

City of Sikeston

TENTATIVE AGENDA

SPECIAL CITY COUNCIL MEETING  
SIKESTON CITY HALL


Monday, March 28, 2016  
11:30 A.M.

- I. CALL TO ORDER
- II. RECORD OF ATTENDANCE
- III. OPENING PRAYER
- IV. ITEMS OF BUSINESS
  - A. Briefing: Citizen's Group "Smoke Free Sikeston"
  - B. 1<sup>st</sup> & 2<sup>nd</sup> Reading & Consideration of Emergency Bill #6017, Request to Rezone 14.095 Acres West of Lawrence Street (New Madrid County) from "IL" Light Industrial to "C-3" Highway Commercial
  - C. 1<sup>st</sup> & 2<sup>nd</sup> Reading & Consideration of Emergency Bill #6018, Request to Approve Subdivision, Cotton Ridge Development, 2<sup>nd</sup> Addition, Located West of Lawrence Street (New Madrid County)
  - D. 2<sup>nd</sup> Reading & Consideration, Bill #6013, Re-Adoption of Fair Housing Policy
  - E. 1<sup>st</sup> Reading, Bill #6011, Calling for August 2, 2016 Election to Continue Sales Tax on Motorized Vehicles Purchased Outside Missouri
  - F. 1<sup>st</sup> Reading, Bill #6015, Formally Accepting Ownership of Lincoln Park from LCRA
  - G. Interim Appointment to Board of Adjustments, LCRA Commission & Park Board
  - H. Briefing: FY-17 Budget
  - I. Other Items As May Be Determined During the Course of the Meeting
- V. ADJOURNMENT INTO EXECUTIVE SESSION

Property (RSMo 6.10.021(2))

VI. ADJOURNMENT

Dated this 24<sup>th</sup> day of March 2016.

  
Carroll Couch, City Clerk



**BRIEFING:**

**CITIZEN'S GROUP  
"SMOKE FREE SIKESTON"**

## Council Letter

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Date of Meeting: 16-03-28

Originating Department: Public Works Department

To the Mayor and City Council:

Subject: 1<sup>st</sup> and 2<sup>nd</sup> Reading and Consideration, Emergency Bill #6017, Authorization to Rezone

Attachment(s):

1. Bill #6017
2. Plat

Action Options:

1. Conduct 1<sup>st</sup> and 2<sup>nd</sup> Reading and approve request to rezone a tract of land, which consists of approximately 14.05 acres and is located generally west of Lawrence Street and south of Hennings Drive as extended from "IL" Light Industrial to "C-3" Highway Commercial in the City of Sikeston, New Madrid County, Missouri.
2. Other action Council may deem appropriate

Background:

This is the request to rezone a tract of land, which consists of approximately 14.05 acres and is located generally west of Lawrence Street and south of Hennings Drive as extended from "IL" Light Industrial to "C-3" Highway Commercial in the City of Sikeston, New Madrid County, Missouri.

The Planning & Zoning Commission did meet and approve this request on March 15, 2016.

This rezoning would change the current zoning from Light Industrial to Commercial, so that a planned commercial subdivision could be developed. Due to the time requirements of a potential purchaser for a certain tract of the rezoned property, this matter is being presented as an emergency measure.

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6017 PROVIDING FOR THE REZONING FROM LIGHT INDUSTRIAL "IL" TO HIGHWAY COMMERCIAL "C-3" THE FOLLOWING DESCRIBED REAL ESTATE TO-WIT: A TRACT OF LAND, WHICH CONSISTS OF APPROXIMATELY 14.05 ACRES AND IS LOCATED GENERALLY WEST OF LAWRENCE STREET AND SOUTH OF HENNINGS DRIVE AS EXTENDED, IN THE CITY OF SIKESTON, NEW MADRID COUNTY, MISSOURI.

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

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

SECTION II: The Planning and Zoning Commission met on March 15, 2016 and voted to approve the rezoning from Light Industrial "IL" to Highway Commercial "C-3" the following described real estate to-wit: A tract of land, which consists of approximately 14.05 acres and is located generally west of Lawrence Street and south of Hennings Drive as extended, in the City of Sikeston, New Madrid County, Missouri.

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

SECTION IV: The above tract of land is hereby rezoned from "IL" Light Industrial to "C-3" Highway Commercial.

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

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

SECTION VII: Emergency Clause. Due to the time requirements of a potential purchaser for a certain tract of the rezoned property, this matter is being presented as an emergency measure.

SECTION VIII: Record of Passage

A. Bill Number 6017 was introduced and read the first time this 28th day of March 2016.

B. Bill Number 6017 was read the second time and discussed this 28th day of March 2016, and was voted as follows:

Depro \_\_\_\_\_, Harris \_\_\_\_\_, Evans \_\_\_\_\_, Settles \_\_\_\_\_,

Meredith \_\_\_\_\_, Burch \_\_\_\_\_, and Gilmore \_\_\_\_\_,

thereby being \_\_\_\_\_, and becoming ordinance 6017.

C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6017 and shall be in full force and effect.

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

\_\_\_\_\_  
Approved as to form  
Charles Leible, City Counselor

Seal / Attest:

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

## Exhibit "A"

[illegible]

# **Council Letter**

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Date of Meeting: 16-03-28

Originating Department: Public Works Department

To the Mayor and City Council:

Subject: 1<sup>st</sup> and 2<sup>nd</sup> Reading and Consideration, Emergency Bill #6018, Approval of Subdivision

Attachment(s):

1. Bill #6018
2. Plat

Action Options:

1. Conduct 1<sup>st</sup> and 2<sup>nd</sup> Reading and approve the proposed subdivision (Cotton Ridge Development, 2<sup>nd</sup> Addition) which consists of approximately 14.05 acres and is located generally west of Lawrence Street and south of Hennings Drive as extended, in the City of Sikeston, New Madrid County, Missouri.
2. Other action Council may deem appropriate

Background:

This is the proposed subdivision (Cotton Ridge Development, 2<sup>nd</sup> Addition) which consists of approximately 14.05 acres and is located generally west of Lawrence Street and south of Hennings Drive as extended, in the City of Sikeston, New Madrid County, Missouri.

The Planning & Zoning Commission did meet and approve this request on March 15, 2016.

Due to the time requirements of a potential purchaser for a certain tract of the subdivided property, this matter is being presented as an emergency measure.

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6018 PROVIDING FOR APPROVAL OF SUBDIVIDING A 14.05 ACRE TRACT OR PARCEL OF LAND BEING KNOWN AS COTTON RIDGE DEVELOPMENT, 2<sup>nd</sup> ADDITION, CITY OF SIKESTON, NEW MADRID COUNTY, MISSOURI, AND WHICH GENERALLY LIES WEST OF LAWRENCE STREET, AND SOUTH OF HENNING'S DRIVE AS EXTENDED, IN THE CITY OF SIKESTON, NEW MADRID COUNTY, MISSOURI.

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

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

SECTION II: The Planning and Zoning Commission met on March 15, 2016 and passed a favorable recommendation to approve the subdividing of a tract or parcel of land the plat of which is attached hereto, marked Exhibit "A" and incorporated by reference and legally described as follows and known as Cotton Ridge Development, 2<sup>nd</sup> Addition:

"A TRACT OR PARCEL OF LAND LYING IN AND BEING A PART OF LOT 4 OF STALLCUP SUBDIVISION IN U.S.P.S. NO. 689, ALL IN TOWNSHIP 26 NORTH, RANGE 14 EAST, IN THE CITY OF SIKESTON, NEW MADRID COUNTY, MISSOURI AND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 IN BLOCK 4 OF COTTON RIDGE DEVELOPMENT, 1ST ADDITION TO THE CITY OF SIKESTON, NEW MADRID COUNTY, MISSOURI; THENCE S.09°51'24"E. ON AND ALONG THE EAST LINE OF LOT 4 OF STALLCUP SUBDIVISION A DISTANCE OF 870.86 FEET TO THE NORTH R/W LINE OF U.S. HIGHWAY 60; THENCE S.61°17'04"W. ON AND ALONG THE NORTH R/W LINE OF U.S. HIGHWAY 60 A DISTANCE OF 548.82 FEET; THENCE S.79°32'21"W. A DISTANCE OF 186.61 FEET TO THE SOUTHEAST CORNER OF A DETENTION BASIN CONVEYED TO THE CITY OF SIKESTON, MISSOURI RECORDED IN DEED BOOK 704 AT PAGE 906 IN THE OFFICE OF THE RECORDER OF DEEDS FOR NEW MADRID COUNTY, MISSOURI; THENCE N.09°43'53"W. ON AND ALONG THE EAST LINE OF A SAID DETENTION BASIN CONVEYED TO THE CITY OF SIKESTON, MISSOURI AS RECORDED IN DEED BOOK 704 AT PAGE 906 A DISTANCE OF 230.00 FEET TO THE NORTHEAST CORNER OF SAID DETENTION BASIN CONVEYED TO THE CITY OF SIKESTON, MISSOURI AS RECORDED IN DEED BOOK 704 AT PAGE 906; THENCE N.05°31'27"W. A DISTANCE OF 348.54 FEET; THENCE N.85°38'21"E. A DISTANCE OF 68.18 FEET; THENCE N.09°50'23"W. A DISTANCE OF 386.00 FEET TO THE SOUTHWEST CORNER OF LOT 1 IN BLOCK 3 OF COTTON RIDGE DEVELOPMENT, 1ST ADDITION TO THE CITY OF SIKESTON, NEW MADRID COUNTY, MISSOURI; THENCE N.81°05'41"E. ON AND ALONG THE SOUTH LINE OF SAID LOT 1 IN BLOCK 3 A DISTANCE OF 266.16 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1 IN BLOCK 3; THENCE N.80°08'53"E. A DISTANCE OF 70.00 FEET; THENCE N.09°51'24"W. A DISTANCE OF 97.65 FEET TO THE SOUTHEAST CORNER OF LOT 1 IN BLOCK 4 OF COTTON RIDGE DEVELOPMENT, 1ST ADDITION TO THE CITY OF SIKESTON, NEW MADRID COUNTY, MISSOURI; THENCE N.80°08'53"E. ON AND ALONG THE SOUTH LINE OF SAID LOT 1 IN BLOCK 4 A DISTANCE OF 275.02 FEET TO THE POINT OF BEGINNING. CONTAINING IN ALL 14.05 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, IF ANY, AFFECTING THE SAME".

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

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

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

SECTION VI: Emergency Clause. Due to the time requirements of a potential purchaser for a certain tract of the subdivided property, this matter is being presented as an emergency measure.

SECTION VII: Record of Passage

A. Bill Number 6018 was introduced and read the first time this 28th day of March, 2016.

B. Bill Number 6018 was read the second time and discussed this 28th day of March, 2016 and voted as follows:

**BILL Number 6018**

**ORDINANCE Number 6018**

Depro \_\_\_\_\_, Harris \_\_\_\_\_, Evans \_\_\_\_\_, Settles \_\_\_\_\_,  
Meredith \_\_\_\_\_, Burch \_\_\_\_\_, and Gilmore, \_\_\_\_\_

thereby being \_\_\_\_\_, and becoming ordinance 6018.

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6018 and shall be in full force and effect.

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

\_\_\_\_\_  
Approved as to form  
Charles Leible, City Counselor

Seal / Attest

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



## Exhibit “A”

[illegible]

## Council Letter

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Council Letter: 16-03-28

Originating Department: Governmental Services

Subject: 2<sup>nd</sup> Reading Bill 6013, Re-adoption of Fair Housing Policy

To the Mayor and City Council:

Attachments:

1. Bill 6013

Action Options:

1. Approval of Bill 6013
2. Other actions as Council may deem appropriate

Background:

Bill 6013, calling for the re-adoption of the City's Fair Housing Policy, is required to maintain compliance with State CDBG funding requirements. Bill 6013 defines discriminatory practices and establishes a Fair Housing Committee to hear violations of municipal Fair Housing Complaints and eliminate alleged discriminatory practice by conference and conciliation. (The Housing Authority Board of Commissioners serves as the Fair Housing Committee.)

Staff asks for Council's approval of Bill 6013.

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6013, PROVIDING "FAIR HOUSING" FOR THE CITY OF SIKESTON, MISSOURI, DEFINING DISCRIMINATORY HOUSING PRACTICES, AND CREATING A FAIR HOUSING COMMITTEE.

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

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

SECTION II: Declaration of Policy: The City Council of the City of Sikeston hereby declares it to be the public policy of the City to eliminate discrimination and safeguard the right of any person to sell, purchase, lease, rent or obtain real property without regard to race, sex, color, national origin, ancestry, religion, religious affiliation, handicap and without regard to whether a family has children. This ordinance shall be deemed an exercise of the police powers of the City of Sikeston, Missouri, for the protection of the public welfare, prosperity, health and peace of the people of Sikeston.

SECTION III. Definitions. For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein unless the context otherwise indicates.

- A. Person shall include any individual, firm, partnership or corporation.
- B. Aggrieved Person shall include any person who is attempting to provide housing for himself and/or his family in the City of Sikeston, Missouri.
- C. Discriminate shall mean distinctions in treatment because of race, sex, color, religion, handicap, familial status or national origin of any person.

SECTION IV. Discriminatory Practices. It shall be a discriminatory practice and a violation of this ordinance for any person to:

- A. Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, sex, color, religion, religious affiliation, handicap, familial status, or national origin of any person.
- B. Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, sex, color, religion, religious affiliation, handicap, familial status, or national origin.
- C. Make, print, or publish, or cause to be made, printed or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, sex, color, religion, religious affiliation, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.
- D. Represent to any person because of race, sex, color, religion, religious affiliation, handicap, familial status, or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.
- E. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, sex, color, religion, religious affiliation, handicap, familial status, or national origin.

- F. Bars discrimination in the sale or rental of housing on the basis of a handicap, and requires the design and construction of new multi-family dwelling with four (4) or more units to meet certain adaptability and accessibility requirements.
- G. Bars discrimination in the sale or rental of housing because a family has children, but exempts certain types of buildings that house older persons, e.g. Section 202 housing.

SECTION V: Discrimination in the Financing of a House. It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan to a person applying therefore for the purpose of purchasing, constructing, repairing, or maintaining a dwelling, or discriminate against any person in the fixing of the amount or conditions of such loan, because of the race, sex, color, religion, religious affiliation, handicap, familial status, or national origin of such person or of any person associated with him in connection with such financing.

SECTION VI. Exemptions. The provisions of this ordinance and particularly Section IV hereof, shall not apply to the following:

- A. The sale or rental of a dwelling unit in a building, which contains housing accommodations with no more than four (4) families living independently of each other, if the owner resides in one of the units.
- B. Housing need not be made available to a person who is a direct threat to the health or safety of others or who currently uses illegal drugs.
- C. Religious organizations and private clubs may limit the sale, rental or occupancy of housing owned or operated for other than a commercial purpose, to their members.
- D. Any single family house sold or rented by an owner provided that such house is sold or rented:
  - 1. without the use of sales or rental facilities or services of real estate brokers, agents, salesmen, or persons in the business of selling or renting dwelling, and
  - 2. without the publication, posting or mailing of any advertisement in violation of Section 3c of this ordinance.

provided however, that:

- 1. nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title, and
  - 2. that any such private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the process, from the sale or rental of more than three such single family houses at any one time.
- E. For the purposes of subsection e, a person shall be in the business of selling or renting dwelling if:
  - 1. he has, within the preceding twelve months, participated as a principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or
  - 2. he has, within the preceding twelve months, participated as an agent, other than in the sale of his own personal residents in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or
  - 3. he is the owner of any dwelling designed or intended for occupancy, by or occupied by five or more families.

SECTION VII. Administration:

- A. There is hereby created a Fair Housing Committee whose membership shall consist of five members, who shall be appointed by the Mayor of the City with the approval of the City Council.
- B. Every complaint of a violation of this ordinance shall be referred to the Fair Housing Committee. The Fair Housing Committee shall forthwith notify the person against whom the complaint is made. The identity of the aggrieved person shall be made known to the person against whom the complaint is made at that time. If the Fair Housing Committee, after investigation, finds there is no merit to the complaint, the same shall be dismissed. If the Fair Housing Committee finds that there is merit in the complaint, in their opinion, then and in that event, the Fair Housing Committee will endeavor to eliminate the alleged discriminatory practice by conference and conciliation.
- C. If the Fair Housing Committee is unable to eliminate the alleged discriminatory practice by a conference and conciliation, then and in the event, the Fair Housing Committee shall forward said complaint to the City Attorney for handling. The final determination of whether or not to prosecute on said complaint shall be left to the City Attorney.

SECTION VIII. Enforcement.

- A. Any person convicted of a violation of this ordinance shall be punished by a fine of not more than two hundred (\$200.00) or confinement in the County jail for not more than thirty (30) days, or both such fine and imprisonment.
- B. The City Attorney, instead of filing a complaint in Municipal Court of said City, may, as an alternative remedy, seek to have the alleged discriminatory practices abated by an action for an injunction to be maintained in the appropriate Circuit Court of the State of Missouri.

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

SECTION XI: Savings Clause. This ordinance shall not affect violations of any other ordinance, code or regulation of the City of Sikeston existing prior to the effective date hereof. Any such violations shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

SECTION XII: Record of Passage:

- A. Bill Number 6013 was introduced and read the first time this 7th day of March 2016.
- B. Bill Number 6013 was read the second time and discussed this 28<sup>th</sup> day of March 2016, and voted as follows:

Harris, \_\_\_\_\_, Depro, \_\_\_\_\_, Evans, \_\_\_\_\_,  
Gilmore, \_\_\_\_\_, Settles \_\_\_\_\_, Merideth, \_\_\_\_\_,  
Burch, \_\_\_\_\_, thereby being  
\_\_\_\_\_, and  
becoming ordinance 6013.

C. Ordinance 6013 shall be in full force and effect from and after April 29, 2016.

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Steven Burch, Mayor

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Approved as to form  
Chuck Leible, City Counselor

Seal / Attest

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Carroll Couch, City Clerk

# **Council Letter**

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Date of Meeting: 16-03-28

Originating Department: Administrative Services

To the Mayor and City Council:

Subject: 1<sup>st</sup> Reading, Bill #6011, Calling for Use Tax Election

Attachments:

1. Bill 6011
2. Legal Notice

Action Options:

1. 1<sup>st</sup> Reading, Bill 6011
2. Other Action Council may deem appropriate

Background:

Bill 6011 calls for an election to be held on Tuesday August 2, 2016, for the purpose of determining if use tax collections on out of State purchases of motorized vehicles should be continued. If the collections are discontinued, the City will lose an estimated \$ 168,000.

Staff will ask for approval of this bill during the April 4<sup>th</sup> Council meeting.

AN ORDINANCE CALLING AN ELECTION IN THE CITY OF SIKESTON, MISSOURI, ON THE QUESTION OF WHETHER TO CONTINUE APPLICATION AND COLLECTION OF THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER; DESIGNATING THE TIME OF HOLDING THE ELECTION; AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE OF THE ELECTION.

WHEREAS, the City has imposed total local sales taxes, as defined in Section 32.085, RSMo, at the rate of three percent (3%); and

WHEREAS, the City is authorized under Section 144.757, RSMo, to impose a local use tax at a rate equal to the rate of the total local sales taxes in effect in the City; and

WHEREAS, the City is required under the provisions of Section 32.087, RSMo, to submit to the qualified voters of the City the question of whether to continue the application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer; and

WHEREAS, the City is required to submit the question to its voters no later than the general election in November 2016; and

WHEREAS, a fair and sound tax policy would require the same tax rate be charged on purchases made from businesses located outside Missouri as are charged by businesses in Sikeston, Missouri, eliminating a competitive advantage of out-of-state businesses; and

WHEREAS, maintaining a local sales tax will continue the policy of eliminating an advantage out-of-state dealerships enjoy over local dealerships; and

WHEREAS, the proposed City use tax cannot become effective until approved at an election by the qualified voters of the City.

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

Section I. Pursuant to the provisions of Section 32.087, RSMo, the City Council has determined that it would be appropriate to submit the determination of the issues of whether to continue application of the local sales tax to the titling of motor vehicles, trailers, boats and outboard motors that are subject to state sales tax under Section 144.020, RSMo, and purchased from a source other than a licensed Missouri dealer to the voters.

Section II. This proposition shall be submitted to the qualified voters of the City of Sikeston, Missouri, for their approval, as required by the provisions of Section 32.087, RSMo, at the election hereby called and to be held in the City on Tuesday, August 2, 2016.

Section III. Said tax shall continue to be effective as provided by law upon approval thereof by a majority of the votes cast on the proposition by the qualified voters of the City voting thereon.

Section IV. A special election is hereby ordered to be held in the City of Sikeston, Missouri, on Tuesday, August 2, 2016, on the following question:

QUESTION

Shall the City of Sikeston, Missouri, continue applying and collecting the local sales tax on the titling of motor vehicles,



trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer? Rejection of this measure will result in a reduction of local revenue to provide for vital services for the City of Sikeston, Missouri, and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

Section V. The form of the Notice of Election for said election, a copy of which is hereby attached hereto and made a part hereof, is hereby approved.

Section VI. The City Clerk is hereby authorized and directed to notify the County Clerks of Scott and New Madrid County, Missouri, of the passage of this ordinance no later than 5:00 p.m. on Tuesday, May 24, 2016, and to include in said notification all of the terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, as amended.

Section VII. Within ten (10) days after the approval of this proposition by the qualified voters of the City of Sikeston, Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri, by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

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

Section X. Record of Passage:

- A. Bill Number 6011 was introduced to Council and read the first time this 28<sup>th</sup> day of March 2016.
- B. Bill Number 6011 was read the second time this 4<sup>th</sup> day of April 2016, discussed and voted as follows:
- Evans \_\_\_\_\_, Depro \_\_\_\_\_, Gilmore \_\_\_\_\_,  
Merideth \_\_\_\_\_, Harris \_\_\_\_\_, Settles \_\_\_\_\_,  
and Burch \_\_\_\_\_, thereby being \_\_\_\_\_.
- C. Ordinance 6011 shall be in full force and effect from and after Wednesday, May 4, 2016.

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

\_\_\_\_\_  
Approved as to Form  
Charles Leible, City Counselor

Seal/Attest:

\_\_\_\_\_  
Carroll L. Couch, City Clerk

**Section 1:** 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, the second day of August, 2016.

Section 3: That said election be held in the City of Sikeston, Missouri, in the polling places and precincts set by the County Clerk.

Section 7: That the City Clerk of the City of Sikeston, Missouri, be and he is hereby authorized and directed to notify the County Clerk of Scott County, Missouri, of the adoption of the ordinance no later than May 24, 2016, and to include in said notification of all terms and provisions required by the Comprehensive Election Act of 1986, as amended, and the above cited Statutes and ordinances.

Section 8: The ballots used in the aforementioned General Election shall be in substantially the following form:

**OFFICIAL BALLOT – WARD 1 - SCOTT COUNTY**

SHALL THE CITY OF SIKESTON, MISSOURI CONTINUE APPLYING AND COLLECTING THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER? REJECTION OF THIS MEASURE WILL RESULT IN A REDUCTION OF LOCAL REVENUE TO PROVIDE FOR VITAL SERVICES FOR THE CITY OF SIKESTON, MISSOURI, AND IT WILL PLACE MISSOURI DEALERS OF MOTOR VEHICLES, OUTBOARD MOTORS, BOATS, AND TRAILERS AT A COMPETITIVE DISADVANTAGE TO NON-MISSOURI DEALERS OF MOTOR VEHICLES, OUTBOARD MOTORS, BOATS, AND TRAILERS.

☐ YES

☐ NO

IF YOU ARE IN FAVOR OF THE QUESTION, PLACE AN "X" IN THE BOX OPPOSITE 'YES'. IF YOU ARE OPPOSED TO THE QUESTION, PLACE AN 'X' IN THE BOX OPPOSITE 'NO'.

**OFFICIAL BALLOT – WARD 2 - SCOTT COUNTY**

SHALL THE CITY OF SIKESTON, MISSOURI CONTINUE APPLYING AND COLLECTING THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER? REJECTION OF THIS MEASURE WILL RESULT IN A REDUCTION OF LOCAL REVENUE TO PROVIDE FOR VITAL SERVICES FOR THE CITY OF SIKESTON, MISSOURI, AND IT WILL PLACE MISSOURI DEALERS OF MOTOR VEHICLES, OUTBOARD MOTORS, BOATS, AND TRAILERS AT A COMPETITIVE DISADVANTAGE TO NON-MISSOURI DEALERS OF MOTOR VEHICLES, OUTBOARD MOTORS, BOATS, AND TRAILERS.

☐ YES

☐ NO

IF YOU ARE IN FAVOR OF THE QUESTION, PLACE AN "X" IN THE BOX OPPOSITE 'YES'. IF YOU ARE OPPOSED TO THE QUESTION, PLACE AN 'X' IN THE BOX OPPOSITE 'NO'.

**OFFICIAL BALLOT – WARD 3 - SCOTT COUNTY**

SHALL THE CITY OF SIKESTON, MISSOURI CONTINUE APPLYING AND COLLECTING THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER? REJECTION OF THIS MEASURE WILL RESULT IN A REDUCTION OF LOCAL REVENUE TO PROVIDE FOR VITAL SERVICES FOR THE CITY OF SIKESTON, MISSOURI, AND IT WILL PLACE MISSOURI DEALERS OF MOTOR VEHICLES, OUTBOARD MOTORS, BOATS, AND TRAILERS AT A COMPETITIVE DISADVANTAGE TO NON-MISSOURI DEALERS OF MOTOR VEHICLES, OUTBOARD MOTORS, BOATS, AND TRAILERS.

☐ YES

☐ NO

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**OFFICIAL BALLOT – WARD 4 - SCOTT COUNTY**

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☐ YES

☐ NO

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**OFFICIAL BALLOT – WARD 3 – NEW MADRID COUNTY**

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☐ YES

☐ NO

IF YOU ARE IN FAVOR OF THE QUESTION, PLACE AN "X" IN THE BOX OPPOSITE 'YES'. IF YOU ARE OPPOSED TO THE QUESTION, PLACE AN 'X' IN THE BOX OPPOSITE 'NO'.

**OFFICIAL BALLOT – WARD 4 – NEW MADRID COUNTY**

SHALL THE CITY OF SIKESTON, MISSOURI CONTINUE APPLYING AND COLLECTING THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER? REJECTION OF THIS MEASURE WILL RESULT IN A REDUCTION OF LOCAL REVENUE TO PROVIDE FOR VITAL SERVICES FOR THE CITY OF SIKESTON, MISSOURI, AND IT WILL PLACE MISSOURI DEALERS OF MOTOR VEHICLES, OUTBOARD MOTORS, BOATS, AND TRAILERS AT A COMPETITIVE DISADVANTAGE TO NON-MISSOURI DEALERS OF MOTOR VEHICLES, OUTBOARD MOTORS, BOATS, AND TRAILERS.

☐ YES

☐ NO

IF YOU ARE IN FAVOR OF THE QUESTION, PLACE AN "X" IN THE BOX OPPOSITE 'YES'. IF YOU ARE OPPOSED TO THE QUESTION, PLACE AN 'X' IN THE BOX OPPOSITE 'NO'.

## Council Letter

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Council Letter: 16-03-28

Originating Department: Governmental Services

Subject: 1<sup>st</sup> Reading Bill #6015, Formally Accepting Ownership of Lincoln Park from LCRA

To the Mayor and City Council:

Attachments:

1. Bill #6015

Action Options:

1. 1<sup>st</sup> Reading, Bill #6015
2. Other actions as Council may deem appropriate

Background:

Bill #6015, which authorizes the Land Clearance for Redevelopment Authority to convey a tract of land to the City of Sikeston, is being presented to Council for the first reading. Approval of this bill will allow the City of Sikeston to accept ownership of land known as Lincoln Park.

Second reading and consideration of Bill #6015 will be conducted at the April 4<sup>th</sup> Council meeting.

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6015 AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF SIKESTON, MISSOURI TO ACCEPT A CONVEANCE OF LAND FROM LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY, CITY OF SIKESTON TO ESTABLISH LINCOLN PARK.

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

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

SECTION II: Land Clearance for Redevelopment Authority wishes to convey a tract of land (described in Exhibit "A" hereto attached) to the City of Sikeston for the creation of a park.

SECTION III. The City shall accept said conveyance and assumes ownership of said real estate in order to have a site upon which to construct and develop a park to be named Lincoln Park.

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

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

SECTION VI: Record of Passage:

A. Bill Number 6015 was introduced and read the first time this 28<sup>th</sup> day of March, 2016.

B. Bill Number 6015 was read the second time and discussed on this 4<sup>th</sup> day of April, 2016, and was voted as follows:

Evans \_\_\_\_\_, Meredith \_\_\_\_\_, Gilmore \_\_\_\_\_,

Settles \_\_\_\_\_ Depro \_\_\_\_\_, Harris \_\_\_\_\_,

Burch \_\_\_\_\_,

thereby being \_\_\_\_\_.

C. Upon passage by the City Council, this Bill shall become Ordinance 6015 and shall be in full force and effect from and after May 4, 2016.

\_\_\_\_\_  
STEVEN BURCH, Mayor

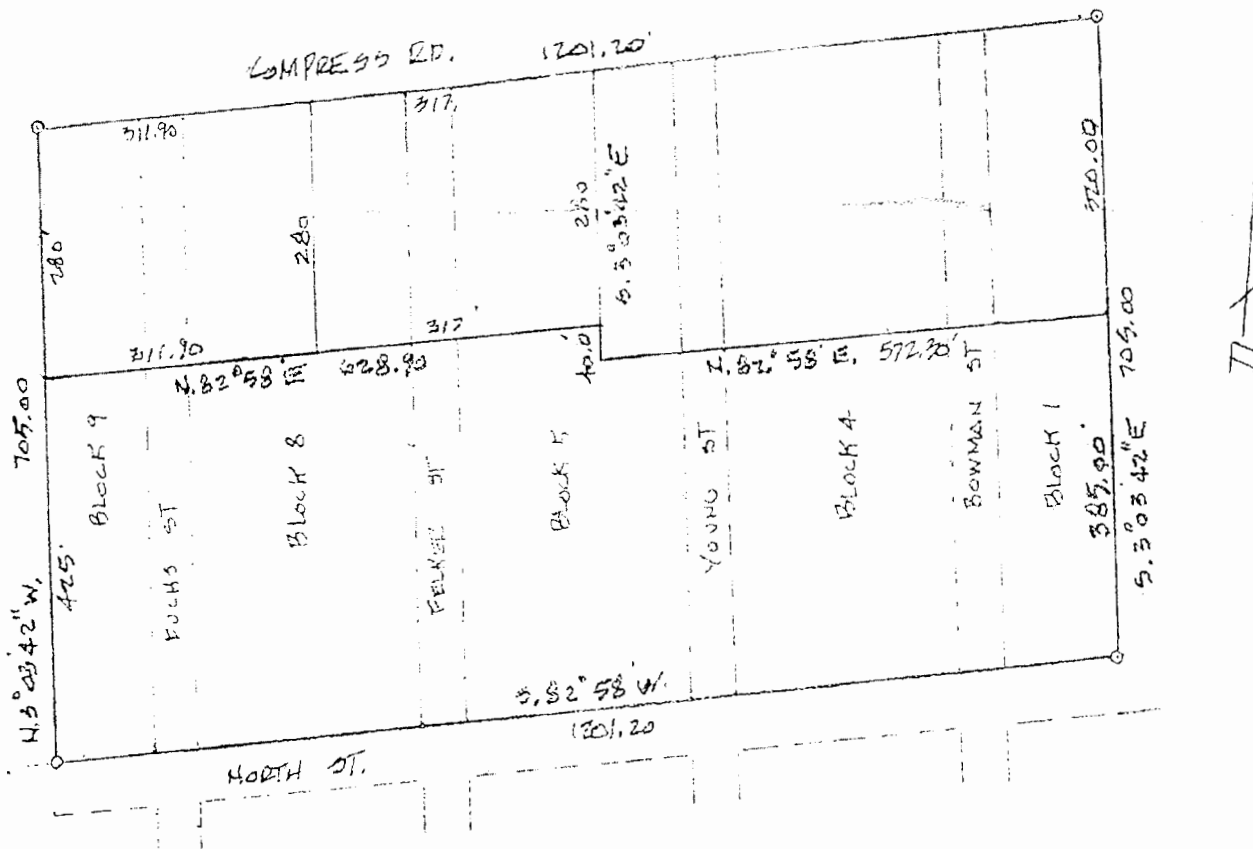
Approved as to Form:

\_\_\_\_\_  
CHARLES LEIBLE, City Counselor

SEAL/ATTEST:

\_\_\_\_\_  
CARROLL COUCH, City Clerk

# Exhibit "A"



LCRA

## PROPERTY DESCRIPTION:

A tract or parcel of land lying in and being a part of Blocks 1, 4, 5, 8 and 9 of Fairgrounds Addition to the City of Sikeston, Scott County, Missouri and a part of Fuchs Street, Felker Street, Young Street and Bowman Street that has been vacated between North Street and Compress Road in the City of Sikeston, Scott County, Missouri with said tract being more fully described by metes and bounds as follows: Beginning at the Southeast Corner of Lot 18 in Block 1 of Fairgrounds Addition to the City of Sikeston, Scott County, Missouri, said beginning point being in the North R/W Line of North Street; thence  $S. 82^{\circ} 58' 00'' W$ . along the North R/W Line of North Street a distance of 1201.20 feet to the West Line of Block 9 of Fairgrounds Addition; thence  $N. 03^{\circ} 03' 42'' W$ . on and along the West Line of Block 9 a distance of 425.00 feet; thence  $N. 82^{\circ} 58' 00'' E$ . a distance of 628.90 feet; thence  $S. 03^{\circ} 03' 42'' E$ . a distance of 40.00 feet; thence  $N. 82^{\circ} 58' 00'' E$ . a distance of 572.30 feet to the East Line of Block 1 of Fairgrounds Addition to the City of Sikeston, Scott County, Missouri; thence  $S. 03^{\circ} 03' 42'' E$ . on and along said East Line of Block 1 of Fairgrounds Addition a distance of 385.00 feet to the point of beginning. Containing in all 11.18 acres, more or less. Subject to all right-of-ways and easements, if any, affecting the same.

## CERTIFICATION:

This is to certify that the above plat is in accordance with a survey made during July 2013, and in accordance with requirements of the standards for boundary surveys adopted by the Missouri Board for Architects, Professional Engineers and Land Surveyors.

Christopher Wayne Lambert, PLS 2006000165  
LAMBERT ENGINEERING & SURVEYING

July 17, 2013



## Council Letter

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Council Letter: 16-03-28

Originating Department: Department of Governmental Services

To the Mayor and City Council:

Subject: Interim Appointments to Board of Adjustments, LCRA Commission, and Sikeston Park Board

Attachment:  
None

Action Options:

1. Make interim appointments
2. Other action as Council may deem appropriate

Background:

Board of Adjustments:

Upon the passing of Phil Black a vacancy was created on the Board of Adjustments. Staff is requesting an interim appointment be made to fill a term expiring in September 2020.

Current Members: Jessie Redd, Harvey Cooper, William Nace, and Ron Gilmore.

Term: 5 Years

Applicants:

- James Miller – currently an Alternate Member
- Mike Ziegenhorn – currently an Alternate Member
- Jodi Glidewell – currently an Alternate Member
- Ellen Brandom – Resource Bank Applicant

LCRA Commission:

With the resignation of Larry Williams a vacancy now exists on the LCRA Commission. Staff is requesting an interim appointment to fill a term expiring in September 2019.

Current members: Mike Jensen, Matthew Wright, Bill Mitchell and Dan Marshall  
Council Liaison – Karen Evans

Resource Bank Applicants:

John Leible – 1018 Pine St.  
Morgan Hough – 105 Grove Street  
Richard Sherman – 133 Greenbriar  
Ellen Brandom – 115 Greenbriar

Kathy Teachout – 713 Hickory Dr.  
Mike Ziegenhorn – 558 Park  
Jared Straton – 1302 Primrose Drive  
Larry Tetley – 141 Greenbriar

PARK BOARD:

With the resignation of Larry Williams a vacancy was created on the Park Board. Staff is requesting a Council appointment for the interim term ending in September 2016.

Current Members: Brian Self, Rod Anderson, Jeff Hay, Ellen Brandom, Jared Straton, Jason Davis, Susanne Chitwood and Jackie Cowan  
Council Liaison – Maude Harris

Resource Bank Applicants:

Delbert Curry – 601 Maple Street  
Wade Hamra, 104 Larkspur  
Holly Greene, 912 Stanford

Derrick Pullen, 919 Stanford Dr.  
Emily Deuster, 1015 Pine

# Council Letter

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Date of Meeting: March 28, 2016

Originating Department: City Manager

To the Mayor and City Council:

Subject: FY2017 Budget Kickoff

Attachment(s):

1. Tentative Budget Process Calendar

Action Options:

1. Briefing Only
2. Other Action Council May Deem Necessary

Background:

City staff is beginning to prepare a Fiscal Year 2017 Budget for City Council consideration. The attached calendar (subject to change) outlines the process staff anticipates following.

Department heads have submitted their initial budget requests to the city manager and those are under review. As we kickoff the budget process, there are several issues we wanted to make the Council aware of, including the following:

- **Budget Amendments:** Every year between adoption of the budget and the end of the fiscal year, unanticipated issues arise for which the City Council authorizes unbudgeted expenditures. Prior to the end of the fiscal year, the Council will be asked to approve a budget amendment accounting for these previously unbudgeted expenditures. Some of these items include the flood plain study underway by Algier Martin Engineers, chemical and equipment replacements related to the Santie Oil fire, a temporary employee needed during a medical leave by another employee, additional personnel costs related to hiring of a new parks and recreation director, and other minor items.
- **YTD Sales Tax Receipts:** Year to date sales tax receipts are up 1% compared to last year. Last year's receipts were up 9% over the previous year. As we begin working on the FY17 budget, we will begin by budgeting an additional 1% increase over our estimated FY16 receipts. Projecting sales tax revenues is difficult. In the coming year we hope to see increased sales tax revenues due to the opening of new businesses such as Love's Truck Stop and the new Malco Theater, but there are also likely to be negative pressures on sales taxes including the layoffs at Noranda. Historically, sales tax receipts have risen and fallen

cyclically with no obvious causes, likely due to the interplay of multiple positive and negative influences.

- **Capital Improvement Sales Tax:** The voter-approved ½ Cent Capital Improvement Sales Tax goes into effect April 1. The tax is expected to generate \$1.4 million per year. Approximately half of those revenues will pay for capital improvements currently funded from general revenues (thus freeing up money to make Public Safety salaries more competitive), and the other half will be used to fund additional park and street division capital improvement needs.

The city department heads turned in their budget requests on Friday, March 25. In the coming weeks the city manager and administrative services director will be reviewing those budget requests, including capital improvements, and will start putting together recommendations regarding how to spend the capital improvement funds.

Additionally, the city has created a webpage, [http://www.sikeston.org/financial\\_and\\_annual\\_reports/sales\\_tax.php](http://www.sikeston.org/financial_and_annual_reports/sales_tax.php), where we will track expenditures made with the new Capital Improvement Sales Tax, so that we can demonstrate to the voters that we are being faithful to the pledges made during the sales tax campaign.

- **Compensation:** During the budget process for Fiscal Year 2016 (July 2015-June 2016), the Council approved spending from the General Fund balance (in anticipation of passage of the new sales tax) for a \$3,000 raise for all sworn law enforcement positions. In December 2015, after passage of the sales tax, the City Council approved an additional \$4,000 raise for Public Safety Officers, \$2,000 for detectives, \$2,000 for sergeants, \$3,000 for lieutenants, \$3,000 for captains, and \$2,500 for communications officers (dispatchers) to be effective with the beginning of Fiscal Year 2017 (July 2016). These compensation adjustments were made in order to bring our salaries, which were far below the market, to a competitive position and allow us to address a critical hiring shortage.

With the Public Safety compensation program settled, it is anticipated that the only compensation needs which will require discussion are for the 43 other city employees not covered by the previously approved DPS salary adjustments. The city manager is preparing a recommended compensation program for later consideration by the City Council.

**Direction Requested:**

If members of the City Council have questions, or if there are projects or issues the Council would like addressed in the FY17 Budget, staff requests direction regarding those items.

# City of Sikeston

## FY-2017 Budget Preparation and Approval Process Timeline

**Final adoption date: 06/15/16**

Sikeston's City Charter sets forth specific deadlines for the review and adoption of the budget and capital improvement plan. This information is detailed in Article VI (page 11) of the Charter. Provided below is the timeline for the FY-2017 budget process.

<b><u>Required Action</u></b>	<b><u>Charter Reference</u></b>	<b><u>Statutory Deadline</u></b>	<b><u>Proposed Date</u></b>
Budget & CIP Worksheets Distributed to Department Heads	--	--	Feb 23
Budget & CIP Worksheets Submitted to City Manager	--	--	March 25
Year-end Expense Estimates and Revenue Projections Presented to City Council	--	--	March 28
City Council Budget Study Session	--	--	April 21
Submission of Proposed Budget & Budget Message to City Council (On or before 60 days prior to July 1, 2015)	6.2	May 2	April 25
Publish Notice of Public Hearing (Not less than 2 weeks prior to public hearing, notice must include budget summary/message)	6.5(a)2	May 2	May 2
Formal Public Hearing on FY-17 Budget (At least 30 days prior to budget adoption)	6.5(a)2	May 16	May 16
Amendment prior to Adoption: After the public hearing Council may adopt the budget with or without amendment. In amending the budget Council may add or increase programs, delete or decrease any programs or amounts except expenditures required by law for debt service or for estimated cash deficit.	6.5(b)	--	--
Public Hearing & 1st Reading Budget & Staffing Ordinances (At least 1 week must lapse between introduction and passage)	3.12(e)	June 6	June 6
2nd Reading & Passage of Budget & Staffing Ordinances	6.5(c)2	June 15	June 15
FY-17 Budget Implementation	--	--	July 1