The regular Sikeston City Council meeting of April 3, 2023 was called to order at 5:00 p.m. at City Hall located at 105 E. Center St., Sikeston. Present at the meeting were: Mayor Greg Turnbow, John Leible, Brian Self, and David Teachout. Council members Vest Baker, Tom Robison and Onethia Williams were absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Graham, City Clerk Rhonda Council, Finance Director Karen Bailey, HR Director Amanda Groves and Carrie Burgfeld, 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, and Captain Derick Wheetley.

APPROVAL OF CITY COUNCIL MINUTES

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

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

ITEMS OF BUSINESS

2nd Reading, Bill #6299, Request to Rezone Lots Between Robert, Betty & Ralph Street from Two Family/Duplex Residential (R-4) to Highway Commercial (C-3)

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

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

City Counselor Graham presented the bill for reading.

Bill Number 6299

Ordinance Number 6299

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6299 PROVIDING FOR THE REZONING 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.

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 14, 2023 and voted to approve the rezoning of two lots from “R-4” Two-Family Residential to “C-3” Highway Commercial the following described real estate to-wit: Lot 1 & 2 of Eleven 13 Subdivision, Scott County, Missouri as shown on Plat and marked Exhibit A. Subject to all easements, if any, affecting the same.
SECTION III: A plat of said real estate is marked as Exhibit “A” attached hereto and incorporated by reference.

SECTION IV: The above tract of land is hereby rezoned from “R-4” Two-Family Residential 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: Record of Passage

A. Bill Number 6299 was introduced and read the first time this 27th day of March, 2023.

B. Bill Number 6299 was read the second time and discussed on this 3rd day of April, 2023. Following discussion, Councilman Leible moved to approve Bill Number 6299. The motion was seconded by Councilman Self, discussed and the following roll call vote was recorded:

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

C. Ordinance No. 6299 and shall be in full force and effect from and after May 3, 2023.

2nd Reading, Bill #6300, Request to Subdivide Tract of Land between Robert, Betty, Ralph and Indiana Streets to be known as Eleven 13 Subdivision

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

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

City Counselor Graham presented the bill for reading.

Bill Number 6300

Ordinance Number 6300

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 INDIANA STREETS, IN 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 not be codified in the City Municipal Code.

SECTION II: The Planning and Zoning Commission met on March 14, 2023 and voted to approve the subdividing of a tract or parcel of land the plat of which is attached hereto, marked Exhibit “A”, and incorporated by reference and legally described as follows and known as Eleven 13 Subdivision:
All of Lots Numbered 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45 Crowe’s Place, Scott County, Missouri as shown on Plat thereof recorded in Book 6 at Page 36. 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 Repeater 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 6300 was introduced and read the first time this 27th day of March, 2023.

B. Bill Number 6300 was read the second time and discussed on this 3rd day of April, 2023. Following discussion, Councilman Self moved to approve Bill Number 6300. The motion was seconded by Councilman Leible, discussed and the following roll call vote was recorded:

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

C. Ordinance No. 6300 and shall be in full force and effect from and after May 3, 2023.

2nd 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 Teachout moved for the second reading of Bill Number 6301. The motion was seconded by Councilman Leible and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

Bill Number 6301

Ordinance Number 6301

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.

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 14, 2023 and voted to approve the subdividing of a tract or parcel of land the plat of which is attached hereto, marked Exhibit “A”, and incorporated by reference and legally described as follows and known as Linn Street Place:
All that part of the west half of fractional Section 20, Township 26 North, Range 14 East, Scott County, Missouri, bounded and described as follows: Beginning at a cross in the top of a concrete headwall in the North line of Linn Avenue (Formerly known as the Charleston and Sikeston County Road), said cross being S.70°23′W., 366.32 feet from a concrete 18 inch x 6 inch x 6 inch set by Murray 1909, said concrete 18 inch x 6 inch x 6 inch being N.12°42′W., 1.37 chains from a point in the Centerline of the Missouri Pacific Railroad (Formerly the St. Louis Iron Mountain and Southern Railroad Cairo Branch), which point is S.70°23′W., 19.85 chains measured along the Centerline of said Railroad from the North and South Centerline of said fractional Section 20; Thence S.70°23′W. Parallel with the North line of Linn Avenue 298.3 feet to a concrete 18 inch x 6 inch x 6 inch set by Murray 1909; Thence N.12°42′W., 660.0 feet to a concrete 18 inch x 6 inch x 6 inch set by Murray 1909; Thence N.70°23′E. Parallel with the North line of Said Linn Avenue, 298.3 feet to a point; Thence S.12°42′E., 660.0 feet to the point of beginning. Subject to all Easements, if any, affecting the same.

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

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

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

SECTION VI: Record of Passage

A. Bill Number 6301 was introduced and read the first time this 27th day of March, 2023.

B. Bill Number 6301 was read the second time and discussed on this 3rd day of April, 2023. Following discussion, Councilman Leible moved to approve Bill Number 6301. The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

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

C. Ordinance No. 6301 and shall be in full force and effect from and after May 3, 2023.

2nd Reading, Bill #6303, Re-adoption of Fair Housing Policy

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

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

City Counselor Graham presented the bill for reading.

Bill Number 6303

Ordinance Number 6303

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.
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 6303 was introduced and read the first time this 27th day of March, 2023.

B. Bill Number 6303 was read the second time and discussed on this 3rd day of April, 2023. Following discussion, Councilman Leible moved to approve Bill Number 6303.
The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

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

C. Ordinance No. 6303 and shall be in full force and effect from and after May 3, 2023.

1st Reading, Bill #6302, Installation of 4-Way Stop at Cleveland & Allen Blvd.

Councilman Self moved for the first reading of Bill Number 6302. The motion was seconded by Councilman Teachout and the following vote recorded:

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

City Counselor Graham presented the bill for reading. This bill as approved shall become Ordinance Number 6302 and shall amend Title III, Chapter 300, Schedule III, Table III-A of the Uniform Traffic Code, establishing additional traffic control measures within the City of Sikeston, Missouri.

Approve RFP 23-57, Proposal by Spread Hope Now (Opioid Settlement)

The City of Sikeston participated with the State of Missouri and other cities and in opioid litigation which resulted in a settlement that is shared between the participating agencies. Over the next 18 years, the City of Sikeston is expected to receive $227,609.79 or approximately $12,500 per year. On December 30, 2022, the City received two years of distributions, totaling $25,596.22. Funds can only be used for Opioid remediation.

City staff met and determined it would be best for our community to request proposals for the use of funds. An RFP was issued but only one response, from Spread Hope Now, was received.

On March 22, 2023, city staff met with representatives of Spread Hope Now and reviewed their proposal, discussed their plans to address opioid usage/remediation, and reporting mechanisms to be better defined at a later date. Funding will be based on the monies received annually. It is our recommendation that funds received from National Opioid Settlement be awarded to Spread Hope Now per uses outlined in RFP 23-57.

Councilman Leible moved to award RFP 23-57 for the use of funds from the Opioid Settlement to Spread Hope Now. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

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

Authorization to Execute Farm Lease Agreement

In 2022, the city entered a farm lease with Doug Scott Farms for the undeveloped ground at the South Industrial Park. (Prior to 2022, Doug Scott was already farming this ground). This lease was granted at no cost due to the ongoing construction, and awareness that some of the land may be sold. It is of benefit to the city since Mr. Scott will maintain the land in tidy agricultural use rather than overgrown in wild ground cover and grasses that the city would have to continuously mow. This is a basic renewal of the lease from 2022. Staff is seeking approval of the attached farm lease with Doug Scott Farms with a no cost lease to maintain the unused ground at the Sikeston South Industrial Park.
Councilman Self moved to authorize the execution of farm lease renewal with Doug Scott Farms for term commencing on April 1, 2023 and terminating on December 31, 2023 with no cost to the City. The motion was seconded by Councilman Leible, discussed and the following roll call vote recorded:

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

Authorization to Purchase New Tractor – Parks Department

The Parks and Recreation Department budgeted $21,000.00 for the purchase of a 37 horsepower tractor in the Capital Improvement Fund. Greenway Equipment from Sikeston, MO submitted a bid through Sourcewell, a government procurement agency, for $29,875 which satisfies all bidding requirements.

The $29,875 is over what we had budgeted for the purchase of a new mower; however, the budget included the trade in value of our current 2004 25HP John Deere Tractor which we estimated at $5,000. The actual trade in value of our tractor was $7,000 and with that being applied to the purchase of a new tractor, the total cost dropped to $22,875.00, which remains $1,875.00 over the original budgeted amount. There are unused funds for unrelated Parks projects in the Capital Improvement Plan to cover the additional cost.

Councilman Self moved to authorize the purchase of a 37 horsepower tractor from Greenway Equipment in Sikeston, MO in the amount of $29,875.00. The motion was seconded by Councilman Leible, discussed and the following roll call vote recorded:

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

Establish Date for Council Reorganizational Meeting

On April 4th citizens of Sikeston will vote to replace At-Large Council member Brian Self, who has termed out. Once the new council member has been elected and the City receives the verified election results from both Scott and New Madrid County, a reorganizational meeting must be held to conduct the swearing-in ceremony and appoint Council liaisons to various boards and commissions.

Staff would like Council to establish a date and time to hold the reorganizational meeting so information can be properly prepared and published in a timely manner.

Friday, April 21st at noon has been tentatively scheduled for the Reorganizational Meeting.

Other Items

Council answered questions on the upcoming 3% sales tax on recreational marijuana that is on Tuesday’s ballot. The tax, if approved by voters, will be used to help pay for the new fire station. A question was asked what would happen to the tax after the fire station was paid off. Financing for the fire station will most likely be for 30 years and it would be up to the Council at that time to decide what to do with the tax money. Council was also asked why they were trying to tax recreational marijuana and not other luxury items. Mayor Greg Turnbow said it was part of the passage of allowing recreational marijuana use that cities and counties could add a 3% tax, if the voters approved.
As per RSMO 109.230(4), City records that are on file in the City Clerk’s office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State’s office.

ADJOURNMENT INTO EXECUTIVE SESSION

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

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

Mayor Turnbow called the Executive Session to order. Present were: Mayor Turnbow and Councilmembers Brian Self, John Leible, and David Teachout. Staff present were: City Manager Jonathan Douglass, HR Director Amanda Groves and Carrie Burgfeld.

No action was taken.

ADJOURNMENT OUT OF EXECUTIVE SESSION

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

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

ADJOURNMENT

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

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

APPROVED:

______________________________
GREG TURNBOW, MAYOR

ATTEST:

______________________________
RHONDA COUNCIL, CITY CLERK

SEAL: