

REGULAR CITY COUNCIL MEETING
JULY 7, 2014

The regular Sikeston City Council meeting of July 7, 2014 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 Jerry Pullen and Councilmen Bob Depro, Jon Gilmore, John Graham, Maude Harris, and Kathy Teachout. Councilman Steven Burch was absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Chuck Leible, City Clerk Carroll Couch, City Treasurer Karen Bailey, Public Safety Director Drew Juden, Public Works Director Jay Lancaster, Governmental Services Director Linda Lowes, Economic Development Director Ed Dust, Parks Director Jiggs Moore, City Collector Vicky Lewis, Chief Building Inspector Collin Cecil, and Street Superintendent Brian Dial.

APPROVAL OF CITY COUNCIL MINUTES

City Council minutes of June 2, June 9 and June 30, 2014 were presented for approval. Councilman Depro moved to approve the minutes as presented. Councilman Gilmore seconded the motion and the following roll call vote was recorded:

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed.

ACCEPTANCE OF BOARD AND COMMISSION MINUTES

Minutes from various board and commission meetings were presented to the City Council. Councilman Gilmore moved to approve the minutes as presented. The motion was seconded by Councilman Graham and voted as follows:

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed.

PRESENTATIONS

Bill Nance of the Public Works Department and John Blakely of the Department of Public Safety were each recognized as Employees of the Third Quarter for their respective departments.

ITEMS OF BUSINESS

Award Bid, Wakefield Project

Public Works Director Jay Lancaster reviewed the bids received for the Wakefield Bridge Project. Councilman Depro moved to award Bid Number 14-21 for the Wakefield Bridge Replacement to Keith Simpson Contracting of Benton, Missouri in the amount of \$337,939.00. The motion was seconded by Councilman Teachout and the following vote recorded:

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed.

Bill 5963, Amending City Traffic Code to Establish No Parking Zones on Ingram Road

Councilman Teachout moved for the first reading of Bill Number 5963. The motion was seconded by Councilman Harris and the following vote recorded:

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed.

Counselor Leible presented the bill for reading. This bill as approved shall become Ordinance Number 5963 and shall amend Title III, Chapter 365 of the Uniform Traffic Code and Establishing additional traffic control measures within the City of Sikeston, Missouri.

The Traffic Committee met on June 25, 2014 and voted favorably to amend the uniform traffic code by placing no parking signs on North Ingram Road from the intersection of Kennedy Drive at North Ingram to the intersection of Smith Avenue at North Ingram Road, on both sides of the street.

Briefing, Request to Reduce the Speed Limit on Lake Street

City staff received a request from Marie Pigg to lower the speed limit and to place Children at Play signs on Lake Street. The Traffic Committee did meet on June 25, 2014 and after discussion, voted unanimously against a speed limit reduction on Lake Street.

Bill 5959 Amending Chapter 600 Alcoholic Beverages of the City Code

Councilman Depro moved for the second reading of Bill Number 5959. The motion was seconded by Councilman Teachout and the following vote recorded:

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed.

Counselor Leible presented the bill for reading.

BILL Number 5959

ORDINANCE Number 5959

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 5959 AND SHALL AMEND CHAPTER 600 ALCOHOLIC BEVERAGES OF THE CITY CODE OF THE CITY OF SIKESTON, MISSOURI.

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

SECTION I: This Ordinance shall be codified in Chapter 600 of the Sikeston Municipal Code.

SECTION II: Chapter 600 Alcoholic Beverages, Section 600.010 Definitions, shall be amended to include the following definitions:

“CHIEF REVIEW OFFICER

Means the first of two (2) city employees appointed by the city manager to serve on the liquor license review board.

CITY MANAGER

Means the current city manager of the City of Sikeston, Missouri, or his/her designee.”

SECTION III: Chapter 600 Alcoholic Beverages is amended to include the following:

“Section 600.089. Liquor License Review Board. A three-member liquor license review board is hereby established consisting of the chief review officer appointed by the city manager, another city employee appointed by the city manager and a member appointed by the city council to serve a three-year term. The city manager’s appointees shall be current city employees and shall serve at the pleasure of the city manager.”

SECTION IV: Chapter 600 Alcoholic Beverages, Section 600.090. Administration of Law – License Suspension/Revocation. Subsection A. Suspension or Revocation of License, When-Manner, is amended as follows:

“A. Suspension or Revocation of License, When-Manner

(a) *Suspension or revocation.* The city manager may suspend or revoke the license of any licensee under this chapter who has failed to meet the standards of conducting business set forth in this chapter or who has made any false, misleading or fraudulent statement in the license application.

(b) *Notice of suspension or revocation.* The city manager shall suspend or revoke a license issued under this chapter by sending notice of the suspension or revocation to the licensee by first class mail or by personal service on the licensee or the person in charge at the licensed premises. Mailed notice shall be presumed received three (3) days after it is mailed. The notice shall contain:

- (1) A statement of the grounds for the suspension or revocation.
- (2) The effective date of the suspension or revocation, which shall be at least ten (10) days after the notice is received.
- (3) In the case of a suspension, the length of the suspension.
- (4) Instructions on how to appeal the suspension or revocation.

(c) *Appeal to liquor license review board.* The licensee may appeal the suspension or revocation by requesting a hearing before the liquor license review board. The appeal must be in writing, addressed to the chief review officer and received by the chief review officer within ten (10) days after the notice of suspension or revocation was received. Receipt of an appeal by the chief review officer shall automatically stay enforcement of the suspension or revocation until after the hearing.

SECTION V: Chapter 600 Alcoholic Beverages, Section 600.090. Administration of Law – License Suspension/Revocation. Subsection D. Effect of Suspension, is amended as follows:

“D. Effect of Suspension. No person whose license shall have been suspended by order of the City Manager shall sell or give away any intoxicating liquor during the time such suspension is in effect. Any licensee desiring to keep premises open for the sale of food or merchandise during the period of suspension shall display the City

Manager's order of suspension in a conspicuous place on the premises so that all persons visiting the premises may readily see the same."

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

SECTION VIII: 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 IX: Record of Passage:

- A. Bill Number 5959 was introduced and read the first time this 30th day of June 2014.
- B. Bill Number 5959 was read the second time this 7th day of July, 2014. Councilman Teachout moved to approve bill Number 5959. The motion was seconded by Councilman Depro and the following roll call vote recorded:

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed
and becoming Ordinance 5959.

- C. Ordinance 5959 shall be in full force and effect from and after August 7, 2014.

Council Considerations of Liquor License Review Board Appointments

City Manager Douglass briefed the City Council on the need to make an appointment to the Liquor License Review Board. Douglass advised he would appoint City Clerk/Director of Administrative Services Carroll Couch and City Treasurer/Deputy City Clerk Karen Bailey to the board. The City Council will be asked to appoint the third member; it can be a councilman or a citizen. Council tabled action until the next meeting.

Briefing on Cell Tower RFP

A history of the cell tower and a review of the proposals received from American Tower and TriStar Investors for the lease of the tower were provided. Staff was directed to request sample contracts and confirm the interpretation of bid language on the two favored proposals.

Other Items

On November 25, 2013, the City Council declared five emergency warning sirens surplus. Efforts to sell the sirens have been unsuccessful. Both the cities of Bertrand and Morehouse have indicated a request in acquiring surplus emergency sirens. Councilman Graham moved to give the sirens to Bertrand and Morehouse at no cost. The motion was seconded by Councilman Depro and the following roll call vote recorded:

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed.

City Manager Douglass announced the grand opening of the new Sikeston Public Safety Building would be held July 19 from 10 a.m. until 4 p.m.

A motion was made by Councilman Gilmore, to move the regular September council meeting to September 8, 2014. The motion was seconded by Councilman Graham and the following vote recorded:

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed.

ADJOURNMENT INTO EXECUTIVE SESSION

Councilman Gilmore moved to adjourn into executive session for the discussion of property [RSMO 610.021 (2)]. The motion was seconded by Councilman Depro and the following roll call vote recorded:

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed.

Councilman Gilmore moved to authorize city staff to negotiate a contract with New Madrid County Ambulance District for the housing of ambulances and crews at Fire Station 3. The motion was seconded by Councilman Depro, discussed and voted as follows:

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed.

A chemical spill on BMU property has resulted in an insurance settlement of \$10,210.54 to the City and \$35,000.00 for the BMU. Councilman Gilmore moved to authorize the Mayor to execute the settlement. The motion was seconded by Councilman Depro and the following roll call vote recorded:

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed.

No further action was taken in executive session.

ADJOURNMENT OUT OF EXECUTIVE SESSION

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

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed.

ADJOURNMENT

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

Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,
Teachout Aye, and Pullen Aye, thereby being passed.

APPROVED:

JERRY PULLEN, MAYOR

ATTEST:

CARROLL L. COUCH, CITY CLERK

SEAL: