

**REGULAR CITY COUNCIL MEETING**  
**MARCH 27, 2023**

The regular Sikeston City Council meeting of March 27, 2023 was called to order at 5:00 p.m. at City Hall located at 105 E. Center St., Sikeston. Present at the meeting were: Mayor Greg Turnbow, Brian Self, John Leible, Tom Robison, David Teachout, Onethia Williams and Vest Baker. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Graham, City Clerk Rhonda Council, Finance Director Karen Bailey, HR Director Amanda Groves, Communications Manager David Jenkins, 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 Jon Broom.

**ITEMS OF BUSINESS**

**2<sup>nd</sup> Reading & Consideration, Bill #6298, Approving an Amended and Restated Performance Agreement for Unilever Chapter 100 Bonds**

Councilman Baker moved for the second reading of Bill Number 6298. The motion was seconded by Councilman Self and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

BILL Number 6298

ORDINANCE Number 6298

AN ORDINANCE APPROVING AN AMENDED AND RESTATED PERFORMANCE AGREEMENT BETWEEN THE CITY OF SIKESTON, MISSOURI AND UNILEVER MANUFACTURING (US), INC.

WHEREAS, on November 7, 2022, the City Council passed Ordinance No. 6287 approving, among other things, a Performance Agreement (the "Original Agreement") between the City and the Unilever Manufacturing (US), Inc. (the "Company") in connection with an industrial development project undertaken pursuant to Article VI, Section 27(b) of the Missouri Constitution, Sections 100.010 through 100.200, inclusive, of the Revised Statutes of Missouri, and the City Charter; and

WHEREAS, the City and the Company desire to enter into an Amended and Restated Performance Agreement in substantially the form of Exhibit A attached hereto (the "Agreement"), for the purpose of amending and restating the Original Agreement to revise certain Company payroll information;

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

Section 1. Approval of Agreement. The City is hereby authorized to enter into the Agreement, in substantially the form presented to and approved by the City Council and attached to this Ordinance, with such changes therein as shall be approved by the officials of the City executing the Agreement, such officials' signatures thereon being conclusive evidence of their approval thereof. The Mayor or the City Manager is hereby authorized to execute the Agreement and such other documents, certificates and instruments as may be necessary or desirable to carry

out and comply with the intent of this Ordinance, for and on behalf of and as the act and deed of the City. The City Clerk is hereby authorized to attest to and affix the seal of the City to the Agreement and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 2. Further Authority. The City shall, and the officials, agents and employees of the City are hereby authorized to, take such further action, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City under the Agreement.

Section 3. Savings. Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or connected with the subject matter hereof.

Section 4. Severability. If any term, condition or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the City Council that it would have enacted this Ordinance without the invalid or unenforceable provision. If, as a result of a subsequent change in applicable law, the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Section 5. General Repealer Section: Any ordinance or parts thereof inconsistent herewith are hereby repealed.

Section 6. Record of Passage:

- A. Bill Number 6298 was introduced to Council and read the first time this 6<sup>th</sup> day of March 2023.
- B. Bill Number 6298 was read the second time and discussed on this 27<sup>th</sup> day of March 2023. Following discussion, Councilman Leible moved to approve Bill Number 6298. The motion was seconded by Councilman Robison, discussed and the following roll call vote was recorded:

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

- C. Upon passage by the City Council, this Bill shall become Ordinance No. 6298 and shall be in full force and effect from and after Wednesday, April 26, 2023.

1<sup>st</sup> Reading, Bill #6299, Request to Rezone Lots between Robert, Betty & Ralph St. from Two Family/Duplex Residential (R-4) to Highway Commercial (C-3)

Councilman Self moved for the first reading of Bill Number 6299. The motion was seconded by Councilman Baker and the following vote recorded:

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

City Counselor Graham presented the bill for reading. This bill as approved shall become Ordinance Number 6299 providing for the rezoning of two lots from "R-4" two family/duplex residential to "C-3" highway commercial the following described real estate to-wit: a tract of land which lies between Robert, Betty and Ralph Street in Sikeston, Scott County, Missouri.

1<sup>st</sup> Reading, Bill #6300, Request to Subdivide Tract of Land between Robert, Betty, Ralph and Indiana Streets to be known as Eleven 13 Subdivision

Councilman Leible moved for the first reading of Bill Number 6300. The motion was seconded by Councilman Williams and the following vote recorded:

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

City Counselor Graham presented the bill for reading. This bill as approved shall become Ordinance Number 6300 providing for the approval to subdivide a tract of land into 8 lots, which lies between Robert, Betty, Ralph and Indian Streets in the City of Sikeston, Missouri.

1<sup>st</sup> Reading, Bill #6301, Request to Subdivide Tract of Land Located North of Linn Street between Applegate Blvd. and Delores to be known as Linn Street Place

Councilman Leible moved for the first reading of Bill Number 6301. The motion was seconded by Councilman Robison and the following vote recorded:

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

City Counselor Graham presented the bill for reading. This bill as approved shall become Ordinance Number 6301 providing for the approval to subdivide a tract of land into 9 lots to be known as Linn Street Place, which is located to the north of Linn Street between Applegate Boulevard and Delores in the City of Sikeston, Missouri.

1<sup>st</sup> Reading, Bill #6303, Re-adoption of Fair Housing Policy

Councilman Self moved for the first reading of Bill Number 6303. The motion was seconded by Councilman Baker and the following vote recorded:

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

City Counselor Graham presented the bill for reading. This bill as approved shall become Ordinance Number 6303, providing "Fair Housing" for the City of Sikeston, Missouri, defining discriminatory housing practices and creating a Fair Housing Committee.

Request for Conditional Use Variance for Taekwondo Studio at 202 Kennedy

Staff received a request from General Baptist Foundation for a conditional use variance for a taekwondo studio to be located at 202 Kennedy, Sikeston, Missouri. The property owner plans to sell the property to an individual that wishes to use the building for commercial use as a taekwondo studio. The property is zoned R-5 Multi-family Residential. The use of the building as a taekwondo studio is not allowed in an R-5 zone. The Planning and Zoning committee met on March 14, 2023 and passed a favorable recommendation to approve the conditional use variance request.

Councilman Robison moved to approve the conditional use variance for a taekwondo studio to be located at 202 Kennedy. The motion was seconded by Councilman Baker, discussed and the following vote recorded:

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

#### Request for Conditional Use Variance for Storage Building on Lescher St.

Staff received a request from Chester and Jeanette Bell for a conditional use variance to allow a storage building on a lot that does not have a primary residential building located on Lescher St., Sikeston, Missouri. The Bells' desire to construct a storage building for private storage with no intent to conduct any business out of the proposed storage building. The current zoning of the property is Two Family/Duplex Residential (R-4). In a R-4 zone accessory buildings shall be clearly and incidental to the main building. Mr. Bell does not have a main building on the lot. The Planning and Zoning committee met on March 14, 2023 and passed a favorable recommendation to approve the conditional use variance request.

Councilman Self moved to approve the conditional use variance for construction of a storage building on Lescher St. The motion was seconded by Councilman Baker, discussed and the following vote recorded:

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

#### Award Bid 23-56, LCRA Mowing

The Community Development Department has opened bids for contractual mowing services for the LCRA and City Nuisance lots for the contract period of April 1, 2023 through March 31, 2024. Staff recommends the bid be awarded to the low bidder, Grow-N-Mow, LLC, in the amount of \$3,500 monthly (approximately \$24,500 per year for 160 lots). The typical mowing season is from April through October. The payment for mowing services will be split between the LCRA and the City of Sikeston.

Councilman Baker moved to award bid 23-56, mowing services for LCRA and City nuisance lots for the contracted period of April 1, 2023 through March 31, 2024, to Grow-N-Mow, LLC in the amount of \$3,500 monthly for 160 lots. The motion was seconded by Councilman Robison, discussed and the following vote recorded:

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

#### Approve Amended Contract for Additional Flock Camera System

The Department of Public Safety is seeking approval to enter into an amended contract with Flock Safety. This amended contract adds two additional cameras to what was initially approved. The pricing structure for the amended contract remains the same as the initial. The first payment would be \$5,700.00. Years 2-5 would bill annually at \$5,000/year. The annual cost of this addition to the contract would be covered by a donation from a local business.

Councilman Leible moved to amend the contract with Flock Safety for two additional cameras, with first payment being \$5,700 and the annual payment of \$5,000 for an additional 4 years.

Payments covered by donation from a local business. The motion was seconded by Councilman Self, discussed and the following vote recorded:

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

#### Authorize 10-Hour Work Shifts for Department of Public Safety Patrol Division

Staff is seeking authorization to transition Patrol Division from a five day, eight hour schedule to a four day ten hour schedule. Additionally, we would reclassify lieutenants from exempt to non-exempt status with this change.

Currently the schedule in Patrol Division is based on the standard five-day work week with officers working 8.3 hours per day. Shifts are scheduled for 7:00 a.m.-3:00 p.m., 3:00 p.m.-11:00 p.m., and 11:00 p.m.-7:00 a.m. with no overlapping coverage. The proposed schedule would change this to a four-day work week with 10.3 hour shifts for officers. The new schedule would include a two hour overlap between shift change allowing officers to complete reports, provide additional coverage on patrol or to complete additional duties assigned. This overlap would eliminate the need for officers to work overtime to complete these tasks.

Councilman Self moved to authorize the transition of Department of Public Safety Patrol Division from a five-day eight hour schedule to a four-day ten hour schedule and to reclassify lieutenants from exempt to non-exempt status. The motion was seconded by Councilman Williams, discussed and the following vote recorded:

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

#### Authorization to Award Street Bid (Waters Engineering)

Bids were opened on March 1, 2023 for street construction projects with consulting engineer, Waters Engineering.

Bid 23-51 was for crack sealing and seal coating in the Glen Matthews Subdivision and on Cardinal and Thrush Streets. The low bidder for this invitation was Jokerst, Inc. of Ste. Genevieve, Missouri with a low bid of \$147,781.16. The engineer's estimate was for \$155,000.00 Staff and Waters recommend award to Jokerst in the low bid amount.

Bid 23-52 was for reconstruction of the east end of Larcel Drive. The low bidder for this invitation was Lappe Cement Finishing of Friedheim, Missouri in the amount of \$484,484.00. The engineer's estimate was for \$457,000. Staff and Waters recommend awarding the bid to Lappe Cement Finishing.

Councilman Self moved to award Bid 23-51 for crack sealing and seal coating on Cardinal and Thrush Streets to Jokerst, Inc of Ste. Genevieve, MO in the amount of \$147,781.16. The motion was seconded by Councilman Robison, discussed and the following vote recorded:

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

Councilman Williams moved to award bid 23-52 for reconstruction of the east end of Larcel Drive to Lappe Cement Finishing of Friedheim, MO in the amount of \$484,484.00. The motion was seconded by Councilwoman Williams, discussed and the following vote recorded:

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

Resolution 23-03-01, Authorize Transfer of DRA Project MO-54753 to Sikeston Board of Municipal Utilities

The City of Sikeston applied for an award with Delta Regional Authority (DRA) for the Fiscal Year 2022 federal award program cycle. On October 7, 2022, DRA awarded Project MO-545753 (Project) to the City of Sikeston in the amount of \$1,013,860.

Grant funds are to be used to replace the existing headworks to handle the current and future flows generated by Sikeston's Business, Education and Technology Park to allow for industrial growth and expansion. At the time of the grant application, it was believed DRA would not award directly to the BMU but the City could pass the grant through to them.

DRA has now determined they are willing to enter into this project directly with the Board of Municipal Utilities. Since the BMU will provide the matching \$8.4 million in matching funds for said Project, we would like this project removed from the City of Sikeston's name and issued to the Sikeston Board of Municipal Utilities.

Councilman Baker moved to approve Resolution 23-03-01, moving Delta Regional Authority Project MO-54735 to the Sikeston Board of Municipal Utilities. The motion was seconded by Councilman Robison, discussed and the following vote recorded:

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

Other Items:

Heard from a resident on the legality of selling out of storage units. Sikeston Finance Director Karen Bailey and Community Development Director Barry Blevins both spoke on the issue. If a person sells out of a storage unit more than six times, they must have a permit. The storage units in question have a license to operate as a flea market, so it is up to the owners of the building if someone can sell out of their units.

**ADJOURNMENT**

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

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

APPROVED:

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GREG TURNBOW, MAYOR

ATTEST:

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RHONDA COUNCIL, CITY CLERK

SEAL: