

**REGULAR CITY COUNCIL MEETING**  
**AUGUST 5, 2019**

The regular Sikeston City Council meeting of June 3, 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, and Brandon Sparks. Councilman Ryan Merideth was absent. 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 Superintendent Brian Dial, Street Supervisor Darren Martin, Parks Director Dustin Care, Public Safety Captain Austin Henley, Code Enforcement Manager Lorenzo Ware and Code Enforcement Officers Bruce Copeland and Marty Evans.

**APPROVAL OF CITY COUNCIL MINUTES**

City Council minutes of July 1 for the Regular Council meeting was presented for approval. Councilman Sparks moved to approve the minutes as presented. Councilwoman Evans seconded the motion and the following roll call vote was recorded:

Sparks Aye, Merideth Absent, 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 #20-01, Worker's Compensation Insurance**

Staff opened bids for workers compensation insurance and a total of four bids were received from two agencies, Newton & Company and Anderson & Green. The lowest bid was from Newton & Company on behalf of Missouri Employers Mutual in the amount of \$375,635. Councilman Sparks moved to award the City's Workers Compensation Insurance bid to Newton Insurance Company in the amount of \$375,635. The motion was seconded by Councilman Self and the following vote recorded:

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

**Authorization to Renew Lease with New Madrid County Ambulance Service**

New Madrid County Ambulance Service has maintained an ambulance station inside Fire Station 3 on Ables Road for the past few years with an occupancy lease with the City of Sikeston. The current lease expires August 31, 2019 and the City would like to renew the contract for 24 months and would include an early termination clause with a 60 day notice to terminate early. This was requested by the ambulance district due to the fact they are building their own station soon in the north end of New Madrid County and will be vacating our station at

that time. The agreement provides for a monthly lease payment, as well as a monthly fee for related utilities. Councilman Self moved to authorize the renewal of the lease with New Madrid County Ambulance District. The motion was seconded by Councilwoman Evans and the following vote recorded:

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

Authorization to Renew Contract with Sikeston Fire Protection District

The Department of Public Safety has been contracted for several years to provide firefighting services to a portion of the Sikeston Fire Protection District (rural areas surrounding Sikeston). The existing contract has expired and is in need of renewal. The contract provides for the district to pay fees for dispatch services, as well as fees for firefighting services. The District also provides the division with a 2013 International Fire Tanker and reimburses all maintenance costs associated with that vehicle. The contract is termed for five (5) years. Councilman Settles moved to authorize the renewal of contract with Sikeston Fire Protection District. The motion was seconded by Councilwoman Evans and the following vote recorded:

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

2<sup>nd</sup> Reading, Bill #6155, Yield Sign to Replace Stop Sign at Linn & Selma

Councilman Self moved for the second reading of Bill Number 6155. The motion was seconded by Councilman Sparks and the following vote recorded:

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

City Counselor Thurman presented the bill for reading.

BILL Number 6155

ORDINANCE Number 6155

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6155 AND SHALL AMEND TITLE III, CHAPTER 335 OF THE UNIFORM TRAFFIC CODE ESTABLISHING ADDITIONAL TRAFFIC CONTROL MEASURES 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: The Traffic Committee did meet on June 20, 2019 and voted favorably to amend the uniform traffic code by placing yield signs on Linn Street at Selma Street.

SECTION III: Title III – Chapter 335 – Section 335.040 – Stop and Yield Signs; shall be amended by including the following:

<u>Yield Sign</u>	<u>Through Street</u>	<u>Sign</u>	<u>Controlled</u>
Linn Street	Selma Street	<u>Location</u>	<u>Traffic</u>
		SW Corner	<u>Movement</u>
			East

Linn Street

Selma Street

NE Corner

West

SECTION IV: General Repealer Section: Any 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, then the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION VI: Record of Passage:

- A. Bill Number 6155 was introduced and read the first time this 29th day of July 2019.
- B. Bill Number 6155 was read the second time and discussed on this 5th day of August 2019. Following discussion, Councilman Self moved to not approve Bill Number 6155. The motion was seconded by Councilman Sparks, discussed and the following roll call vote was recorded:

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

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6155 and shall be in full force and effect from and after Wednesday, September 4, 2019.

2<sup>nd</sup> Reading, Bill #6156, Four-Way Stop Sign at N. Ranney & Lake St.

Councilman Settles moved for the second reading of Bill Number 6156. The motion was seconded by Councilman Self and the following vote recorded:

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

City Counselor Thurman presented the bill for reading.

BILL NUMBER 6156

ORDINANCE NUMBER 6156

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6156 AND SHALL AMEND TITLE III, CHAPTER 300, SCHEDULE III, TABLE III-A OF THE UNIFORM TRAFFIC CODE ESTABLISHING ADDITIONAL TRAFFIC CONTROL MEASURES 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: The Traffic Committee did meet on June 20, 2019, and did not favorably vote to amend the uniform traffic code by the installation of stop signs at the intersection of North Ranney at Lake Street to create a four-way stop.

SECTION III: Title III, Chapter 300, Schedule III, Table III-A-Stop Locations; shall be amended to include as follows:

<u>Stop Sign</u>	<u>Sign Location</u>	<u>Controlled Traffic Movement</u>
North Ranney at Lake Street	NW Corner	South
North Ranney at Lake Street	SE Corner	North

SECTION IV: General Repealer Section. Any 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, then the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION VI: Record of Passage:

1. Bill Number 6156 was introduced and read the first time this 29th day of July 2019.
2. Bill Number 6156 was read the second time and discussed on this 5th day of August 2019. No second motion was given. Therefore, the bill died from the lack of a second motion.

2nd Reading, Bill #6152, Update to Rental Property Minimum Housing Quality Standards

Greg Cook, a local landlord, and several other landlords in the City of Sikeston presented a "Rental Property Compromise Proposal" that they would like Council to consider incorporating with the proposed Rental Ordinance #6152. After much discussion, Council scheduled a study session with the landlords for September 19, 2019 at 5:00 p.m. at City Hall. This bill has been tabled pending further review from City staff.

2nd Reading, Bill #6157, Dissolving the Rental Ordinance Review Board

This bill has been tabled for a future Council meeting.

2nd Reading, Bill #6161, Authorization to Replat 305 & 307 N. Ingram Road

Councilman Self moved for the second reading of Bill Number 6161. The motion was seconded by Councilman Sparks and the following vote recorded:

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

City Counselor Thurman presented the bill for reading.

Bill Number 6161

Ordinance Number 6161

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6161 PROVIDING FOR APPROVAL OF THE REPLAT OF ALL OF LOTS #3 AND #4 AND A PART OF LOT #2 IN BLOCK #2 OF KINDRED'S SUBDIVISION TO 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 July 9, 2019 and passed a favorable recommendation to approve the subdividing all of Lots #3 and #4 and a part of Lot #2 in Block #2 of Kindred's Subdivision, the plat of which is attached hereto, marked Exhibit "A" and incorporated by reference.

SECTION III: Aforesaid replat is accepted and approved subject to its recording in Scott County, Missouri and full compliance with the building codes and housing ordinances of the City of Sikeston, Missouri, and in the event the provision of aforesaid codes of this City conflict with said replat, the Code shall be determinative.

SECTION IV: Aforesaid replat is accepted subject to full compliance with the stormwater management plan.

SECTION V: General Repealer Section. Any other ordinance or parts 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: Record of Passage

B. Bill Number 6155 was introduced and read the first time this 29th day of July 2019.

B. Bill Number 6161 was read the second time and discussed on this 5th day of August 2019. Following discussion, Councilman Self moved to not approve Bill Number 6161. The motion was seconded by Councilman Sparks, discussed and the following roll call vote was recorded:

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

C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6155 and shall be in full force and effect from and after Wednesday, September 4, 2019.

1<sup>st</sup> & 2<sup>nd</sup> Reading, Emergency Bill #6160, Local Use Tax Ordinance

Councilman Self moved for the first reading of Bill Number 6160. The motion was seconded by Councilwoman Evans and the following vote recorded:

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

City Counselor Thurman presented the bill for reading. This bill as adopted shall become an emergency ordinance of the City of Sikeston, Missouri, imposing a use tax for general revenue purposes at the rate of three percent (3%) for the privilege of storing, using or consuming within the City any article of tangible personal property pursuant to the authority granted by and subject to the provisions of Sections 144.600 through 144.761 RSMo; providing for the use tax to be repealed, reduced or raised in the same amount as any city sales tax is repealed, reduced or raised; and providing for submission of the proposal to the qualified voters of the City for their approval at the general election called and to be held in the City on Tuesday, November 5, 2019.

Councilman Self moved for the second reading of Bill Number 6153. The motion was seconded by Councilwoman Evans and the following vote recorded:

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

City Counselor Thurman presented the bill for a second reading.

BILL Number 6160

ORDINANCE Number 6160

AN EMERGENCY ORDINANCE OF THE CITY OF SIKESTON, MISSOURI, IMPOSING A USE TAX FOR GENERAL REVENUE PURPOSES AT THE RATE OF THREE PERCENT (3%) FOR THE PRIVILEGE OF STORING, USING OR CONSUMING WITHIN THE CITY ANY ARTICLE OF TANGIBLE PERSONAL PROPERTY PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTIONS 144.600 THROUGH 144.761 RSMO; PROVIDING FOR THE USE TAX TO BE REPEALED, REDUCED OR RAISED IN THE SAME AMOUNT AS ANY CITY SALES TAX IS REPEALED, REDUCED OR RAISED; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE GENERAL ELECTION CALLED AND TO BE HELD IN THE CITY ON TUESDAY, NOVEMBER 5, 2019.

WHEREAS, the City has imposed total local sales taxes, as defined in Section 32.085 RSMo, at the rate of three percent (3%); and

WHEREAS, the City is authorized under Section 144.757, RSMo, to impose a local use tax at a rate equal to the rate of the total local sales taxes in effect in the City; and

WHEREAS, the proposed City use tax cannot become effective until approved by the voters at a municipal, county or state general, primary or special election.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Sikeston, Missouri, as follows:

Section I. Pursuant to the authority granted by, and subject to, the provisions of Sections 144.600 through 144.761 RSMo, a use tax for general revenue purposes is imposed for the privilege of storing, using or consuming within the City any article of tangible personal property. This tax does not apply with respect to the storage, use or consumption of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of the article has finally come to rest within this City or until the article has become commingled with the general mass of property of this City.

Section II. The rate of the tax shall be three percent (3%). If any city sales tax is repealed or the rate thereof is reduced or raised by voter approval, the city use tax rate also shall be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the city sales tax.

Section III. This tax shall be submitted to the qualified voters of Sikeston, Missouri, for their approval, as required by the provisions of Section 144.757 RSMo, at the General election hereby called and to be held in the City on the fifth day of November, 2019. The ballot of submission shall contain substantially the following language:

QUESTION

Shall the City of Sikeston, Missouri, in order to eliminate the current sales tax advantage that Non-Missouri vendors have over Missouri vendors, place a local use tax on Out-of-State purchases?

This would be at the same rate as the local sales tax, currently 3%. If any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax rate shall also be repealed, reduced or raised by the same action.

A use tax return shall not be required to be filed by persons whose purchases from Out-of-State vendors do not total more than two thousand dollars in any calendar year.

**INSTRUCTIONS TO VOTERS:** If you are in favor of the question, fill in the oval opposite "YES". If you are opposed to the question, fill in the oval opposite "NO".

Yes

No

Section IV. Within ten (10) days after the approval of this ordinance by the qualified voters of Sikeston, Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

Section V. General Repealer: Any other ordinance or parts 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 in order to comply with the State of Missouri election statutes.

Section VIII. Record of Passage:

- A. Bill Number 6160 was introduced and read the first time this 5<sup>th</sup> day of August 2019.
- B. Bill Number 6160 was read the second time and discussed on this 5<sup>th</sup> day of August 2019. Following discussion, Councilman Settles moved to approved Bill Number 6160. The motion was seconded by Councilman Self, discussed and the following roll call vote was recorded:

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

- C. Ordinance 6160 shall be in full force and effect immediately upon passage.

#### Other Items

Due to Labor Day holiday, the regular September Council meeting has been moved to September 9th at 5:00 p.m.

An update was given on the Stallcup building. Bids were sent out for rebuilding the back wall and two bids were received - \$103,000 and \$117,000, which were over the threshold of

prevailing wages. With a budget of \$70,000, Councilman Self motioned to reject all bids. The motion was seconded by Councilman Sparks, discussed and the following roll call vote was recorded:

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

Citizen Tom Katsantonis approached Council about shortening the distance for medical marijuana dispensaries from 1,000 feet to 50 feet from daycares, schools and churches.

Citizen Stan Parham asked Council to consider adopting an ordinance allowing the use of UTV's in the City of Sikeston.

### **ADJOURNMENT INTO EXECUTIVE SESSION**

There being no further business before the City Council, Councilwoman Evans moved to adjourn into executive session for discussion of property. The motion was seconded by Councilman Settles and the following roll call vote was recorded:

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

Mayor Burch called the executive session to order. Present were: Councilmembers Brian Self, Karen Evans, Onethia Williams, Gerald Settles, and Brandon Sparks. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Carroll Couch, City Treasurer Karen Bailey, Deputy City Clerk Rhonda Council, Public Safety Director Mike Williams and Assistant Public Safety Director James McMillen.

City Manager Douglass advised Council that he had spoken with Don Culbertson who owns the property across the street from Public Safety that DPS officers use as an overflow parking area. Mr. Culbertson accepted the proposal to sale his property to the City in the amount of \$10,000. Councilman Sparks moved to enter into a contract with Don Culbertson to sale his property to the City of Sikeston in the amount of \$10,000. The motion was seconded by Councilman Settles and the following roll call vote was recorded:

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

### **ADJOURNMENT OUT OF EXECUTIVE SESSION**

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

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

### **ADJOURNMENT**

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

Sparks Aye, Merideth Absent, 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: