

**REGULAR CITY COUNCIL MEETING**  
**JUNE 5, 2023**

The regular Sikeston City Council meeting of June 5, 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 Pro Tem Onethia Williams, John Leible, Ryan Lindsey, Vest Baker and David Teachout. Mayor Greg Turnbow and Councilman Tom Robison were absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Graham, 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, Parks Director Dustin Care, Community Development Director Barry Blevins, and Captain Derick Wheatley.

**APPROVAL OF CITY COUNCIL MINUTES**

City Council minutes of the regular meetings of April 24, May 1 and May 22, 2023 were presented for approval. Councilman Baker moved to approve the minutes as presented. Councilman Teachout seconded the motion and the following vote was recorded:

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

**ACCEPTANCE OF BOARDS & COMMISSION MINUTES**

Minutes from various boards and commission meetings were presented for approval. Councilman Leible moved to approve the minutes as presented. Councilman Baker seconded the motion and the following roll call vote was recorded:

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

**ITEMS OF BUSINESS**

**Approve BMU Lease Agreement with Alan Wire/JNS Holdings**

The BMU Board has approved a lease purchase agreement with JNS Holdings, LLC (Alan Wire) for a 100 ft by 400 ft parcel of the power plant property adjoining the northwest corner of the Alan Wire West Malone site. This allows Alan Wire to load/unload trucks from their new warehouse extension and is not intended for construction of any facilities. The general terms of the agreement are a 30 year lease at the rate of \$1,800/yr escalating every 5 years by the Consumer Price Index, with an option to purchase the property at the end of the lease term for the property's appraised value at that time.

Councilman Leible moved to approve the execution of a lease purchase agreement between Sikeston Board of Municipal Utilities and JNS Holdings, LLC (Alan Wire) for a 30-year lease at the rate of \$1,800/year escalating every 5 years by the Consumer Price Index, with an option to purchase the property at the end of the lease term for the property's appraised value at that time. The motion was seconded by Councilman Teachout and the following vote recorded:

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

**Consideration of Library Board of Trustee Appointments**

State statute mandates Library Board of Trustee terms take effect on July 1 of each year and Library Board members are limited to two full three-year terms. Council is asked to take action on three Library Board positions, as follows:

Trustee Appointments being considered

Melissa Kelley  
Colleen Flaker  
Carolyn Harris

Terms Served

1 Full Term, Eligible for reappointment  
1 Full Term, Eligible for reappointment  
2 Full Terms, Not eligible for reappointment

Resource Bank Applicants:

Susanne Chitwood  
Holly Greene  
Jodi Glidewell  
Elizabeth Littleton

Councilman Leible moved to reappoint Melissa Kelley and Colleen Flaker for a second term and appoint Elizabeth Littleton to serve her first term on the Library Board of Trustees. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

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

Approve Agreement for Report Management System Software for Fire Division

Sikeston DPS is requesting we enter into a purchase agreement with ESO Solutions, Inc. of Dallas, TX to continue our report management software. This software provides:

- Vehicle inspection, management, and training checklist.
- Fire Incident Reporting
- Fire Inspections
- Fire Properties
- CAD Integration
- NFIRS Date Import
- IFC 2018-National Code set
- Setup and Online Training

This software has a twelve-month term of \$13,225.20.

Councilman Baker moved to approve the purchase of report management system with ESO Solutions, Inc. for a twelve month term of \$13,225.20. The motion was seconded by Councilman Lindsey, discussed and the following roll call vote was recorded:

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

Approve Selection of Construction Manager for Fire Station #2

An RFQ was issued by the City of Sikeston for Construction Manager-At-Risk (CMR) Services. Proposals were received from Brockmiller Construction, Inc., Kiefner Brothers, Inc., and Zoellner Construction Co., Inc. On May 9<sup>th</sup>, members of the City Council Professional Consulting Committee and city staff met to evaluate the submissions. The decision was made to interview the firms of Kiefner Brothers, Inc. and Zoellner Construction Co., Inc. On May 16<sup>th</sup>, we conducted interviews with both firms.

It is the recommendation of the committee to select Zoellner Construction Co., Inc. as the CMR for the construction of Fire Station 2.

Councilman Leible motioned to approve Zoellner Construction Co., Inc as the Construction Manager At Risk (CMR) for Fire Station #2 and to authorize the City Manager to proceed with negotiation of a contract with Zoellner Construction Co., Inc. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

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

#### Approve Airport Farm Lease

Staff has released a request for proposal for a 5-year, fixed term cash lease of 103.61 acres located adjacent to the Sikeston Memorial Municipal Airport. City staff will entertain extending the lease if the bidder plans improvements to the property. The farm lease term is June 6<sup>th</sup>, 2023, through December 31<sup>st</sup>, 2028. Half the rent shall be paid on or before April 1<sup>st</sup> of each year and the balance to be paid on or before November 1<sup>st</sup> of each year. For the 2023 year, only the November payment will be required. Due to short notice, staff will be presenting the results of the successful bidder from the June 2nd bid opening to the Council during the meeting on June 5<sup>th</sup>.

Councilman Lindsey moved to award the airport farm lease to Oneal Wimberly in the amount of \$7,000 per year for a 5-year fixed term cash lease of 103.61 acres of land adjacent to the Sikeston Memorial Municipal Airport. The motion was seconded by Councilman Baker, discussed and the following roll call vote recorded:

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

#### Authorization to Execute Grant Agreement for ARPA Grant – Legion Park Project

The City of Sikeston was recently awarded a grant as a part of the American Rescue Plan Act (ARPA) Community Revitalization program for various improvements to Legion Park. The first step in receiving this grant is execution of the standard grant agreement. Staff has had the agreement reviewed by various staff including the city attorney.

Councilman Baker motioned to authorize the execution of the grant agreement for the ARPA Community Revitalization Grant Program for the Legion Park Project. The motion was seconded by Councilman Leible, discussed and the following roll call vote recorded:

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

#### Approve Community Development Block Grant (CDBG) Street Bids – Lambert Engineering

Bids were opened on May 22, 2023 for street construction projects with consulting engineer, Lambert Engineering. These are related to the current General Infrastructure CDBG grant. Bids were received from only two bidders: ASA Asphalt Company from Cape Girardeau and Jokerst Paving from Festus, MO. Because prices for asphalt have significantly increased since the application for this project, we will not be able to fulfill the entire scope as originally intended. The original construction budget was for \$670,000 for the base bid minus alternate #1, which came in with a low bid of \$843,201.58. We spoke to BRPC and DED staff, and have finalized on the following recommendation for council consideration:

To Award the Base Bid/Alternate #1 and issue a deductive change order to remove the intersections of Warner/East Kathleen and East/East Kathleen for a low bid total of \$690,650.82.

Councilman Baker motioned to award CDBG Street bid to ASA Asphalt Company out of Cape Girardeau, MO in the amount of \$690,650.82. The award will include the base bid and alternate #1, removing the intersections of Warner/East Kathleen and East/East Kathleen. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

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

#### Approve Renewal of Service Contract with Historic Downtown Sikeston

The City has a contract with Historic Midtown Development Group (HMDG, dba Historic Downtown Sikeston) for services related to the promotion of Downtown Sikeston. The renewal of this service contract is for the period July 1, 2023 to June 30, 2024 in the amount of \$10,000.

Councilman Leible motioned to approve renewing the service contract with Historic Downtown Sikeston in the amount of \$10,000 for the period of Jul 1, 2023 to June 30, 2024. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

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

#### Award RFP 23-63, Acquisition & Use of Downtown City Building Located at 215 N. New Madrid St.

The City owns the former Post Office Building at 215 N New Madrid St in Downtown Sikeston. The Sikeston Regional Chamber & Area Economic Development Corporation (the "Chamber") proposed an application for an ARPA tourism grant to renovate the building and create a visitor's center housing the Chamber of Commerce, Economic Development Corporation, Convention and Visitors Bureau, Historic Downtown Sikeston, and a Rodeo Museum. The City would donate the building to the Chamber/Economic Development Corporation and the value of the building could be used as part of the local match for the ARPA grant. The arrangement would relieve the city of the maintenance burden of the building while simultaneously achieving a quality renovation and more intensive use of the important downtown structure.

The ARPA tourism grant has been awarded. Donation of the property would be contingent on the City following State law regarding the disposition of property, namely, going through a public RFP process. The City released RFP #23-63 and the Chamber/Economic Development Corporation was the only entity submitting a response to the RFP.

Councilman Teachout motioned to award RFP 23-63, the acquisition and use of downtown City building located at 215 N. New Madrid to the Sikeston Regional Chamber & Area Economic Development Corporation and authorize the Mayor to execute all necessary transfer documents. The motion was seconded by Council Leible, discussed and the following roll call vote recorded:

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

2nd Reading, Bill #6308, FY23 Budget Amendment

Councilman Leible moved for the second reading of Bill Number 6308. The motion was seconded by Councilman Teachout and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

Bill Number 6308

Ordinance Number 6308

THIS BILL AS ADOPTED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6308, AND SHALL AMEND ORDINANCE NUMBER 6282, THE FY-23 BUDGET.

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

SECTION I: General

A. Codification:

1. This ordinance shall not be codified as part of the SIKESTON MUNICIPAL CODE.
2. Ordinance Number 6282 is hereby amended to read as follows:

SECTION II: Appropriations

A. General Fund 0010: The sum of \$15,174,741 is hereby appropriated out of revenues accruing to the City, transfers from other funds and fund balance, for the payment of operating and capital expenses, for designated governmental services.

B. Drug Seizure Fund 0016: The sum of \$9,900 is hereby appropriated out of drug seizure proceeds accruing to the City and available fund balance, to provide financial support for law enforcement activities as authorized by the Department of Justice.

C. Economic Development Fund 0030: The sum of \$255,340 is hereby appropriated out of revenues accruing to the City, transfers from other funds, and available fund balances for the payment of operating expenses designated for economic development functions.

D. Municipal Court 0050: The sum of \$241,878 is hereby appropriated out of revenues accruing to the City, transfers from other funds and fund balance, for the payment or expenses resulting from designated capital items and capital improvements

E. Tourism Tax Fund 0065: The sum of \$237,000 is hereby appropriated out of revenues accruing to the Tourism Tax Fund, transfers from other funds, and available Fund balance, for the payment of operating and capital expenses designated for tourism promotion and marketing functions.

F. E911 Fund {0070}: The sum of \$818,717 is hereby appropriated out of revenues accruing to the City, transfers from other Funds and Fund balance, for the payment or expenses related to E-911 operations.

G. Capital Improvement Sales Tax Fund 075: The sum of \$2,436,852 is hereby appropriated out of revenues accruing to the City, transfers from other funds, and available Fund balance, for the payment of expenses resulting from designated capital items.

H. Debt Service 0080: The sum of \$3,515,960 is hereby appropriated out of revenues accruing to the City, transfers from other funds and fund balance, for the payment of TIF Notes.

I. 60 West TIF District Fund 0091: The sum of \$265,709 is hereby appropriated out of revenues accruing to the City, transfers from other funds and Fund balance, for the payment of Public Improvements.

J. Main and Malone TDD 0095: The sum of \$199,800 is hereby appropriated out of revenues accruing to the City, transfers from other funds and fund balance, for the payment of TIF Bond issuances.

SECTION III: Repealer. Any other ordinances or part(s) 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, the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION V: Emergency Clause. This Ordinance is adopted as an emergency measure to meet the budget restrictions of the City of Sikeston's 2023 fiscal year.

SECTION VI: Record of Passage:

A. Bill Number 6308 was introduced and read the first time this 22<sup>nd</sup> day of May, 2023.

B. Bill Number 6308 was read the second time and discussed on this 5<sup>th</sup> day of June, 2023. Following discussion, Councilman Baker moved to approve Bill Number 6308. The motion was seconded by Councilman Lindsey, discussed and the following roll call vote was recorded:

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

C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6308 and shall be in full force and effect immediately.

2nd Reading, Bill #6309, FY24 Budget Ordinance

Councilman Lindsey moved for the second reading of Bill Number 6309. The motion was seconded by Councilman Leible and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

Bill Number 6309

Ordinance Number 6309

THIS BILL AS ADOPTED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6309 AND SHALL BE REFERRED TO AS "THE FY-2024 BUDGET" (JULY 1, 2023 THROUGH JUNE 30, 2024), IT SHALL REPEAL ORDINANCE 6282, BEING THE "FY-2023 BUDGET" AND ALL AMENDMENTS THERETO, IT SHALL PROVIDE FOR THE APPROPRIATION OF MONIES

AND ADMINISTRATION OF EXPENDITURES OF MONIES RECEIVED BY THE CITY OF SIKESTON IN ACCORDANCE WITH THE ORDINANCE.

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

SECTION I: General

A. Ordinances Repealed:

1. Ordinance Number 6282 and all amendments to the FY-2022 Budget are hereby repealed.

B. Codification:

1. This ordinance as may be amended, and the attached detailed financial plan shall not be codified as part of the SIKESTON MUNICIPAL CODE.

C. Purpose and Responsibility:

This financial plan or budget, as submitted by the City Manager of the City of Sikeston, hereinafter referred to as "MANAGER" and "CITY" respectively and approved by the City Council, hereinafter referred to as "COUNCIL", shall represent the entire financial plan of anticipated revenues, fund balances and expected expenses of the CITY for the period aforesaid, and shall be referred to collectively as the "FY-2024 BUDGET".

SECTION II: Appropriations

- A. General Fund 0010: The sum of \$14,840,388 is hereby appropriated out of revenues accruing to the CITY, transfers from other Funds and Fund balance, for the payment of operating and capital expenses, for designated governmental services as itemized, to wit.

- B. American Rescue Plan Act Fund 0015: The sum of \$1,806,500 is hereby appropriated out of the American Rescue Plan Act funds received from the Department of Treasury Coronavirus Municipal Non-Entitled Cities, Towns and Villages Recover Funds for the payment of expenditures as allowed by The Treasury Department's Final Rule governing the Local Fiscal Recovery Funds.

- C. Sales Tax Fund 0020: The sum of \$3,986,000 is hereby appropriated out of Sales Tax Revenue accruing to the CITY and available Fund balance, for payment of operating and capital expenditures for designated governmental functions, in accordance with the provisions of the Sales Tax Ordinance Number 3798.

- D. Transportation Sales Tax 0025: The sum of \$3,164,950 is hereby appropriated out of Sales Tax Revenue accruing to the City and available Fund balance, for payment of capital item purchases and capital improvements for designated governmental projects and related equipment only, in accordance with the provisions of the Transportation Sales Tax Ordinance Number 4775.

- E. Economic Development 0030: The sum of \$252,000 is hereby appropriated out of revenues accruing to the City, transfers from other funds, and available fund balances for the payment of operating expenses designated for economic development functions.

- F. Essex Fund 0031: The sum of \$435,000 is hereby appropriated out of revenues accruing to the City, available fund balances, and transfers from other funds for the purpose of maintaining the Essex building, and other economic development functions.

- G. Park Fund 0040: The sum of \$1,045,766 is hereby appropriated out of revenues accruing to the Park Fund, transfers from other funds, and available Fund balance, for the payment of operating and capital expenses designated for public park functions.

- H. Building Reserves Fund 0041: The sum of \$100,000 is hereby appropriated out of revenues accruing to the City, available fund balances, and transfers from other funds for the purpose of establishing a building fund for a new fire station.
- I. South Sikeston infrastructure 0045: The sum of \$2,286,820 is hereby appropriated out of Special Obligation Bonds, transfers from other funds, and available Fund balance for the purpose of making capital improvements on the southern side of Sikeston.
- J. Municipal Court Fund 0050: The sum of \$217,084 is hereby appropriated out of revenues accruing to the City, transfers from other funds and fund balance, for the payment or expenses resulting from designated capital items and capital improvements.
- K. Tourism Fund 0065: The sum of \$230,000 is hereby appropriated out of revenues accruing to the Tourism Tax Fund, transfers from other funds, and available Fund balance, for the payment of operating and capital expenses designated for tourism promotion and marketing functions.
- L. Airport Fund 0066: The sum of \$1,480,724 is hereby appropriated out of revenues accruing to the City, transfers from other funds, and available Fund balance, for the payment of Airport Improvements.
- M. 911 Fund 0070: The sum of \$824,143 is hereby appropriated out of revenues accruing to the City, transfers from other Funds and Fund balance, for the payment or expenses related to E-911 operations.
- N. Capital Improvement Fund 0075: The sum of \$ 4,458,149 is hereby appropriated out of revenues accruing to the City, transfers from other Funds and Fund balance, for the payment or expenses resulting from designated capital items.
- O. Debt Service Fund 0080: The sum of \$2,511,760 is hereby appropriated out of revenues accruing to the City, transfers from other Funds and Fund balance, for the repayment of Special Obligation Bonds.
- P. CDBG Fund 0085: The sum of \$500,000 is hereby appropriated out of revenues accruing to the City, from Community Development Block Grants for the funding of CDBG projects.
- Q. 60 West TIF District Fund 0091: The sum of \$208,000 is hereby appropriated from revenues accruing to the City, transfers from other funds and Fund balance, for the payment of Public Improvements.
- R. Main & Malone TIF District Fund 0095: The sum of \$3,200 is hereby appropriated out of revenues accruing to the City, transfers from other funds and fund balance, for the payment of TIF Bond issuances.

### SECTION III: Administration

- A. The MANAGER shall be responsible for:
  - 1. Ensuring compliance with the provisions of this ordinance; the general and specific administration of the FY-2024 Budget plan and may adopt any supportive policy or procedure he deems appropriate to and in support of such administration.
  - 2. Monitoring revenues, fund balances and expenditures to ensure compliance with this ordinance and appropriate use of City funds.



3. Disapproving any expenditure and/or disallowing any claim, which in his sole opinion is not justified or not in compliance with this ordinance or City Code or established policy or procedure.
  4. Authorizing minor transfers, re-appropriation and/or expenditure in excess of specific accounts or Divisional appropriations, provided Fund appropriations based on revenue receipts plus fund balance are not exceeded.
  5. Drafting or causing to be drafted for Council consideration any amendment to this Ordinance when 1) significant change may be required; 2) to address Council action; revenue(s) and/or expenditure(s) which differ from estimates by greater than ten percent (10%) of the estimates or plan.
- B. The CITY TREASURER shall be responsible for:
1. Confirming and certifying that total expenditures plus encumbrances shall not at any time exceed the total of actual revenue received plus fund balances.
  2. Providing quarterly financial statements to the:
    - a. Council and Manager, summarizing all financial activity of all Funds, in a format to be approved by the Manager.
    - b. Manager containing detailed budget summaries of all Fund, Department and Division financial activity, including direct expenditures and encumbrances, in a format to be approved by the Manager.
    - c. Department heads containing detailed budget summaries of all Personnel, Maintenance and Operation accounts, and Capital Items/Improvements, by line item, for which they are responsible, including expenditures and encumbrances, in a format to be approved by the Manager.
  3. Ensuring no expenditure is authorized from the Capital Improvement Fund, except as approved by Council and/or Manager action as appropriate and in compliance with the Municipal Code Title 3 et.seq.
  4. Developing, implementing, monitoring, revising and/or upgrading the City's accounting system and purchasing policy and procedures, at the direction and with the approval of the Manager.
- C. All Department Heads are responsible for:
1. Exercising prudent management control over each account assigned to their respective department.
  2. Ensuring compliance with this ordinance and policy and procedure currently or as may be established.
  3. Continually striving for the most cost-effective method(s) of operation of their department, in all areas including personnel, maintenance, operations and capital expenditures.
- D. No expenditure shall be made for any fund which is not in compliance with this ordinance and/or with the formal detailed financial plan or Budget, City Code and policy or procedure as approved by the Manager.

SECTION IV: Compensation and staffing levels. Administration of Compensation and Staffing Levels shall be in accordance with Ordinance Number 6310.

SECTION V: Repealer. Any other ordinances or part(s) 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. This Ordinance is adopted as an emergency measure so that the effective date corresponds with the fiscal year.

SECTION VIII: Record of Passage:

- A. Bill Number 6309 was introduced and read the first time this 22<sup>nd</sup> day of May, 2023.
- B. Bill Number 6309 was read the second time and discussed on this 5<sup>th</sup> day of June, 2023. Following discussion, Councilman Leible moved to approve Bill Number 6309. The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

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

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6309 and shall be in full force and effect from and after July 1, 2023.

2<sup>nd</sup> Reading, Bill #6310, FY24 Staffing & Compensation Ordinance

Councilman Lindsey moved for the second reading of Bill #6310. The motion was seconded by Councilman Leible and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

BILL Number 6310

ORDINANCE Number 6310

THIS BILL AS ADOPTED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6310 AND SHALL REPEAL ORDINANCE NUMBER 6263 BEING THE FY-23 COMPENSATION PLAN AND EMPLOYEE STAFFING LEVEL AUTHORIZATION, AND ALL AMENDMENTS THERETO; AND SHALL ESTABLISH THE EMPLOYEE COMPENSATION PLAN AND STAFFING LEVELS, AND THE ADMINISTRATION THEREOF FOR FISCAL YEAR 2024 (JULY 1, 2023, THROUGH JUNE 30, 2024).

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

SECTION I: General

- A. This ordinance shall not be codified as part of the Sikeston Municipal Code.
- B. This ordinance and all attachments hereto as may be amended shall be incorporated with and become part of the FY-24 BUDGET CODE.

SECTION II: Administration.

- A. The City Manager hereinafter referred to as "MANAGER" shall be responsible for the general and specific provisions of this Ordinance, including but not necessarily limited to:
  - 1. Development, implementation, monitoring and revision of supporting policy and procedure he deems necessary for proper administration and good business practices.
  - 2. Certifying employee compensation records for compliance to the provisions set

forth herein and with supporting policy and procedure of II.A.I. Above.

B. The MANAGER may:

1. Approve higher initial compensation for any staff position authorized, when in his sole opinion such action is appropriate based on:
  - a. Degree of difficulty in attracting the most wholly qualified applicant at the published beginning rate; or
  - b. Specific or special qualifications are required for the position; or
  - c. Preferred/best candidate(s) background, experience and/or special qualifications result in extreme difficulty in recruiting at the regular entrance rate; or
  - d. The current local compensation trend for the skills required is substantially greater than the published beginning rate.
2. Approve the hiring at a lesser initial compensation when, in his sole opinion, such action is appropriate based on:
  - a. An otherwise eligible candidate will require a period of specialized training; or
  - b. The current local compensation trend for the skills required is substantially less than the published beginning rate.
3. Increase any employee's paid compensation when sustained performance indicates such action is appropriate:
  - a. Within the guidelines of the merit pay plan; or
  - b. When a given position responsibility and/or scope is significantly broadened; or
  - c. When a specific employee displays consistent and noteworthy performance, behavior and supportive attitude, which in the MANAGER'S sole opinion, collectively warrant such action.
4. Decrease any employee's paid compensation:
  - a. When sustained or severe single case performance or behavior is below expected standards or represents severe disregard or violation of policy or procedure; or
  - b. Upon employee demotion or transfer as appropriate.

C. Changes to and Offers of Compensation:

1. No change to any part of any employee's compensation in total or in part, either increase or decrease, may be made without the approval of the MANAGER.
2. No offer shall be made to any prospective or current employee of paid compensation or benefits, either greater or lesser than those allowed by this ordinance, except as may be approved by the MANAGER.
3. Entry range compensation and benefits as specified herein may be discussed with potential employees, including whatever action a respective Department Head may intend to make, provided no actual offer is made without the approval of the MANAGER.

D. DEPARTMENT HEAD shall be responsible for:

1. Becoming and remaining knowledgeable with the provisions of this Ordinance including any amendment thereto and supporting policy or procedure as in effect currently or as may be established or revised in future.
2. Ensuring compliance with the provisions of this Ordinance and supporting policy or procedure, as currently in effect or as may be amended.
3. Training their Division Heads and Supervisors on the provisions of this Ordinance and supporting policy and procedure.
4. Recommending any change to the compensation of each employee assigned to their Department, in support of the provisions of this Ordinance and supporting Personnel Policy.

5. Ensuring timeliness and accuracy of any change, either increase or decrease, upon:
    - a. Each Anniversary Date
    - b. Upon Hiring, Promotion, Transfer, Discipline or Termination
  6. May suspend any employee within their Department, pending an appeals hearing in accordance with the provisions of the Discipline Policy, without pay.
- E. HUMAN RESOURCES DIRECTOR shall be responsible for:
1. Ensuring compliance with the provisions of this Ordinance and supporting policy, reporting any violation of either, immediately to the MANAGER.
  2. Generating and maintaining employee compensation records as needed including any change thereto, in a timely fashion.
  3. Generating and maintaining personnel rosters, in a format to be approved by the MANAGER, and shall contain as a minimum:
    - a. A complete POSITION listing, including current status of each, as authorized by this Ordinance or the MANAGER under the provisions of this Ordinance.
    - b. Current EMPLOYEE information including, department/division assignment, pay classification code, FLSA Classification code, hiring date, anniversary date, date of eligibility for next increase, and any other as required by the MANAGER.
    - c. Said roster to be updated at least monthly and a working copy updated daily, as may be required, and maintained by the City Treasurer.
  4. Generating and forwarding to the responsible Department Head, any employee compensation record as needed to support the provisions of this Ordinance and ensuring the completeness and accuracy of any such compensation record.
  5. Ensuring timely entry and/or change, as approved by the MANAGER, to any employee's compensation as specified in the compensation record.

SECTION III: Paid Compensation.

A. Pay Plan (See Tables IIA or IIB as applicable.)

1. Shall be a merit (performance) plan.
2. Shall be constructed of twenty-three (23) levels called GRADES for all employees, and sixteen (16) ranges called STEPS for all employees except Commissioned Public Safety Officers, which have six (6) GRADES and sixteen (16) STEPS. STEPS are based upon years in service and the ability to maintain compliance with ongoing job requirements associated with the merit pay plan. (Please note: Commissioned Public Safety employees are subject to an alternate compensation plan. See Table IIB).
3. Employees must be eligible in all respects on the appropriate anniversary date to receive the indicated increase in paid compensation.
4. Employees ineligible for any reason on the appropriate anniversary date shall be awarded as follows:
  - a. The appropriate STEP assignment without any resulting increase in salary or wages.
  - b. Any benefit in terms of sick leave, vacation or other such, as would otherwise be awarded had the ineligibility not occurred.
  - c. Once an employee's eligibility is restored, they will receive a merit raise.

B. Allowances are hereby authorized as follows:

1. Clothing allowance for employees of the Department of Public Safety serving in the positions of Command Staff, Communications Officers, Communications Supervisor, all Public Safety Officers, Investigators, Sergeants, and Lieutenants, will be earned at a rate of \$900.00 annually. This will be paid by installment on

the first pay date in March and the second one-half (1/2) of the allowance to be paid on the first pay date in September, excluding new hires which will receive the first portion of their uniform allowance on their first pay check and the second portion either on the first pay date in March or the first pay date in September.

2. Clothing and boot allowance for Entry Level Maintenance Workers, Skilled Workers, Mechanic, Airport Linemen, Shelter Director, full-time Animal Attendant, DPW Supervisors, Code Enforcement Officers and Code Enforcement Supervisor, Community Development Director at a rate of \$500 annually.
3. Clothing allowance for administrative assistants, account clerks, city collector, city clerk, finance director, human resources director, secretary/receptionist, IT technician, network administrator, court clerk and deputy court clerk at a rate of \$300 annually.
4. Mileage in the amount currently established by the United States Internal Revenue Service (IRS) Regulations per documented mile, when a privately owned vehicle is required to be used for CITY business, upon the responsible Department Heads certification of the claim for reimbursement. Said certification to be both for requirement of use and accuracy of the respective claim.
5. Direct reimbursement of "out-of-pocket" expenses of any employee incurred in the performance of their duties subject to Per Diem rates and completion/submission of appropriate claim and required supporting documentation within three (3) working days of return to work.

SECTION IV: Benefits:

- A. Vacation banking shall be limited to two (2) times the annual accrual rate.
  1. Vacation in excess of this amount shall be lost, without compensation, on the employee's anniversary date of employment.
  2. An employee may submit a request to cash-in vacation time, to the MANAGER. The MANAGER may authorize the payment (cashing in) of vacation, if it is warranted. An employee may request the cashing in of no more than two weeks of vacation within a fiscal year.
  3. Vacation in excess of the limits as herein established, shall be forfeited on the appropriate anniversary date, without recourse or grievance to or by the employee so affected.
  4. Vacation shall be earned and accrued monthly after the first anniversary date as follows:
    - a. Employees will begin accruing vacation time upon employment but will be unable to use it until their six-month anniversary. At six months they will receive six days (6) or 2 and 1/2 (2.5) shifts into their vacation bank. Employees leaving the service of the City prior to their one-year anniversary, as established in Section VII of this Ordinance, shall forfeit any and all claim to any vacation time.
    - b. Beginning six months to end of year four (4), eleven (11) days or four and 1/2 (4.5) shifts.
    - c. Beginning year five (5) to end of year eight (8), thirteen (13) days or five and 1/2 (5.5) shifts.
    - d. Beginning year nine (9) to end of year twelve (12), fifteen (15) days or six and 1/2 (6.5) shifts.
    - e. Beginning of year thirteen (13) to end of year sixteen (16), seventeen (17) days or seven and 1/2 (7.5) shifts.
    - f. Beginning of year seventeen (17) to end of year twenty (20), nineteen (19) days or eight and 1/2 (8.5) shifts.
    - g. Beginning of year twenty-one (21) to end of year twenty-five (25), twenty-

- one (21) days or nine and ½ (9.5) shifts.
- h. Beginning year twenty-six (26) to end of employment, twenty-six (26) days or twelve and ½ (12.5) shifts.
5. Accrued banked vacation shall be bought back at the employee’s regular rate of pay when the employee leaves the service of the City.
  6. After the six month anniversary of employment, vacation earned at the rates as set out herein above, shall accrue to the employee as follows:
    - a. Initial year’s (six (6) days) shall be accrued (provided employee is recommended for continual employment) as a lump sum (in hours), the first pay period immediately following the anniversary date as set forth in Section VII of this Ordinance.
    - b. An amount in hours, equal to the rates established herein above, shall be accrued on a one-twelfth (1/12) per year pro-ration, to each eligible employee’s vacation bank and stated on the employee’s check stub on the first pay date immediately following the month the vacation time was earned. Vacation time used, as indicated on the employee time cards, shall be deducted from this balance on the pay date immediately following use.
  7. For the purpose of this Ordinance, a work month shall be defined as thirty (30) consecutive days.
  8. Accrual of vacation time shall continue up to the end of the first work month of authorized sick leave usage. Accrual of vacation time shall cease upon the completion of the first work month of sick leave usage, medical leave or leave of absence. Accrual of vacation time shall resume, as herein above set forth, upon the employee’s return to work, upon doctor’s release. Accrual rates may be prorated, to reflect actual work hours, if less than full-time.

Vacation Earned Per Year, Accrued Monthly  
Leave Based on Years of Completed Service

Assigned Hours Per Shift	0-6mths	6 mnths-4	5-8	9-12	13-16	17-20	21-25	26+
	6 Days/ 2.5 Shifts	11 Days/ 4.5 Shifts	13 Days/ 5.5 Shifts	15 Days/ 6.5 Shifts	17 Days/ 7.5 Shifts	19 Days/ 8.5 Shifts	21 Days/ 9.5 Shifts	26 Days/ 12.5 Shifts
8	48/ No Accruals	88	104	120	136	152	168	208
10.3	49.44/ No Accruals	90.64	107.12	123.6	140.08	156.56	174.04	214.24
10.5	50.4/ No Accruals	92.4	109.2	126	142.8	159.6	176.4	218.4
24	60/ No Accruals	108	132	156	180	204	228	300

- B. Sick leave shall be considered an insurance type benefit, the use of which represents a claim against the City and the banking of which shall be limited to 1,040 hours for general and supervisory personnel, 1071 hours for patrol and communication hourly employees, 1,092 hours for patrol sergeants and patrol lieutenants, and 1404 hours for fire division personnel assigned to 24 hour shifts.
  1. Abuse of sick leave shall be considered a false claim against the City and sufficient reason for immediate discharge of any employee when, in the sole opinion of the MANAGER, any such abuse may exist.
  2. Sick leave in excess of banked limits shall be lost, without compensation, on the employee’s anniversary date of employment. Employees, which have exceeded the bank limit, shall only be reduced to the bank limit. Employees, who have

received their sick leave bank limit and forfeited the excess, shall begin to accrue sick leave in the routine manner until their next anniversary.

3. The MANAGER may authorize carry over, not to exceed one (1) additional year of sick leave accrual when, in his sole opinion, such action is warranted, upon receipt of an appropriate request at least thirty (30) days prior to the anniversary date the employee would otherwise forfeit sick leave time accrued.
4. Trading, transferring or giving of sick leave time is only authorized through the Shared Leave Program.
5. Sick leave shall be accrued monthly beginning after the first six (6) months of employment, upon department head recommendation and MANAGER approval as follows:

<b>Sick Leave Earned Per Month</b>				
Leave Based on Years of Completed Service				
Assigned Hours per Shift	<6 months	6 months – 2 years & 11 months	3-4 Years & 11 months	5 years +
8	0	4	6	8
12.3	0	4.15	6.225	8.3
10.3	0	4.1185	6.773	8.24
10.5	0	4.199	6.3	8.4
24	0	6	8	10

6. Unused sick leave banked at the time the employee leaves the service of the City shall be forfeited and no paid compensation is authorized for any such time, unless the employee has at least 10 continuous years of service and leaves in good standing, then the employee will be paid for 25% of his accrued sick leave bank at his regular hourly rate.
7. Accrual of sick leave shall continue up to the end of the first work month of authorized sick leave usage. Accrual of sick leave shall cease upon the completion of the first work month of sick leave usage, medical leave or leave of absence. Accrual of sick leave shall resume, as hereinabove set forth, upon the employee's return to work; upon doctor's release. Accrual rates may be prorated, to reflect actual work hours, if less than full-time.

C. Holiday time shall be provided at a rate of fourteen (14) days per year, which shall be:

- New Year's Day (January 1)
- Martin Luther King, Jr. Day (3<sup>rd</sup> Monday in January)
- President's Day (3<sup>rd</sup> Monday in February)
- Good Friday-Floating Holiday (City offices remain open)
- Memorial Day (Last Monday in May)
- Juneteenth (June 19)
- Independence Day (July 4)
- Labor Day (First Monday in September)
- Columbus Day (2<sup>nd</sup> Monday in October)
- Veteran's Day (November 11)
- Thanksgiving Day (4<sup>th</sup> Thursday in November)
- Friday following Thanksgiving (4<sup>th</sup> Friday in November)
- Christmas Eve (December 24)
- Christmas Day (December 25)

1. When any authorized holiday shall fall on a Saturday, that holiday shall be observed on the preceding Friday. When any authorized holiday shall fall on a Sunday, that holiday shall be observed on the following Monday.
2. Whenever an eligible employee is required to work or whenever a scheduled

City Holiday shall fall on an eligible employee’s regularly scheduled day off then an employee may be choose to be paid the holiday or that holiday (in hours) shall be credited to the employee’s Personal Hours as follows:

Holiday/Personal Hours Banked Per Shift			
Salaried/40E	171E (10.3 hour shifts)	171E (10.5 hour shifts)	212 E (24 hours shifts)
8	8.23	8.39	12

3. Banked holiday/personal hours shall be reflected in the appropriate box on the next paycheck stub.
4. Banked holiday time shall accrue until the employee requests to be paid or until the employee’s anniversary date, at which time all banked time shall be bought back from the employee at the employee’s regular hourly rate.
5. The MANAGER may authorize a carryover of greater than that referenced in C(4) above, when in his sole opinion such action is warranted and upon written request at least thirty (30) days prior to the employee’s anniversary date, and with Department Head recommendations.
6. Banked holiday time shall be bought back at the employee’s regular rate of pay, when any employee leaves the service of the City.
7. Employees absent for more than 30 consecutive days will not accrue holiday/personal hours.

D. The City shall participate in the Local Government Employee Retirement System (LAGERS) LT8-65 (65)-retirement plan. This retirement plan increases employee benefits to 1.50% for a life allowance; plus, an additional 50% allowance to age 65. Effective FY-92 the City changed from a “Contributory” to “Non-Contributory” Plan and is subject to the administrative requirements of State Statute and LAGERS regulations.

E. The City shall provide an employee health insurance plan to be effective the first of the month following thirty (30) days of continued employment.

2. City shall pay eighty percent (80%) of the established premium contribution amount. Employees shall contribute twenty percent (20%) of the established premium.
3. Employees have the opportunity to enroll, when hired, for the health insurance coverage for themselves and any dependents. If coverage is declined at initial employment, employees can only enroll under special circumstances as a special enrollee or late enrollee. Please see the City of Sikeston Employee Health Benefits booklet for descriptions of special enrollee and late enrollee.

F. The City shall offer a public employees’ cafeteria plan, as allowed under Internal Revenue Code Section 125. All full-time employees of the City are eligible for participation in the cafeteria plan. Benefit categories to be offered are as follows:

1. City sponsored medical insurance
2. Flexible medical benefits
3. Dependent care assistance
4. Additional features or benefits the City may desire to add.

SECTION V: Classification.

A. Each employee shall be assigned a compensation code; it shall be a three (3)-part code to track, in order: grade, step and longevity. The Compensation Code shall be upgraded at least annually, with an effective date the same as the employee’s anniversary date, or upon any compensation change with the new anniversary date as herein set out, as follows, the:

1. First two (2) digits designate Pay Grade.



2. Letter Designation indicates Pay Step.
  3. Last two (2) digits designate completed years of service.
- B. In general, higher pay grades reflect:
1. Greater responsibility
  2. Hierarchy within the Organization
  3. Higher pay and/or allowances

SECTION VI: Eligibility.

- A. Eligibility shall encompass any and all criteria established by this Ordinance, and/or City policy and procedure. The absence or loss of any such or part of such eligibility shall limit or disallow pay increase as herein or otherwise authorized. Employees ineligible for, at the time they might normally expect to receive a pay increase, shall be assigned the next higher step designator. Any increase in compensation will be delayed until eligibility is restored.
- B. Ineligibility may occur, but may not be limited to the following:
1. Qualifying Periods
    - a. *Initial employment qualifying period for MERIT adjustment only.*
    - b. An employee under investigation which may result in disciplinary action or who is under assignment to a disciplinary qualifying period shall:
      1. Have the outcome of the investigation applied retroactive to the date of eligibility.
      2. Not be eligible for any compensation increase but shall be assigned the next STEP as appropriate or as determined by due process, until eligibility is restored.
  2. When the average evaluation grade for the most recent merit period averages five point five (5.5) or less.
  3. When repeated or severe violations of policy or procedure occur.
  4. Upon department head or MANAGER recommendation.
- C. Merit Eligibility:
1. Generally:
    - a. All positions except MANAGER and DEPARTMENT HEADS shall be eligible for merit increase upon completed service (see Tables II-A and II-B), and compliance with all criteria established by ordinance and/or City policy and procedure.
    - b. Merit increases shall be based on the mathematical average of all evaluations received since the employee's last merit increase, as determined in the Pay Plan Tables II-A and II-B.
    - c. Merit increases for the MANAGER and DEPARTMENT HEADS shall be individually determined
  2. General Service Employees, for purposes of this ordinance, shall be defined as all employees of the City of Sikeston other than Commissioned Employees. Merit increases shall be awarded to General Service Employees, when eligible in all respects, as set forth in Pay Plan Table II-A.
  3. Commissioned Employees, for the purposes of this ordinance, shall be defined as all rookie and commissioned public safety officers employed within the Sikeston Department of Public Safety. Merit increases shall be awarded to Commissioned Employees, when eligible in all respects, as set forth in Pay Plan Table II-B.
- D. Reclassifications and Other Compensation Increases:
1. General Service Employees:

- a. Public Works Skilled Workers, when classified as a leadsman by their Department Head shall receive an additional \$.75 per hour.
  - b. Rookie Communications Officers shall be assigned to Grade 6. Upon successful completion of their training, and upon Department Head recommendation and City Manager approval, the employee will be reclassified to Communications Officer, Grade 10, and receive appropriate compensation for that grade.
  - c. Communications Field Training Officer (FTO) - Communications Officers filling this position shall receive an additional one dollar and twenty-five cents (\$1.25) per hour. This additional compensation will only be paid when training a rookie communications officer.
  - d. Firefighter - A sub-classification of "Firefighter" will exist within the general classification of PSO. This class is used for non-commissioned officers assigned to Fire Division. Compensation for these employees shall be set by the City Manager, as determined by their training, education and performance.
2. Commissioned Employees:
- a. Public Safety FTO – Additional compensation of One Dollar and twenty-five cents (\$1.25) per hour is available for any commissioned Public Safety Officer trained, and designated as a Field Training Officer. This additional compensation will only be paid when training a rookie public safety officer.
  - b. Canine Officer – Any commissioned Public Safety Officer trained and designated as the City's Canine Officer shall receive additional, annualized, compensation of three thousand six hundred dollars (\$3,600).

SECTION VII: Anniversary Date.

- A. Shall be rounded to the first day of the month when the employee begins employment on or before the sixteenth (16<sup>th</sup>) day of the employment month, or to the first of the month following the employment month when the employee begins work after the sixteenth (16<sup>th</sup>) day of the employment month.
- B. This anniversary date shall be used when computing all eligibility times throughout the employee's employment.
- C. Merit changes, (pay or benefits) shall be based on employment anniversary dates of consecutive years of service.
- D. Employees leaving the service of the City prior to their six month anniversary shall forfeit any and all claim to any vacation time.

SECTION VIII: Less Than Full Time Employees.

- A. The MANAGER shall determine hourly rates for employees working part time or temporary (seasonal) in accordance with sound business practices, the minimum wage laws and provisions of FLSA.
- B. The MANAGER may authorize up to one-half (1/2) the holiday time benefits to such employee when in his opinion such is warranted by the nature of the position and the specific employee's performance both warrant such action and provided said employee(s) is/are regularly scheduled for twenty-five (25) or more hours per week.

SECTION IX: Staffing Generally

- A. The City Manager shall be authorized for the following, including but not limited to:
  1. Development, monitoring and revision of supporting policy and procedure.

2. Ensuring best-qualified candidate is selected for any given position.
  3. Appropriate discipline including removal from the City employ any person he deems necessary, in his sole opinion.
  4. Elimination of any position he deems appropriate due to lack of work, changing work process, or reorganization.
- B. The MANAGER shall not be required to fill any position simply because a vacancy exists.
- C. The MANAGER may amend staffing levels or authorized positions within any specific department, provided
1. Such amendment does not exceed the total number of City employees established herein.
  2. Such amendment does not cause the anticipated appropriation budgeted for Personnel Services within said department to be exceeded.
- D. The MANAGER may employ additional temporary personnel when regular employees are not available (illness, injury, medical or military leave) or a specific increase in a work process requires such action to maintain levels of service.

SECTION X: Authorized Staffing Levels & Compensation Classifications.

FY-2024 Authorized Staffing Level Totals,

1. 129 Full Time Employees
2. 16 Part Time Employees
3. 31 Seasonal/Temporary Employees

SECTION XI: Repealer. Any other ordinances or part(s) thereof inconsistent herewith are hereby repealed.

SECTION XII: 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 XIII: Emergency Clause. This ordinance is adopted as an emergency measure so that the effective date corresponds with the fiscal year.

SECTION XIV: Record of Passage:

- A. Bill Number 6310 was introduced and read the first time this 22<sup>nd</sup> day of May, 2023.
- B. Bill Number 6310 was read the second time and discussed on this 5<sup>th</sup> day of June, 2023. Following discussion, Councilman Baker moved to approve Bill Number 6310. The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

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

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6310 and shall be in full force and effect from and after July 1, 2023.

2<sup>nd</sup> Reading, Bill #6311, Closeout of 60/61 TIF

Councilman Leible moved for the second reading of Bill Number 6311. The motion was seconded by Councilman Teachout and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

BILL NO. 6311

ORDINANCE NO. 6311

AN ORDINANCE TERMINATING TAX INCREMENT FINANCING WITHIN THE 60/61 REDEVELOPMENT AREA; DISSOLVING THE SPECIAL ALLOCATION FUND RELATED THERETO; AND AUTHORIZING CERTAIN ACTIONS RELATING THERETO.

WHEREAS, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), authorizes municipalities to undertake redevelopment projects in blighted, conservation or economic development areas, as defined in the Act; and

WHEREAS, on June 5, 2000 the City Council adopted Ordinance No. 5238 approving the "Redevelopment Plan and Project, 60/61 Redevelopment Area" (as subsequently amended, the "Redevelopment Plan") and designating the redevelopment area described in the Redevelopment Plan (the "Redevelopment Area") as a "redevelopment area" under the Act; and

WHEREAS, pursuant to Ordinance No. 5329, adopted on June 5, 2000, the City Council approved a redevelopment project for an area described in the Redevelopment Plan as "RPA 1"; and

WHEREAS, tax increment financing within the portions of the Redevelopment Area described as "RPA 2" and "RPA 3" in the Redevelopment Plan were previously terminated; and

WHEREAS, all redevelopment project activities in RPA 1 to be financed or reimbursed from tax increment financing revenues have been completed and there are no outstanding obligations payable from tax increment financing revenues generated in RPA 1; and

WHEREAS, the City Council hereby finds that the redevelopment project activities for RPA 1 have been completed and, therefore, it is in the best interest of the City and the other affected taxing districts to terminate tax increment financing within RPA 1.

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

Section 1. Surplus Declaration. The City Council hereby declares as surplus all economic activity taxes (as defined in the Act) on deposit in any account of the Special Allocation Fund created to administer the Redevelopment Plan. Such surplus economic activity taxes shall be paid to the taxing districts from which they originate, as provided in Section 99.820 of the Act.

Section 2. Termination. The City Council hereby terminates tax increment financing within the RPA 1 and, to the extent not previously terminated, all other areas of the Redevelopment Area.

Section 3. Dissolution of Special Allocation Fund. The City Clerk or other appropriate official is hereby directed to dissolve the Special Allocation Fund. All administrative

expenses, including legal fees, related to the dissolution of the Special Allocation Fund and the termination of tax increment financing as provided herein shall be paid from the moneys in the Special Allocation Fund. All remaining moneys in the Special Allocation Fund, after the payment of the administrative expenses and the distribution of surplus economic activity taxes as described above, shall be paid to the New Madrid County Collector or other appropriate office for distribution to the appropriate taxing districts in the manner provided in the Act.

Section 4. Further Authority. The officers, agents and employees of the City are hereby authorized and directed to execute all documents and take such necessary steps as they deem necessary and advisable to carry out and perform the purpose of this Ordinance.

Section 5. Savings. Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

Section 6. Severability. If any term, condition or provision of this Ordinance is held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the City Council that it would have enacted this Ordinance without the invalid or unenforceable provision. If as a result of a subsequent change in applicable law, the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Record of Passage:

- A. Bill Number 6311 was introduced and read the first time this 22<sup>nd</sup> day of May, 2023.
- B. Bill Number 6311 was read the second time and discussed on this 5<sup>th</sup> day of June, 2023. Following discussion, Councilman Leible moved to approve Bill Number 6311. The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

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

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6311 and shall be in full force and effect from and after July 5<sup>th</sup>, 2023.

2<sup>nd</sup> Reading, Bill #6312, Request to Abandon Utility Easement-105 N. Stoddard

Councilman Baker moved for the second reading of Bill Number 6312. The motion was seconded by Councilman Lindsey and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

BILL NO. 6312

ORDINANCE NO. 6312

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6312 PROVIDING FOR THE APPROVAL TO VACATE UTILITY EASEMENTS LOCATED ON THE TRACT

OF LAND KNOWN AS 105 N STODDARD IN THE CITY OF 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 May 9, 2023 and did pass a favorable recommendation to approve the request to vacate the utility easements, being more fully described by metes and bounds as follows and which is attached hereto, marked Exhibit "A" and incorporated by reference:

"Easement vacation: All of the 10 foot wide utility easement lying along the South line of Lots 1A and 1B, except the West 10 feet thereof and also including the 10 foot wide utility easement along the East line of Lot 1B all being in the replat of Lot 1 of Carroll's replat of Outblock 11 as recorded in plat book 15 on page 2"

SECTION III: Said utility easement abandonment 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 6312 was introduced and read the first time this 22<sup>nd</sup> day of May, 2023.
- B. Bill Number 6312 was read the second time and discussed on this 5<sup>th</sup> day of June, 2023. Following discussion, Councilman Teachout moved to approve Bill Number 6312. The motion was seconded by Councilman Lindsey, discussed and the following roll call vote was recorded:

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

- C. Ordinance 6312 shall be in full force and effect from and after July 5, 2023.

2<sup>nd</sup> Reading, Bill #6313, Amending Planning & Zoning Commission Composition

Councilman Leible moved for the second reading of Bill Number 6313. The motion was seconded by Councilman Teachout and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6313 AND SHALL AMEND TITLE I GOVERNMENT, CHAPTER 130 DEPARTMENTS, BOARDS, COMMISSIONS AND COMMITTEES IN THE MUNICIPAL CODE OF THE CITY OF SIKESTON, MISSOURI.

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

SECTION I: This Ordinance shall be codified in the City Municipal Code.

SECTION II: Title I Government – Chapter 130 – Article XVII Planning and Zoning Commission shall be amended as follows:

Section 130.1310 Organization and Composition.

The Commission shall consist of eleven (10) members and shall include the Mayor or his/her Council designee, a member of the City Council and eight (8) citizens appointed by the Council. The City Manager shall interface with the Commission upon request and/or may approach the Commission if and when he/she deems necessary. The Director of Community Development, or his/her designee, shall attend all planning and zoning meetings and shall have the right to take part in discussion but may not vote. All citizen members shall serve without compensation. The term of each of the citizen members appointed under this Chapter shall be four (4) years; which shall have staggered beginnings and termination dates. All expiring terms shall terminate on the first (1st) Monday of October. Any vacancy in the membership shall be filled for the unexpired term by appointment by Council. The Council may remove any citizen member for cause stated in writing and after public hearing.

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 6313 was introduced and read the first time this 22<sup>nd</sup> day of May, 2023.
- B. Bill Number 6313 was read the second time and discussed on this 5<sup>th</sup> day of June, 2023. Following discussion, Councilman Baker moved to approve Bill Number 6313. The motion was seconded by Councilman Leible, discussed and the following roll call vote was recorded:

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

- C. Ordinance 6313 shall be in full force and effect from and after July 5, 2023.

2<sup>nd</sup> Reading, Bill #6314, Amending Building Regulations-Board of Adjustments

Councilman Teachout moved for the second reading of Bill Number 6314. The motion was seconded by Councilman Lindsey and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

BILL Number 6314

ORDINANCE Number 6314

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6314 AND SHALL AMEND TITLE V BUILDING AND CONSTRUCTION, CHAPTER 500 BUILDING REGULATION IN THE MUNICIPAL CODE OF THE CITY OF SIKESTON, MISSOURI.

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

SECTION I: This Ordinance shall be codified in the City Municipal Code.

SECTION II: Title V Building and Construction – Chapter 500 – Article XVI International Zoning Code shall be amended as follows:

Section 500.1190 Additions, Insertions and Changes.

A. The following sections are hereby revised as follows:

6. In Section [A] 108.4 Voting and notice of decision (page 4, second line), to read: "There shall be a vote of a supermajority eighty percent (80%) of the board present in order to decide any matter under consideration by the board of adjustment. The Director of Community Development, or his/her designee, shall attend all meetings and shall have the right to take part in discussion but may not vote. Each decision shall be entered in the minutes by the secretary. All appeals shall be kept in accordance with state regulations, and such appeals shall be open to the public. Notice in writing of the decision and the disposition of each appeal shall be given to the code official and each appellant by mail or otherwise."

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 6314 was introduced and read the first time this 22<sup>nd</sup> day of May, 2023.
- B. Bill Number 6314 was read the second time and discussed on this 5<sup>th</sup> day of June, 2023. Following discussion, Councilman Teachout moved to approve Bill Number 6314. The motion was seconded by Councilman Baker, discussed and the following roll call vote was recorded:

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

- C. Ordinance 6314 shall be in full force and effect from and after July 5, 2023.



Other Items (Walk-On)

Approve Conditional Use Variance-Adult Novelty Store, 1641 E. Malone

Staff received a request from Kenneth and Donna Allen for a conditional use variance for an adult novelty store to be located at 1641 E. Malone Ave., Sikeston MO. Property owners plan to sell the property to an individual who will then lease out the property to a company called OMG Gifts, LLC if the variance is approved. This property is zoned C-3 (Highway Commercial).

The bill died due to the lack of a motion.

Authorize Engineering Services Contract with Bacon Farmer Workman for Transportation Alternatives Program (TAP) Project

City of Sikeston was awarded a Transportation Alternatives Program (TAP) project from Missouri Department of Transportation (MoDOT) for a sidewalk project along Northwest St. To begin this project, authorization is needed to approve contracts for the design engineering and construction inspection of the project with Bacon Farmer Workman. Authorization will allow design work to begin.

Councilman Baker motioned to authorize the execution of engineering services contract with Bacon Farmer Workman. The motion was seconded by Councilman Leible, discussed and the following roll call vote recorded:

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

**ADJOURNMENT**

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

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

APPROVED:

\_\_\_\_\_  
GREG TURNBOW, MAYOR

ATTEST:

\_\_\_\_\_  
RHONDA COUNCIL, CITY CLERK

SEAL: