

REGULAR CITY COUNCIL MEETING
JULY 1, 2019

The regular Sikeston City Council meeting of July 1, 2019 was called to order at 5:00 p.m. in the City Council Chambers, located at 105 East Center, Sikeston. Present at the meeting were: Mayor Steven Burch and Councilmembers Brian Self, Karen Evans, Onethia Williams, Gerald Settles, Ryan Merideth and Brandon Sparks. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Carroll Couch, Deputy City Clerk Rhonda Council, Public Safety Director Mike Williams, Assistant Public Safety Director James McMillen, Public Works Director Jay Lancaster, Street Supervisor Darren Martin, Street Superintendent Darren Marten, Parks Director Dustin Care, DPS Captain Austin Henley, and Code Enforcement Manager Lorenzo Ware.

APPROVAL OF CITY COUNCIL MINUTES

City Council minutes of June 3 and June 10 were presented for approval. Councilman Merideth moved to approve the minutes as presented. Councilman Self seconded the motion and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

ACCEPTANCE OF BOARD AND COMMISSION MINUTES

None were presented.

ADVISORY BOARD COUNCIL LIAISON REPORTS

No reports were presented.

ITEMS OF BUSINESS

Award Bid #19-45, Bank Depository Services

Bids to become the depository for the City of Sikeston were sent to all local banks and responses were received from Montgomery Bank, Southern Missouri Bank and First Midwest Bank. The bid from First Midwest Bank was rejected due to an unsigned Non-Kickback and Non-Collusion Affidavit. Southern Missouri Bank bid a fixed rate of 2.06% APY on swept repurchase agreements or time deposits. On transaction accounts, they propose to pay the city a 2.01% APY.

Councilman Sparks moved to award the bank depository services to Southern Missouri Bank. The motion was seconded by Councilman Settles and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

Authorization to Purchase Pickup Truck for Fire Division

Department of Public Safety Fire Division request permission to replace their current pickup truck, a 1997 Ford F-350 Diesel which has become unreliable and costly to maintain. They would like to replace it with a 2019 Ford F-350 SRW (single rear wheel) pickup on state contract

from Joe Machens Ford Lincoln in the amount of \$44,809. Council directed they auction this vehicle instead of surplus.

Councilman Self moved to authorize the purchase of a 2019 Ford F-350 SRW pickup from Joe Machens Ford Lincoln for \$44,809 and to auction the 1997 Ford F-350 Diesel. The motion was seconded by Councilwoman Williams and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

Authorization to Purchase Patrol Vehicles

Department of Public Safety request permission to purchase three (3) 2020 Chevrolet Tahoe PPV's 4wd at the state contract price of \$36,621 each from Don Brown Chevrolet of St. Louis and use the remaining money to outfit them with necessary equipment. DPS would also like to purchase one (1) used AWD Highway Patrol 2016 Dodge Charger for \$16,950 with additional money to outfit the vehicle with emergency equipment. Council directed DPS to see if they could sell or trade their old vehicles to Don Brown. If unable to, they can become surplus vehicles.

Councilman Sparks moved to authorize the purchase of three (3) 2020 Chevrolet Tahoe PPV's 4wd from Don Brown Chevrolet of St. Louis in the amount of \$36,621 each and one (1) used AWD Highway Patrol 2016 Dodge Charger for \$16,950 and all vehicles to be outfit with their necessary equipment. Also, check into selling or trading the old vehicles to Don Brown. Councilman Merideth seconded the motion and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

Authorization to Purchase Used Pickup Truck for LCRA/Public Works

Staff seeks Council's approval to purchase a used work pickup truck in an amount not to exceed \$17,000 for use by LCRA maintenance crew to maintain their lots. LCRA will issue the check to the City and the City will make the purchase.

Councilman Settles moved to authorize the purchase of a used work pickup truck for LCRA maintenance crew in an amount not to exceed \$17,000 utilizing LCRA funds. The motion was seconded by Councilman Sparks and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

Authorization to Purchase Replacement Mower Decks for LCRA/Public Works

Staff seeks Council's approval to purchase replacement mower decks for two existing John Deere Front Mount Mowers in the amount of \$10,240 from Greenway Equipment. LCRA funds will be used to make the purchase.

Councilman Self moved to authorize the purchase of replacement mower decks in the amount of \$10,240 from Greenway Equipment, utilizing LCRA funds. The motion was seconded by Councilwoman Evans and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,

Williams Aye, and Burch Aye, thereby being passed.

Authorization to Purchase Used Van for PAWS Animal Shelter

Mayor Burch tabled this item for further review.

2nd Reading, Emergency Bill #6139, Allowing the Sale & Use of Fireworks in the City of Sikeston

Councilman Merideth moved for the second reading of Bill Number 6139. The motion was seconded by Councilman Settles and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

Counselor Thurman presented the bill for reading.

BILL Number 6139

ORDINANCE Number 6139

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6139 AND SHALL AMEND ARTICLE IV, CHAPTER 210, OF THE CITY CODE ESTABLISHING OFFENSES WITHIN 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: Article IV, Chapter 210, Section 210.560 – Fireworks; shall be amended to read as follows:

- A. It is unlawful for any person to willfully discharge (fire, light, ignite, shoot off, set off, use, burn, or explode) any firecrackers, fireworks, torpedoes, bombs, rockets, pinwheels, Roman candles, or other fireworks of like kind or nature within the City, except during the following periods:
 1. June 27 to July 3 between the hours of 10 a.m. and 10 p.m.
 2. July 4 between the hours of 10 a.m. and midnight
 3. December 31 from 11:30 p.m. until Jan. 1 at 12:30 a.m.
- B. No person shall sell or expose for sale any fireworks, firecrackers, torpedoes, bombs, rockets, pin wheels, Roman candles, or other fireworks of like kind or nature within the City, except during the periods of June 27 through July 4 and December 29 through December 31 of each year, provided however, that this shall not be construed to prohibit the sale of fireworks in wholesale lots by any person holding a wholesale license to do business within the City for use or sale outside the limits of the City.
- C. No person shall sell or expose for sale any fireworks, firecrackers, torpedoes, bombs, rockets, pin wheels, Roman candles, or other fireworks of like kind or nature within the City, without holding a valid business license from the City and any applicable license(s) or permit(s) from State and/or Federal agencies.
- D. The discharge of fireworks during allowed time periods shall be prohibited on private property without the property owner's permission.

- E. The discharge of fireworks shall be prohibited in City parks or upon public rights-of-way or public property, unless expressly permitted per Section 210.560(I).
- F. The discharge of fireworks shall be prohibited at all times during any burn ban declared by the City or County.
- G. The sale, launching or flying of sky lanterns, fire balloons, or similar devices shall be prohibited at all times.
- H. It shall be unlawful for any individual under seventeen (17) years of age to purchase, possess, or discharge any fireworks unless under the direct supervision of a parent or guardian.
- I. The discharge of fireworks during any time period or in any manner not permitted by this section shall at all times be prohibited within the City unless a permit shall first have been secured from the Department of Public Safety authorizing such activity at a given place and time.

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: Emergency Clause. This ordinance is adopted as an emergency measure so that the effective date corresponds with the Independence Day holiday season.

SECTION VI: Record of Passage:

A. Bill Number 6139 was introduced and read the first time this 10th day of June, 2019.

B. Bill Number 6139 was read the second time and discussed on this 1st day of July, 2019. Following discussion, Councilman Settles moved to table Bill Number 6139. The motion was seconded by Councilman Sparks, discussed and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Nay, Settles Aye, Evans Aye,
Williams Nay, and Burch Aye, thereby being failed.

Briefing: Medical Marijuana Regulations

Amendment 2, passed by Missouri voters in November 2018, legalized and set up a framework for issuing State licenses for medical marijuana facilities. Since that time the State has been setting up the licensing system and will begin accepting applications in August, with license approvals by the end of the year. The City has received a number of serious inquiries regarding local regulations pertaining to medical marijuana facilities, particularly dispensaries, which are the retail establishments where qualifying patients may buy medical marijuana and related products.

Amendment 2 expressly prohibits municipalities from banning or practically banning medical marijuana facilities through overly burdensome regulations, but it does allow for local regulation in three main areas: Distance Restriction from Schools, Churches and Daycares; Zoning and Hours of Operation.

Council directed Staff to draft an ordinance with the distance restriction from schools, churches and daycares at 1,000 feet; zoning designated as Light Industrial; and hours of operation as 7:00 a.m. - 7:00 p.m. for dispensary facilities. Emergency Ordinance will be presented at the July 29th Council meeting and if adopted, would allow time for interested parties to meet State of Missouri deadlines for license applications. They will accept applications from August 3-17.

Other Items

Council was given an update on the status of the Midtown Motel. Staff has met with the owner and a soil study has been conducted and once they are given the okay by DNR, their plans are to sell the property to a potential buyer - hopefully by fall. If no improvements are done in a timely manner, the City may order the building to be demolished.

Staff was asked who maintains Salcedo ditch; had a complaint about tall grass on the northwest corner. The city no longer maintains this ditch. Staff will make plans to have a study session later this year to discussion mowing issues on right-of-ways and easements.

Parks & Recreation Director Dustin Care gave an update on the recent baseball tournament that was held at the Complex. A total of 33 teams participated and used 5 fields. Teams came from St. Louis, Southern Illinois, Arkansas and Tennessee and they were very impressed with the upgrades that have been done to the fields. Director Care thanked Council for the investment they put into the Complex ballfields and looks forward to having more tournaments next year, including a 40 team soccer tournament.

ADJOURNMENT

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

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

APPROVED:

STEVEN BURCH, MAYOR

ATTEST:

CARROLL L. COUCH, CITY CLERK

SEAL: