



105 E. Center Street  
Sikeston, MO 63801  
573-471-2512  
[www.Sikeston.org](http://www.Sikeston.org)

TENTATIVE AGENDA

CITY COUNCIL SPECIAL MEETING  
CITY HALL  
COUNCIL CHAMBERS  
105 E. Center St.

Thursday, June 24, 2021  
Noon

- I. CALL TO ORDER
- II. RECORD OF ATTENDANCE
- III. ITEMS OF BUSINESS
  - A. 1<sup>st</sup> & 2<sup>nd</sup> Reading, Emergency Bill #6230, Platting of Armor Subdivision
  - B. Consultant Selection for 61 Widening Project
  - C. Municipal Court Discussions
  - D. Other Items As May Be Determined During the Course of the Meeting
- IV. ADJOURNMENT

Dated this 21<sup>st</sup> day of June 2021.

*Rhonda Council*

Rhonda Council, City Clerk

The City of Sikeston complies with ADA guidelines. Notify Rhonda Council at 471-2512 (TDD Available) to notify the City of any reasonable accommodation needed to participate in the City Council's Meeting.

# **Council Letter**

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Date of Meeting: 21-06-24

Originating Department: Public Works Department

To the Mayor and City Council:

Subject: 1<sup>st</sup> and 2<sup>nd</sup> Reading and Consideration, Emergency Bill #6230, Request to subdivide  
Armor Addition

Attachment(s):

1. Bill #6230
2. Plat

Action Options:

1. Conduct 1<sup>st</sup> and 2<sup>nd</sup> Reading and approve request to approve proposed subdivision of  
Armor Addition
2. Other action Council may deem appropriate

Background:

The Planning and Zoning Commission met on June 8, 2021 and passed a favorable recommendation to approve the proposed Armor Addition in the City of Sikeston, New Madrid County, Missouri. The tract of land generally lies west of US Hwy 61, North of County Road 824 and South of Larcel Drive.

Due to the contractual requirements, this matter is being presented as an emergency measure to accommodate timelines.

AN EMERGENCY ORDINANCE OF WHICH UPON APPROVAL SHALL BECOME ORDINANCE NUMBER 6230 PROVIDING FOR THE APPROVAL OF A PROPOSED SUBDIVISION (ARMOR ADDITION) WHICH GENERALLY LIES WEST OF U.S. HWY 61, NORTH OF CO RD 824 AND SOUTH OF LARCEL DRIVE, NEW MADRID COUNTY, MISSOURI.

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

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

SECTION II: The Planning and Zoning Commission met on June 8, 2021 and passed a favorable recommendation to approve the proposed Armor Addition in the City of Sikeston, New Madrid County, Missouri. The tract or parcel of land, which is attached hereto, marked Exhibit "A" and incorporated by reference and legally described as follows and known as Armor Addition:

"A parcel or tract of land being that part of U.S.P.S No.s 45, 254 and 255, Township 25 North, Range 14 East and Township 26 North, Range 14 East, New Madrid County, Missouri lying West of U.S. Highway 61, North of County Road 824 and East of the Burlington Northern - Santa Fe Railroad and being further described by metes and bounds as follows:

Commencing at the intersection of the North line of U.S.P.S. No. 255 and the West right-of-way line of U.S. Highway 61 for the point of beginning, said point being monumented with a iron rebar and cap stamped, "John Chittenden, PLS 2108"; thence S 80°23'18" W along the North line thereof a distance of 3,538.63 feet to the East right-of-way line of the Burlington Northern - Santa Fe Railroad, monumented with an iron rebar; thence S 5°20'06" E along said right-of-way line a distance of 3,166.60 feet to the North right-of-way line of County Road 824, monumented with a #5 rebar and cap stamped, "Darrall R. Hirtz, PLS 2140"; thence N 80°41'26" E along the North right-of-way of said County Road 824 a distance of 3,755.67 feet to the West right-of-way line of U.S. Highway 61 and monumented the same; thence N 9°04'37" W along said right-of-way line a distance of 1,288.21 feet to Highway Station 125+00, 50'RT and monumented the same; thence S 80°55'23" W a distance of 5.00 feet, being Sta 125+00, 55'RT, monumented the same; thence N 9°04'37" W along said right-of-way line a distance of 937.20 feet to PT Sta 115+62.8, 55'RT, monumented the same; thence along a curve to the left with a radius of 22,863.3' and a chord bearing N9°27'07"W-299.27' a distance of 299.28 feet to PC Sta 112+62.8, 55'RT, monumented the same; thence N 9°49'37" W along said right-of-way line a distance of 562.80 feet to Sta 107+00, 55'RT, monumented the same; thence N 80°10'23" E along said right-of-way line a distance of 5.00 feet to Sta 107+00, 50'RT, monumented the same; thence N 9°49'37" W along said right-of-way line a distance of 90.14 feet to the point of beginning and containing, 265.32 acres, more or less. Subject to any and all easements, if any, affecting the same."

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

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

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

SECTION VI: Emergency Clause. This ordinance is adopted as an emergency measure in order to enable timely action for "project Armor".

SECTION VII: Record of Passage

A. Bill Number 6230 was introduced and read the first time this 24<sup>th</sup> day of June 2021.

B. Bill Number 6230 was read the second time this 24<sup>th</sup> day of June 2021, and was voted as follows;

Self, \_\_\_\_\_, Baker, \_\_\_\_\_, Sparks, \_\_\_\_\_, Merideth, \_\_\_\_\_  
Teachout, \_\_\_\_\_, Williams, \_\_\_\_\_, and Turnbow \_\_\_\_\_.

hereby being \_\_\_\_\_.

C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6230 and shall be in full force and effect from and after its passage.

\_\_\_\_\_  
Greg Turnbow, Mayor

\_\_\_\_\_  
Approved As To Form  
Tabatha Thurman, City Counselor

Seal/Attest

\_\_\_\_\_  
Rhonda Council, City Clerk

# **Council Letter**

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Date of Meeting: 21-06-24

Originating Department: Public Works Department

To the Mayor and City Council:

Subject: Approval of Consultant Selection for US 61 Widening Project

Action Options:

1. Authorize Staff to Approve Consultant Selection for US 61 Widening Project
2. Other Action Council May Deem Necessary

Background:

Staff is seeking for Council to approve Consultant selection for the US 61 Widening Project.

We advertised for consultants on May 24, 2021, on both the city website and the MoDOT consultant portal, and we received qualifications from 5 consultants. Due to scheduling conflicts, the professional services committee worked together remotely through electronic correspondence to evaluate and score the five consultants.

The professional services Committee recommends that the city contract with Bacon Farmer Workman Engineering to provide design and inspection services for the widening and signalization of US61 for the project armor industrial park development.

Staff is seeking council to approve this recommendation and authorize staff to negotiate a contract with Bacon Farmer Workman Engineering.

## Council Letter

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Date of Meeting: 21-06-24

Originating Department: Governmental Services

To the Mayor and City Council:

Subject: Transfer of Municipal Court Functions to the Scott County Circuit Court.

Attachment(s):

1. Frequently Asked Questions

Action Options:

1. Discussion regarding the transfer of Municipal Court to the Circuit Courts.
2. Other action Council may deem appropriate

Background:

In the state court organization, municipal courts are a component of the state court system and operate under the direct jurisdiction of the presiding judge of the respective circuit courts. Sikeston Municipal Court operates under the jurisdiction of the Presiding Judge of 33<sup>rd</sup> Circuit Court.

Municipal courts in the state have undergone major changes in the wake of Senate Bill 5, a sweeping court reform law enacted in 2015. Senate Bill 5 sought to end alleged abusive practices by some municipal courts and lighten the burden on defendants, the reforms have had some unintended consequences. Senate Bill 5 imposed new restrictions on how much municipal courts could charge violators in fines and penalties and prohibited those courts from sentencing violators to confinement for failure to pay a fine. It also stripped away a municipal court's ability to suspend the driver's license for defendants who fail to appear in court. As a result, many of the cases are no-shows, mirroring the experience other cities are reporting.

Due to these changes, the City anticipates increased costs associated with operating a municipal court and continued decreased revenues. Staff has proposed transferring of the city's municipal court to the circuit courts of Scott and New Madrid counties. The Office of the State Court Administrator has advised they can accommodate both counties.

Attached for your review are a list of frequently asked questions regarding the elimination of a city municipal court.

## **Sikeston Municipal Court**

### **Transfer of Municipal Court Functions to the County Circuit Courts**

#### **Frequently Asked Questions**

**If the court moves to Benton, won't citizens have to take off during the day because court is held during the day?**

Sikeston Municipal Court begins at 2:30 p.m. for prisoners and the general public at 3 p.m. Court is typically over by 5 p.m. Sikeston Municipal Court has not been held in the evening since January 2020.

**What if I get stopped and do not have proof of insurance?**

The County Prosecutor's Office will accept proof of insurance via fax, email or in person. You will not be required to drive to Benton or New Madrid.

**Will public safety officers spend more time on the road, going back and forth to two (2) circuit courts?**

Two officers must drive to Benton to transport prisoners, stay with them during court and then transport them back to Benton twice a month. Sikeston Municipal Court conducts very few trials. During 2018 municipal court held three (3) trials, in 2019 there were five (5) trials and in 2020 there were another four (4). There have been no trials in 2021. Based on these statistics, we use more personnel transporting prisoners to routine court hearings in one year than we would have in the prior 3 ½ years of trials. The circuit courts have bailiffs to provide security and escort prisoners. It is unknown if we will have to transport prisoners to New Madrid County as they do not have a jail.

**What is the financial impact of keeping a municipal court?**

In FY2021, the city subsidized Municipal Court \$42,644. Due to increased demands, decrease fines and requirements of the Office of the State Courts Administrator, we anticipate that amount being in excess of \$108,000 in FY22. The Associate Circuit Court would retain court costs, but the City of Sikeston would receive the fine revenue, which is estimated to be \$100,000, down from \$204,676.69 in FY2015.

By transferring municipal court to the circuit courts, the City of Sikeston will realize a savings in excess of \$158,000 this year, with the amount increasing each year thereafter.

## **General Information**

Trials are held once a month, generally on the fourth Thursday.

From January 1, 2021, through May 31, 2021, Sikeston Department of Public Safety has filed 902 cases with Municipal Court. 437 of the tickets issued by DPS were paid (48%). 75 appeared before Judge Marshall (8%). One was referred to county court, 25 were closed with Suspended Imposition of Sentence, 34 presented proof of insurance and case was dismissed. The judge dismissed 31 cases and the prosecutor dismissed 73. The judge waived the fine/cost balance on 1 case and 9 were voided from the docket. 216 remain pending. During this period, 158 warrants were issued and 136 were cleared.

Code Enforcement filed 42 cases during that same time frame. Four paid their fine, 8 appeared before the judge. Five of the cases were dismissed by the claimant (City), 29 were dismissed by the prosecutor, a warrant was issued for one and a warrant was cleared for one.

The Sikeston Public Library filed one case before Judge Marshall and it was dismissed by him. Three warrants were cleared.