers are hereby authorized to give criminal trespass warnings to any persons found in violation of said rules or regulations. Those served with trespass warnings may be arrested and prosecuted for entry on property or premises after warning has been served.

- B. The City, through its Department of Public Safety, is hereby empowered to enforce the following Authority rule or regulation:

The tenant and any visitors to Authority property and premises shall refrain from, and shall cause their households to refrain from parking vehicles in any area other than Authority designated parking areas.

Vehicles found in violation of the foregoing rule are subject to be removed by public safety officers, pursuant to established City procedure for impounding vehicles.

- C. The City, through its public safety officers, is hereby empowered to enforce such additional Authority rules and regulations, and perform such other duties as shall be specified in any addenda attached hereto, or incorporated herein now or in the future.
- D. Nothing herein contained shall be construed as permitting or authorizing public safety officers to use any method, or to act in any manner, in violation of law or of their sworn obligation as public safety officers.

### ARTICLE III

#### Communications, Reporting, and Evaluation

- A. The City agrees that the Authority will have unrestricted access to all public information which in any way deals with criminal activity in any of the Authority's communities. It is further agreed that the Department of Public Safety will provide the Authority with copies of incident reports, arrest reports, or other public documents, which substantiate actual or potential criminal activity in, or connected with, the public housing developments, as allowed by Federal, State, and/or local laws or regulations. These documents shall be provided to the Authority on a regular basis, preferably within 15 business days of such activity, so long as providing the report will not negatively impact the scope of the investigation, or reduce the effectiveness of any law enforcement operation(s). It is understood that reports may need to have information redacted for the privacy of parties involved.
- B. The City agrees that the designated Public Safety Housing Authority Officer shall notify the Authority of any trespass warnings issued to individuals, as well as any vehicles towed from Authority property.
- C. The City's Department of Public Safety agrees to make an attempt to relay to the Executive Director, or his/her designee, any information related to any major crime or incident that occurs on Authority property, preferably prior to media notification, or as soon as feasibly possible.

ARTICLE IV  
Compensation to the City

- A. All compensation to the City will be made on a reimbursement basis.
- B. The City will provide the Authority with a monthly itemized bill for reimbursement of expenses.
- C. The Authority shall reimburse the City on a monthly basis, pursuant to the itemized statement.
- D. The requested amount for reimbursement shall include the designated Public Safety Officer's salary and fringe benefits, to include, but not limited to: Salary, overtime, leave time, FICA, Medicare, employer's portion of health insurance, life insurance, workers compensation insurance, retirement, and annual uniform allowance.
- E. All requests for reimbursement are subject to the approval of the Executive Director, or his/her designee, and the Authority shall thereafter make payment of the approved amount within thirty (30) days of receipt of the request for reimbursement.

ARTICLE V  
Term of Memorandum of Understanding

The term of this memorandum of understanding shall be for five (5) years beginning on the date approved by both parties.

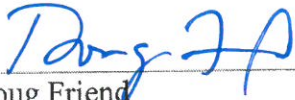
ARTICLE VI  
Termination of Memorandum of Understanding

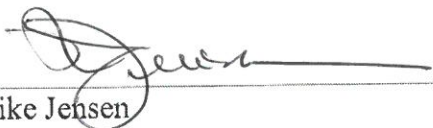
Either party may terminate this memorandum of understanding upon the provision of thirty (30) days written notice, delivered via Certified Mail.



Agreement to this Memorandum of Understanding


ATTEST:

  
\_\_\_\_\_  
Doug Friend  
Executive Director  
Housing Authority of the City of Sikeston

  
\_\_\_\_\_  
Mike Jensen  
Board Chairman  
Housing Authority of the City of Sikeston

ATTEST:

  
\_\_\_\_\_  
Carroll Couch  
City Clerk  
City of Sikeston

  
\_\_\_\_\_  
Steven H. Burch  
Mayor  
City of Sikeston

# **Council Letter**

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Date of Meeting: February 3, 2020

Originating Department: Planning and Development

To the Mayor and City Council:

Subject: Rental Housing Registration and Inspection Program

Attachment(s):

1. Bill Number 6181
2. Rental Inspection Checklist

Action Options:

1. Conduct second reading of Bill Number 6181
2. Other Action Council May Deem Necessary

Background:

The City Council has discussed the rental housing inspection program in several City Council meetings and study sessions over the past year. As a result of those public meetings and the City Council and public comments received, staff has prepared a new rental housing registration and inspection program summarized as follows:

- Landlords shall register their rental units before the effective date of the ordinance (April 3, 2020) and must then renew annually by January 31.
- The cost of landlord registration shall be:
  - \$50.00 total if the property owner is registering 25 or fewer rental units, or;
  - \$100.00 total if the property owner is registering more than 25 rental units.
- Tenant registration shall no longer be required.
- Inspection of rental properties against the standards contained in the attached checklist shall take place at the request of the property owner, operator, or occupant, or pursuant to any judicial warrant obtained by the City. No regular schedule of required inspections is established by this ordinance.
- Other exterior inspections of rental properties (for issues such as junk and trash, derelict vehicles, tall grass and weeds, etc.) shall take place on a complaint basis or upon self-

initiated activity by Planning and Development staff, per the same basis and procedures as any other private property in the City, regardless of owner- or renter-occupied status.

- Any violations must be corrected within 30 days unless the violations present an immediate and serious threat to the life and health of the occupant(s) (such as a gas leak), as determined by the City Manager, in which case immediate correction of the violations shall be required or the property shall be condemned as unfit for occupation. The City Manager's determination shall be stayed only by judicial injunction.
- All other violations may be appealed to the Board of Appeals. Enforcement actions shall be stayed while the appeal is pending.
- The City will send an annual letter to the rental unit address informing the tenant of the inspection standards and the right to request an inspection.

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6181 AND SHALL AMEND TITLE V, CHAPTER 510, RENTAL PROPERTY MINIMUM HOUSING QUALITY STANDARDS 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: Chapter 510 Rental Property Minimum Housing Quality Standards shall be amended to read as follows:

Section 510.010. Generally.

The City Council of the City of Sikeston, Missouri, has found it to be in the best interest of its citizens to preserve the quality of its housing inventory and to protect its neighborhoods from neglect and deterioration which act as a threat to health, safety and the welfare of its people and places.

Section 510.020. Definitions.

As used in this Chapter, the following terms shall have these prescribed meanings:

**IPMC**

International Property Maintenance Code

**IFC**

International Fire Code

**OCCUPANT**

Any person living or sleeping in a building or having possession of a space within a building.

**OPERATOR**

Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

**OWNER**

See "PROPERTY OWNER".

**PERSON**

An individual, corporation, partnership or any other group acting as a unit.

**PREMISES**

A lot, plot or parcel of land including any structures thereon.

**PROPERTY OWNER**

Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the State, County or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**RENTAL PROPERTY**

Any premise(s) that is not occupied by the owner including those premises that are subject to agreements providing for contracts for deeds, including both vacant and occupied units.

**TENANT**

A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

Section 510.030. Compliance Standards.

A. All residential rental units must conform to Housing Quality Standards (HQS)

established by the U.S. Department of Housing and Urban Development as well as the following sections of the IPMC and IFC:

- 1) 302.3 IPMC
- 2) 302.7 IPMC
- 3) 304.3 IPMC
- 4) 704 IPMC
- 5) 602.2 IPMC
- 6) 908.7 IFC
- 7) 908.7.1 IFC

Section 510.040. Inspection Personnel/Administration.

- A. Inspections of residential rental property shall be conducted by staff designated by the City Manager as Rental Housing Inspectors. The Rental Housing Inspector duties of these employees shall be independent of and may be in addition to other duties of said employees. Rental Housing Inspectors shall inspect residential rental property to ensure compliance with this Chapter.
- B. Rental Housing Inspectors shall have the authority to enter into and inspect residential rental properties at any time with the consent of the property owner, operator, or occupant, or pursuant to any warrant.
- C. The City Manager is directed to develop any appropriate forms, applications and other materials in order to accommodate this Chapter.
- D. The City shall annually send a letter to all known residential rental unit physical addresses informing tenants of the provisions of this Chapter.

Section 510.050. Registration Fees and Procedures.

- A. All property owners of residential rental property shall be required to fill out and submit a Landlord Registration Form on or before the effective date of the ordinance enacting this chapter, then annually on or before January thirty-first (31st) of each year, with the appropriate fee for the rental property or properties as designated in this Chapter.
- B. The Landlord Registration Form shall contain owner and operator contact information, the physical address of the residential rental property or properties, and any other information deemed necessary by the City Manager.
- C. The property owner shall submit said application to the City Planning and Development Office together with the Landlord Registration Fee which shall be as follows:
  - 1) Fifty dollars (\$50.00) total if the property owner is registering 25 or fewer rental units, or;
  - 2) One hundred dollars (\$100.00) total if the property owner is registering more than 25 rental units.
- D. Failure to timely submit a completed Landlord Registration Form with the requisite fees set by this Chapter will result in the property owner being found in violation of this Chapter and subject to a fine of not less than five hundred dollars (\$500.00).

Section 510.060. Inspections, Enforcement, Correction of Violations, and Penalties.

- A. Interior inspections of residential rental properties shall take place at the request of the property owner, operator, or occupant, or pursuant to any warrant. No regular schedule of required inspections is established by this Chapter.
- B. Exterior inspections of residential rental properties shall take place on a complaint basis or upon self-initiated activity by Planning and Development staff, per the same basis and procedures as any other private property in the City, regardless of owner-or renter-occupied status.
- C. The property owner shall have thirty (30) days within which to correct violations of the Compliance Standards defined in Section 510.030, unless the violations present an immediate and serious threat to the life and health of the occupant(s), as

determined by the City Manager, in which case immediate correction of the violations shall be required or the property shall be condemned as unfit for occupation. The City Manager's determination shall be stayed only by judicial injunction.

- D. Failure by the property owner to remedy violations within the time frames defined in Section 510.060(C) shall result in the filing of a complaint. Convictions on said charges will result in a minimum fine of one hundred dollars (\$100.00) for every thirty (30) days or portion thereof the violation goes un-remedied, up to a maximum fine of five hundred (\$500.00).

Section 510.070. Appeals Board.

- A. Any violation of this Chapter, except violations that present an immediate and serious threat to the life and health of the occupant(s) as determined by the City Manager per Section 510.060(C), may be appealed to the City of Sikeston Board of Appeals, within 10 days of the date the notice of violation is mailed to the property owner.
- B. Enforcement of this Chapter shall be stayed until any properly filed appeal is pending before the Board of Appeals.
- C. Meetings of the Board of Appeals will be called upon receipt of a completed Board of Appeals Application Form or at the direction of the Chairperson of said Board.
- D. Notice of meetings of the Board of Appeals will be posted at City Hall with the members receiving first class mail notice of same.
- E. Meetings will be conducted as soon after filing an appeal as is reasonably possible.

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 6181 was introduced and read the first time this 27<sup>th</sup> day of January, 2020.
- B. Bill Number 6181 was read the second time and discussed this 3<sup>rd</sup> day of February, 2020, and voted as follows:

Evans, \_\_\_\_\_, Sparks, \_\_\_\_\_, Merideth, \_\_\_\_\_,

Self, \_\_\_\_\_, Settles, \_\_\_\_\_, Williams, \_\_\_\_\_,

Burch, \_\_\_\_\_, thereby being

\_\_\_\_\_,

becoming Ordinance 6181.

- C. Ordinance 6181 shall be in full force and effect from and after Friday, April 3, 2020.

\_\_\_\_\_  
Steven Burch, Mayor

\_\_\_\_\_  
Approved as to form  
Tabatha Thurman, City Counselor

Seal / Attest:

\_\_\_\_\_  
Carroll Couch, City Clerk



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

## **Rental Inspection Checklist**

### **EXTERIOR PROPERTY AREAS**

Sidewalks/Driveways free from substantial cracks, broken areas and trip hazards (302.3 IPMC) ☐ Yes ☐ No  
Accessory structures such as fences, detached garages and sheds in good repair (302.7 IPMC) ☐ Yes ☐ No

### **EXTERIOR OF STRUCTURE**

Street numbers on property are plainly legible and visible from the street (304.3 IPMC) ☐ Yes ☐ No  
Foundation is sound in appearance, free from hazards and has no open holes (HUD) ☐ Yes ☐ No  
Stairs, rails and porches are free from rot and broken or missing parts (HUD) ☐ Yes ☐ No  
Roof and gutters are sound (not buckling, sagging or have holes in the structure) (HUD) ☐ Yes ☐ No  
Chimney structurally sound (not significantly damaged or leaning) (HUD) ☐ Yes ☐ No  
Lead-based paint is not present or not exposed on windows, window sills, walls or other areas (HUD) ☐ Yes ☐ No

### **INTERIOR OF STRUCTURE**

Electrical free of hazards such as exposed wires, outlets not working, broken covers or no GFCI (HUD) ☐ Yes ☐ No  
Emergency exits are accessible, windows and doors secure and operational as designed (HUD) ☐ Yes ☐ No  
Windows and window sills are in reasonably sound condition (HUD) ☐ Yes ☐ No  
Ceilings are sound (not buckling, sagging, has holes/cracks or substantially stained) (HUD) ☐ Yes ☐ No  
Walls are sound (not buckling, bulging, leaning or having significantly sized holes) (HUD) ☐ Yes ☐ No  
Floors are sound (no hazardous cracks, significant holes, buckling or major movement) (HUD) ☐ Yes ☐ No  
Lead-based paint is not present or not exposed on windows, window sills, walls or other areas (HUD) ☐ Yes ☐ No  
Appliances are working as designed (HUD) ☐ Owner Supplied ☐ Tenant Supplied ☐ Yes ☐ No  
Bathroom ventilation (electric fan or operable window) is working (HUD) ☐ Yes ☐ No  
Smoke detectors are in proper locations, working and connected properly (704 IPMC) ☐ Yes ☐ No  
    ❖ Must install according to the manufacturer's specifications/installation instructions  
    ❖ On the ceiling or wall outside of each separate sleeping area, in the immediate vicinity of bedrooms  
    ❖ In each room used for sleeping purposes  
    ❖ In each story within a dwelling unit (including basements & cellars); open split levels require 1 detector  
Compliant heating facilities capable of maintaining a household temperature of 65° (602.2 IPMC) ☐ Yes ☐ No  
Carbon monoxide alarms are in proper location, working and connected properly (908.7 & 908.7.1 IFC) ☐ Yes ☐ No  
    ❖ Must install according to the manufacturer's specifications/installation instructions  
    ❖ Must install in any room containing gas-powered equipment or appliance

***If there are any areas checked (NO) other documentation will be attached***

NOTE: Some repairs may require building permits, please contact the Code Enforcement Office with questions.

The City of Sikeston wants landlords to be prepared for rental unit inspections. This review of codes that our staff uses for inspections should help you prepare and pass your inspection! Please note that this is a summary list based on HUD Form 52580-A, IMPC and IFC.

# **Council Letter**

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Date of Meeting: 20-02-03

Originating Department: Public Works

To the Mayor and City Council:

Subject: Award Fixed Term Cash Farm Lease, RFP# 20-13

Attachments:

1. Farm Lease

Action Options:

1. Award Farm Lease
2. Other action the City Council deems appropriate.

Background:

Staff released a request for proposals for a 3-year, fixed term cash farm lease of 103.61 acres located adjacent to the Sikeston Municipal Memorial Airport. Proposals were accepted through January 27, 2020. Staff is seeking Council award of this farm lease for the term of March 1, 2020 through December 31, 2023. Half the rent shall be paid on or before April 1 and the remainder paid prior to December 1 of each year.

The farm lies at the north end of the runway and along Saint John's Ditch to the north of Fox Haven Golf Course. It has three (3) primary parcels of land that encompass approximately 80 acres that could be farmed with potential yields.

Three proposals were received, and they are as follows:

## **Bidder Annual Rent Payment**

- 1.) Pete Wimberley dba Wimberly Farms- \$5,000.00
- 2.) T & B Wade Farms- \$5,665.00
- 3.) N Farms, LLC- \$10,464.61

Staff recommends that Council award the lease to N Farms, LLC.



## FIXED TERM CASH FARM LEASE

This Lease, entered into between The City of Sikeston ("Lessor"), and  
N FARMS, LLC, ("Lessee"),

WITNESSETH:

1. Lessor hereby leases unto Lessee and Lessee hereby hires and takes as Lessee, upon and subject to the terms and conditions herein set out, each of which the respective parties agree to keep and perform, the following farm land situated in Scott County, Missouri:

See Exhibit "A" which is attached hereto and incorporated by reference.

2. The term of this lease shall commence on the 1<sup>st</sup> day of March, 2020 and extend through the 31<sup>st</sup> day of December, 2023. Provided, however, that the Lessee may cancel this lease for either years 2021 or 2022 upon written notice to Lessor of at least 90 days prior to the end of the current year.

3. Lessee shall pay as annual rental the sum of \$10,464.<sup>01</sup> of which one-half or \$5232.<sup>31</sup> is payable on or before April 1<sup>st</sup> of each year and the balance or \$5,232.<sup>30</sup> is payable on or before November 1<sup>st</sup> of each year.

4. The land shall be used for agricultural purposes only, and Lessee may use it for such crops as he may elect but no animals or livestock of any kind whatsoever is permitted.

5. Any storage bins or similar equipment placed on the land by Lessee must be removed within ten (10) days after termination of the Lease. Otherwise, they shall become the property of Lessor and if removed by Lessor, the Lessee shall bear the cost of removal.

6. This lease shall not be assigned nor shall the land or any part thereof be sublet; nor shall the land be used or permitted to be used for any purpose other than as is above provided, without the written consent of Lessor.

7. In the crop year 2023, the Lessee shall not plant any crops which would normally require harvesting after December 31, 2023.

8. The Lessee shall maintain liability insurance covering its farming operation and naming the City of Sikeston as an additional insured and with a one-million dollar limit per occurrence and two million dollar aggregate.

9. Lessee shall not burn any crop residue.

10. Lessee agrees to operate and maintain the farm in a good and farmer-like manner.

11. The Lessee may use any and all wells or other irrigation equipment that are present but same are taken "as is" with no representation or warranty whatsoever and with no obligation to repair or maintain on the part of the Lessor.

12. If any default is made in the payment of rent or any part thereof at the time provided, or if Lessee assigns or sub-leases, or abandons or vacates the land, or if after thirty (30) days' written notice setting forth the default, default shall continue by Lessee in the performance of any other covenant, term or condition to be performed by Lessee, Lessor shall have the right to reenter and take possession of the land and the Lessee upon written demand shall peacefully surrender possession thereof to Lessor, and all rights and interests of Lessee to possession and control hereunder shall cease and terminate, but nothing herein contained shall affect Lessor's right to the rental for the term herein specified. Upon taking possession hereunder, Lessor may, at his election, terminate and end this lease upon giving Lessee written notice thereof, or Lessor may re-let the property and Lessee shall be liable for and will pay as it accrues the difference in the rental for the balance of the term.

13. No waiver of any right to reenter or terminate, by acceptance of rent or otherwise, shall waive any subsequent right to reenter or terminate for any subsequent breach of any covenant, term or condition of this lease.

14. It is further mutually understood and agreed by and between the parties hereto that if suit be brought by the Lessor against Lessee to recover any rent, or for the breach of any agreement or condition herein contained to be performed by Lessee, or any summary action be brought by the Lessor for the forfeiture of this lease or to recover the possession of said premises, the Lessee shall pay all reasonable attorney fees for commencing or prosecuting said action, to the amount that shall be ascertained and fixed by the Court, provided Lessor procures judgment in any such action.

15. Any notice or demand provided for herein may be given to the party to be served by personal service or by registered or certified mail addressed to Lessor at 105 E. Center, Sikeston, MO 63801, or to Lessee at 764 COUNTY HIGHWAY 476, or to such other address as either may from time to time file in writing with the other.  
Sikeston, mo 63801

16. Whenever the word "Lessor" is used herein it shall be construed to include the heirs, successors, assigns and personal and legal representatives of Lessor; and the word "Lessee" shall include the heirs, successors, assigns and personal and legal representatives of Lessee; and the words "Lessor" and "Lessee" shall include the singular and plural, and the individual or business organization; subject always to the provisions herein contained, as to assignment or subletting.

Dated: \_\_\_\_\_

Dated: January 24, 2020

CITY OF SIKESTON

By: \_\_\_\_\_  
STEVEN BURCH, Mayor

N Faurus LLC  
Rebecca B Newman

"LESSOR"

"LESSEE"

# **Council Letter**

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Date of Meeting: February 3, 2020

Originating Department: City Manager

To the Mayor and City Council:

Subject: Fireworks

Attachment(s):

1. Bill #6182

Action Options:

1. Conduct first reading of Bill Number 6182
2. Other Action Council May Deem Necessary

Background:

On January 27<sup>th</sup> the City Council adopted Ordinance Number 6166, changing the Sikeston City Code to allow the sale of fireworks within the city limits. The ordinance made no change to the existing ban on the shooting of fireworks within city limits. During the meeting several City Council members asked that the staff bring back an agenda item for the City Council to discuss allowing the shooting of fireworks. The attached Bill Number 6182 is an update to the bill considered in June and July of 2019, which was ultimately tabled.

Bill Number 6182 would allow the shooting of fireworks with the following restrictions:

- The allowable dates/hours for use of fireworks would be:
  - June 27 to July 3 between the hours of 10 a.m. and 10 p.m.
  - July 4 between the hours of 10 a.m. and midnight
  - December 31 from 10:00 a.m. until Jan. 1 at 12:30 a.m.
- Fireworks sales are not restricted to certain dates. The bill requires fireworks vendors to have a valid business license from the City and any applicable licenses/permits from State or Federal agencies.
- Fireworks cannot be shot in City parks, public rights-of-way, or public property, unless specifically authorized (i.e. for the official community fireworks show sponsored by the Elks Club and shot from the Complex or the Bootheel Golf Course).
- Fireworks cannot be shot from private property without the owner's permission.

- Fireworks may not be shot if there is an active burn ban declared by the City or County.
- The launching of sky lanterns, sometimes known as “Chinese lanterns,” is prohibited at all times, even during approved fireworks shooting times. Occasionally the city gets a call at times other than the Independence Day holiday season asking if it is legal to launch these. The City Code formerly lumped these devices together with other fireworks, but due to their propensity to burn for long periods and land miles away from where they were launched, staff is suggesting an outright ban on these devices.
- It shall be unlawful for any individual under seventeen (17) years of age to purchase, possess, or discharge any fireworks unless under the direct supervision of a parent or guardian.

Previously, the City Council had asked how the cities of Cape Girardeau and Jackson regulate fireworks. A summary of their regulations follows:

#### City of Cape Girardeau:

- Fireworks Sales
  - Allowed June 27 to July 4 between the hours of 8 a.m. and 10 p.m.
  - Fireworks may not be sold after 10 p.m. on July 4
- Fireworks Use
  - Allowed June 27 to July 3 between the hours of 10 a.m. and 10 p.m.
  - Allowed July 4 between the hours of 10 a.m. and midnight
  - Allowed Dec. 31 from 11:30 p.m. until Jan. 1 at 12:30 a.m.

#### City of Jackson:

- Fireworks Sales
  - No fireworks may be sold except between the hours of 8:00 a.m. and 10:00 p.m. each day during the period from June 27th through July 4th of each year.
- Fireworks Use
  - No person shall discharge, ignite or explode any article of fireworks except between the hours of 10:00 a.m. and 10:00 p.m. during the period from June 27th through July 3rd of each year and between the hours of 10:00 a.m. on July 4th and 12:00 (midnight) on July 4th of each year.

**BILL Number 6182**

**ORDINANCE Number 6182**

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6182 AND SHALL AMEND ARTICLE IV, CHAPTER 210, OF THE CITY CODE ESTABLISHING OFFENSES WITHIN 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: Article IV, Chapter 210, Section 210.560 – Fireworks; shall be amended to read as follows:

- A. It is unlawful for any person to willfully discharge (fire, light, ignite, shoot off, set off, use, burn, or explode) any firecrackers, fireworks, torpedoes, bombs, rockets, pinwheels, Roman candles, or other fireworks of like kind or nature within the City, except during the following periods:
  1. June 27 to July 3 between the hours of 10 a.m. and 10 p.m.
  2. July 4 between the hours of 10 a.m. and midnight
  3. December 31 from 10:00 a.m. until January 1 at 12:30 a.m.
- B. No person shall sell or expose for sale any fireworks, firecrackers, torpedoes, bombs, rockets, pin wheels, Roman candles, or other fireworks of like kind or nature within the City, without holding a valid business license from the City and any applicable license(s) or permit(s) from State and/or Federal agencies.
- C. The discharge of fireworks during allowed time periods shall be prohibited on private property without the property owner's permission.
- D. The discharge of fireworks shall be prohibited in City parks or upon public rights-of-way or other public property, unless expressly permitted per Section 210.560(H).
- E. The discharge of fireworks shall be prohibited at all times during any burn ban declared by the City or County.
- F. The sale, launching or flying of sky lanterns, fire balloons, or similar devices shall be prohibited at all times.
- G. It shall be unlawful for any individual under seventeen (17) years of age to purchase, possess, or discharge any fireworks unless under the direct supervision of a parent or guardian.
- H. The discharge of fireworks during any time period or in any manner not permitted by this section shall at all times be prohibited within the City unless a permit shall first have been secured from the Department of Public Safety authorizing such activity at a given place and time.

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 6182 was introduced and read the first time this 3<sup>rd</sup> day of February, 2020.
- B. Bill Number 6182 was read the second time and discussed this 24<sup>th</sup> day of February, 2020, and voted as follows:

Williams \_\_\_\_\_, Evans \_\_\_\_\_, Merideth \_\_\_\_\_,  
Self \_\_\_\_\_, Sparks \_\_\_\_\_, Settles \_\_\_\_\_,  
Burch \_\_\_\_\_, thereby being  
\_\_\_\_\_,  
becoming ordinance 6182.

- C. Ordinance 6139 shall be in full force and effect from and after the 25<sup>th</sup> day of March, 2020.

\_\_\_\_\_  
Steven H. Burch, Mayor

\_\_\_\_\_  
Approved as to form  
Tabatha Thurman, City Counselor

Seal / Attest:

\_\_\_\_\_  
Carroll Couch, City Clerk

## Council Letter

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Date of Meeting: February 3, 2020

Originating Department: City Manager

To the Mayor and City Council:

Subject: FY2019 Audit

Attachment(s):

1. Hard copies of the FY2019 Audit will be available to the Council at the meeting
2. Electronic copies of the audit are currently available at [www.sikeston.org](http://www.sikeston.org)

Action Options:

1. Receive FY2019 Financial Audit
2. Other Action Council May Deem Necessary

Background:

Every year, the city undergoes an independent audit of its financial statements by a certified public accountant. The audit of the Fiscal Year 2019 financials has been completed by Essner, Miles, and Modde 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 February 3 meeting, and it is also posted at [http://www.sikeston.org/financial\\_and\\_annual\\_reports/index.php](http://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:

- In the auditor's opinion, the City's financial statements "present fairly, in all material respects, the respective financial position" of the city's funds (see p.2).
- The audit "did not identify any deficiencies in internal controls that we consider to be material weaknesses" (p.113).
- The audit also notes "no transactions entered into by the City of Sikeston during the year for which there is a lack of authoritative guidance or consensus," (cover letter).
- Net position increased by \$76,000, or 0.23% during the year (p.4).
- Capital assets were acquired at a cost of \$1.37 million during the year. These were primarily comprised of improvements at the Recreation Complex, improvements on the Cotton Belt Trail (rail-trail), and vehicles (pp.1, 48-50, 62).
- Long term debt was decreased by \$352,000 (pp.1, 14).
- Combined ending fund balances increased by \$360,000 over the previous year (pp.5, 22).

- Total expenditures were under appropriations (i.e. under budget) by approximately \$116,000 (p.12).

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 questions.