

REGULAR CITY COUNCIL MEETING
APRIL 25, 2022

The regular Sikeston City Council meeting of April 25, 2022 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, Vest Baker, John Leible, Tom Robison, Brian Self and David Teachout. Councilmember Onethia Williams was absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Rhonda Council, Finance Director Karen Bailey, HR Director Amanda Groves, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Parks Director Dustin Care and Public Safety Director James McMillen.

ITEMS OF BUSINESS

Mayor Turnbow recused himself from the meeting. Mayor Pro Tem Self presided the meeting.

Approval of Alan Wire Purchase Agreement

Alan Wire is currently expanding their operation at their 1500 West Malone facility and faced a challenge in their expansion plan because they needed more space to allow truck access to the new building extension. The Board of Municipal Utilities (BMU) power plant property adjoins the Alan Wire property in the congested area and, over the past several months, the two parties have been discussing possible solutions. From these discussions, the preferred solution is to sell a 50 foot strip of the power plant property to Alan Wire. In addition, since there are currently BMU electric and sewer utilities in this 50 foot strip, Alan Wire will declare the 50 foot strip a BMU utility easement. The BMU Board approved this transaction at their April 12th meeting.

Councilman Baker motioned to approve the purchase agreement between Board of Municipal Utilities (BMU) and Alan Wire in the amount of \$5,000.00 per acre for a total of \$7,650.00. The motion was seconded by Councilman Robison and the following roll call vote was recorded:

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

Mayor Turnbow returned to the meeting.

2nd Reading & Consideration, Bill #6258, Amending Qualifications for Appointment to Tourism Board

Councilman Teachout moved for the second reading of Bill Number 6258. The motion was seconded by Councilman Self and the following vote recorded:

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

City Counselor Thurman presented the bill for reading.

BILL NUMBER 6258

ORDINANCE NUMBER 6258

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6258 AMENDING CHAPTER 130, ARTICLE XI - TOURISM ADVISORY BOARD, SECTION 130.880 (A), 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 of the Sikeston Municipal Code.

SECTION II: Title 1, Chapter 130, Article XI-Tourism Advisory Board, Section 130.880 (A) shall be amended to read as follows:

Section 130.880. Qualifications For Appointment-Terms-Compensation-Vacancies-Removal.

A. Members shall be residents of Sikeston or be employed by a Sikeston business with a demonstrated interest in tourism.

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 6258 was introduced and read the first time this 28th day of March, 2022.

B. Bill Number 6258 was read the second time and discussed on this 25th day of April, 2022. Following discussion, Councilman Teachout moved to approve Bill Number 6258. The motion was seconded by Councilman Baker, discussed and the following roll call vote was recorded:

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

C. Ordinance 6288 shall be in full force and effect from and after May 25, 2022.

2nd Reading, Bill #6259, Re-adoption of Fair Housing Policy

Councilman Leible moved for the second reading of Bill Number 6259. The motion was seconded by Councilman Teachout and the following vote recorded:

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

Counselor Thurman presented the bill for reading.

Bill Number 6259

Ordinance Number 6259

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6259, 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 6259 was introduced to Council and read the first time this 28th day of March 2022.
- B. Bill Number 6259 was read the second time and discussed on this 25th day of April 2022. Following discussion, Councilman Baker moved to approve Bill Number 6259. 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 Absent, and Turnbow Aye, thereby being passed.

C. Ordinance 6259 shall be in full force and effect from and after May 25, 2022.

Interim Appointments to LCRA, SEMO University – Sikeston Advisory Council and TIF Commission

With the appointment of John Leible to City Council, his position as a member on the Land Clearance for Redevelopment Authority (LCRA), SEMO University-Sikeston Advisory Council and Tax Increment Financing (TIF) will need to be replaced. His term on LCRA expires in 2023, SEMO University in 2024 and TIF in 2025.

Councilman Robison motioned to nominate Brenda Robinson-Echols for the interim appointment to LCRA Commission with the term expiring in 2023. The motion was seconded by Councilman Self. There being no further nominations, the following roll call vote was recorded:

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

Councilman Baker motioned to nominate Jessica Merideth to the SEMO University-Sikeston Advisory Council with the term expiring in 2024. The motion was seconded by Councilman Robison. There being no further nominations, the following roll call vote was recorded:

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

No applications were on file for the Tax Increment Financing (TIF) Commission. Once applications are received, an interim appointment will be made.

Award Bids 22-67, 22-68 and 22-69, CY2022 Street Program – Waters Engineering

On April 7, 2022, the City opened bids for the reconstruction of Baker Lane (N. Kingshighway to Allen Blvd.) (Bid #22-67) and for the reconstruction of S. New Madrid/Trotter Street intersection replacement with associated drainage work. (Bid #22-68). Bid # 22-69 for Crack Repair and Seal Coating will not be awarded at this time.

For Bid #22-67, Lappe Cement Finishing of Friedham, Missouri submitted a low bid with a price of \$248,721.70. We ask that Council award Bid #22-67 to Lappe Cement Finishing.

For Bid #22-68, Fronabarger Concreters of Oak Ridge, Missouri submitted a low bid with a price of \$71,790.00. We ask that Council award Bid #22-68 to Fronabarger Concreters.

Councilman Self moved to award Bid #22-67 to Lappe Cement Finishing in the amount of \$248,721.70 and Bid #22-68 to Fronabarger Concreters in the amount of \$71,790.00. The motion was seconded by Councilman Teachout and the following vote recorded:

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

Award Bid 22-61, CY2022 Street Program – Lambert Engineering

On March 29, 2022, the City opened base bid # 22-61 for the milling and asphaltting of the following:

N. Scott St- Mill and Resurface (W. Malone to W. North)
 W North St- Mill & Resurface (Luther to N. West)
 Shady Lane- Mill and Resurface (Ables to Oklahoma)
 Comstock- Mill and Resurface (Crowe to Cul-de-sac)
 Collins Drive- Mill and Resurface (S Prairie to Cul-de-sac)
 Benton St- Mill and Resurface (Warner to Cul-de-sac)

This bid also included one alternate (Alternate Bid #1) which includes the milling and asphaltting of W. Wakefield- Mill and Resurface (Ditch #4 to Hwy BB).

ASA Asphalt Company of Cape Girardeau, Missouri submitted a low bid with a price of \$282,645.61 for the Base Bid and a bid of \$147,161.05 for Alternate Bid #1. We ask that Council award both the base Bid #22-61 and Alternate Bid #1 to ASA Asphalt Company for a total of \$429,806.66.

Councilman Leible motioned to award Bid 22-61 to ASA Asphalt Company for the base bid of \$282,645.61 and Alternate Bid #1 for \$147,161.05 for a total amount of \$429,806.66. The motion was seconded by Councilman Self, discussed and the following vote recorded:

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

Renew Property & Casualty Insurance

Marsh Wortham provided the following quote for the City's liability and casualty coverages. Costs increased \$37,761 above last year, mainly due to this year's increase in property values-in 2021 the property limit was \$40,174,616 and in 2020 \$53,889,165.

Coverage	5/1/2021	5/1/2022
	Travelers	Travelers
Commercial Package Insurance Policy: General Liability, Employee Benefits Liability, Inland Marine, Crime, Law Enforcement Liability, Public Officials Liability, and Employment Practices Liability	\$124,264	\$128,172
	\$78,328	\$87,039
Commercial Automobile Insurance Policy	\$10,000 Deductible	\$10,000 Deductible
Commercial Umbrella Insurance Policy	\$50,262	\$55,864
Deluxe Property	\$51,964	\$71,504
Total all Premiums	\$304,818	\$342,579

Councilman Baker motioned to renew the City's property and casualty insurance with Marsh Wortham in the amount of \$342,579 for the period of May 1, 2022 through May 1, 2023. The motion was seconded by Councilman Robison, discussed and the following vote recorded:

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

Renew Cyber Security Insurance

Two quotes were received for the City's Cyber and Multimedia Liability coverages. Marsh Wortham presented two options with both having identical coverages and the only difference being the deductible and premium. Option 1 has a \$25,000 deductible with a premium of \$25,000 and Option 2 has a \$50,000 deductible for \$21,250 premium. Beazley presented the quote of \$25,000 deductible with a premium of \$18,220.

Councilman Baker motioned to award the Cyber Security Insurance to Beazley in the amount of \$18,220.00. The motion was seconded by Councilman Leible and the following vote recorded:

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

Authorize Lease Agreement with Montgomery Bank -Office Space for Carlisle Construction
(walk-on item)

As part of the Carlisle Construction project, the City of Sikeston would like to execute a lease with Montgomery Bank for the lease of office space at One Montgomery Bank Plaza Suite L1 for use by Carlisle Construction. The lease would be for one year in the amount of \$10,500.00 payable in equal monthly installments of \$875.00. This lease will end March 31, 2023 unless sooner terminated or renewed.

Councilman Robison motioned to authorize the lease agreement for office space with Montgomery Bank for use by Carlisle Construction for one year in the amount of \$10,500.00 payable in equal monthly installments of \$875.00. The motion was seconded by Councilman Baker and the following vote recorded:

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

APPROVED:

GREG TURNBOW, MAYOR

ATTEST:

RHONDA COUNCIL, CITY CLERK

SEAL: