



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

TENTATIVE AGENDA

SPECIAL CITY COUNCIL MEETING  
SIKESTON CITY HALL

Monday, September 25, 2017  
11:30 A.M.

- I. CALL TO ORDER
- II. RECORD OF ATTENDANCE
- III. OPENING PRAYER
- IV. PLEDGE OF ALLEGIANCE
- V. SWEARING-IN, BOARDS & COMMISSION MEMBERS
- VI. ITEMS OF BUSINESS
  - A. 2<sup>nd</sup> Reading & Consideration, Bill #6071, Authorizing City of Sikeston to Enter Into a Certain Option to Purchase Real Estate
  - B. Appointment to Public Safety Advisory Board
  - C. Appointment to SEMO University – Sikeston Campus – Advisory Council
  - D. Other Items As May Be Determined During the Course of the Meeting
- VII. ADJOURNMENT INTO EXECUTIVE SESSION

Property (RSMo 610.021(2))
- VIII. ADJOURNMENT

Dated this 20<sup>th</sup> day of September 2017.

  
\_\_\_\_\_  
Rhonda Council, Deputy 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: 17-09-25

Department: Department of Governmental Services

To the Mayor and City Council:

Subject: 2<sup>nd</sup> Reading & Consideration of Bill #6071, Authorizing City of Sikeston to Enter Into a Certain Option to Purchase Real Estate

Attachments:

1. Bill #6071
2. Option to Purchase Real Estate Agreement

Action Options:

1. Approve Bill #6071
2. Other action as Council may deem appropriate.

Background:

Bill #6071, if approved, would authorize the City of Sikeston to execute documents to purchase real estate property for a future water well site for the Board of Municipal Utilities. Staff seeks Council's approval of this bill.

AN ORDINANCE AUTHORIZING THE CITY OF SIKESTON, MISSOURI TO ENTER INTO A CERTAIN OPTION TO PURCHASE REAL ESTATE.

WHEREAS, the City Council finds and determines that it is necessary and desirable to execute an option to purchase from Martin K. Hutcheson, Victoria L. Hutcheson, Kevin P. Mainord and Mary Anne Mainord certain property for a future water well site for the Board of Municipal Utilities and to approve the execution of certain documents herein.

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

SECTION I: Authorization of Documents. The City is hereby authorized to enter into the following documents (the "City Documents"), in substantially the form presented to the City Council and attached to this Ordinance, with such changes therein as are approved by the officials of the City executing the documents, such officials' signatures thereon being conclusive evidence of their approval thereof:

- (a) Option to Purchase Real Estate.

SECTION II: Execution of Documents. Upon the transfer of all funds necessary and proper to comply with the terms of the contract by the Board of Municipal Utilities to the City of Sikeston, the Mayor is hereby authorized to execute the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, for and on behalf of and as the act and deed of the City. The City Clerk is hereby authorized to attest to and affix the seal of the City to the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

SECTION III. Further Authority. The City shall, and the officials, agents and employees of the City are hereby authorized to, take such further action, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the City Documents.

SECTION IV. Any other ordinance or parts thereof inconsistent herewith are hereby repealed.

SECTION V. 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 continue in full force and effect.

SECTION VI: Record of Passage:

- A. Bill Number 6071 was introduced and read the first time this 5<sup>th</sup> day of September, 2017.
- B. Bill Number 6071 was read the second time and discussed on this 25<sup>th</sup> day of September, 2017, and was voted as follows:  
Gilmore \_\_\_\_\_, Settles \_\_\_\_\_, Evans \_\_\_\_\_,  
White-Ross \_\_\_\_\_, Burch \_\_\_\_\_,  
and Merideth \_\_\_\_\_,  
thereby being \_\_\_\_\_.
- C. Upon passage by the City Council, this bill shall become Ordinance 6071 and shall be in full force and effect from and after October 25, 2017.

\_\_\_\_\_  
RYAN MERIDETH, Mayor Pro Tem

Approved as to Form:

\_\_\_\_\_  
CHARLES LEIBLE, City Counselor

SEAL/ATTEST:

\_\_\_\_\_  
CARROLL COUCH, City Clerk

**OPTION TO PURCHASE REAL ESTATE**

This Option to Purchase Real Estate ("Option") dated the 31st day of JULY, 2017 ("Effective Date"), is between **Martin K. Hutcheson, Victoria L. Hutcheson, Kevin P. Mainord, and Mary Anne Mainord** (hereinafter collectively referred to as "Seller") and the **City of Sikeston, Missouri**, a municipal corporation, and the **Sikeston Board of Municipal Utilities** (hereinafter collectively referred to as "Purchaser").

**WHEREAS**, Seller is the owner of real property in Scott County, Missouri, with an approximate legal description of:

Parts of the northwest quarter of Section 28 and the northeast quarter of Section 29 of Township 26-North, Range 14-East, Scott County, Missouri, generally described as follows:

18 acres, more or less, extending from Ables Road on the North to County Line Road on the South. The East line of said parcel being the West line of the Emmanuel Baptist Church extended South to County Line Road and the West line of said parcel being the East right of way line of a proposed extension of Broadway Street that will extend from Ables Road on the North to County Line Road on the South.

The exact legal description of said parcel will be determined by a survey made by John Chittenden.

(hereinafter the "Premises").

**WHEREAS**, Purchaser desires to investigate the Premises to determine if it is compatible with use as a future water well site; and

**WHEREAS**, Purchaser desires to purchase, and Seller desires to sell, an exclusive option to purchase the Premises.

**NOW, THEREFORE**, for mutual consideration, the adequacy of which is acknowledged, the Parties agree as follows:

**1. Option to Purchase Premises.** For Ten Dollars (\$10.00) and other good and valuable consideration, Seller hereby grants to Purchaser an exclusive option to purchase the Premises upon the terms and conditions hereinafter set.

2. Term, Written Notice to Exercise Option. The term of this Option shall end on February 28, 2018, ("Option Term"). The Option shall be exercised by Purchaser giving Seller written notice during the Option Term of its intent to exercise this Option.

3. Conditions for Easements to be Provided by Seller. If this Option is exercised, the Seller agrees to provide along with the sale of the Premises permanent easements granted to the Purchaser for the purposes of installation, maintenance and replacement of water, sewer and electrical utilities across lands of the Sellers adjacent to the Premises, said easements to be 25-foot wide strips of land, in addition to any existing rights-of-way, along the west right-of-way line of Illinois Avenue, along the north right-of-way line of County Line Road extended to St. John's Ditch, and also a 25-foot wide strip along the Seller's property abutting the Emmanuel Baptist Church Property.

4. Conditions for Utilities to be Installed by Purchaser. If this Option is exercised and the Buyer's purchase of the Premises is closed, Buyer agrees to install a gravity sanitary sewer main along the east side of that portion of the Premises that abuts the lands of the Seller and continue along the north side of County Line road to a point of connection with the existing County Line Road sewage lift station. There is an existing 6-inch water main along Illinois Avenue, an additional 12-inch minimum water main is to be installed along Illinois Avenue as part of the water treatment plant project. The installation of said water and sewer lines shall be completed by the Buyer within 24 months after Closing. The Purchaser agrees to allow connection to their water and sewer mains upon the Seller bringing their property to be served by the lines into the City of Sikeston, Missouri. The Seller agrees to provide the necessary utility easements for said services and to pay the normal fees for service taps as required by standard policies of the Buyer.

5. Conditions for Granting of Roadway Right-of-Way by the Purchaser. If this Option is exercised the Purchaser agrees to grant a 60-foot wide roadway right-of-way running east to west across the Premises at a location to be selected in the future by the Seller, said location not to result in any right-of-way line being any closer than 100 feet from any existing or proposed water supply well location.

6. License. Seller grants Purchaser a license to enter onto the Premises for the purpose of making reasonable tests, studies and inspections during the Option Term. Such tests, studies, and inspections shall be at Purchaser's sole cost and

expense and Purchaser shall reimburse Seller for any damage to the property caused by such testing. Purchaser shall hold Seller harmless from all third party claims of property damage, personal injury or wrongful death caused by such testing.

**7. Purchase Price.** The purchase price for the Premises shall be Eight Thousand Five Hundred Dollars (\$8,500.00) per acre. The exercise of this option shall be subject to the entry by Seller and Purchaser into a contract for the sale of real estate which shall include terms ordinarily used in contracts of that type in Southeast Missouri and shall provide that the closing date will be within sixty (60) days after the option is exercised. The exact legal description and number of acres to be conveyed in any transaction under this Option shall be determined either by agreement of the parties or by survey. Any survey shall be made at the Purchaser's expense.

**8. Notice.** All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed to have been given: (i) when delivered personally; (ii) when deposited in the United States mail, certified and with proper postage prepaid to the address below; or (iii) when sent to the email address below, if by electronic mail.

**If to Seller:**

Martin and Victoria Hutcheson  
165 Millar Road  
East Prairie, Missouri 63845  
Email: marty@mandmag.com

Kevin and Mary Anne Mainord  
116 S. Center St.  
East Prairie, Missouri 63845  
Email: kevin.mainord@sanders.com

**With a copy to:**

Reginald E. Young  
P.O. Box 316, 107 S. Main St.  
Charleston, MO 63834  
reyoungatty@sbcglobal.net

**If to Purchaser:**

Sikeston Board of Municipal  
Utilities  
Attn: Rick Landers, General  
Manager  
107 E. Malone  
Sikeston, Missouri 63801  
rlanders@smbu.net

**With a copy to:**

Blanton, Nickell, Collins,  
Douglas and Hanschen, LLC  
Attn: Joseph C. Blanton, Jr.  
219 S. Kingshighway  
Sikeston, Missouri 63801  
jblanton@blantonlaw.com

9. Entire Agreement. This Option represents the entire agreement between Seller and Purchaser and supersedes all prior discussions and agreements whether written or oral with respect to the Option. This Agreement may not be modified or amended except by writing, executed by both Seller and Purchaser. The terms of Paragraphs 4 and 5 hereof shall survive the closing of the sale of the property.

10. Successors and Assigns. This Agreement shall apply to, inure to the benefit of and be binding upon and enforceable against the parties hereto and their respective heirs, successors, and or assigns.

IN WITNESS WHEREOF, the Parties have signed this Option to Purchase Real Estate on the Effective Date set forth above.

**SELLER:**

  
MARTIN K. HUTCHESON

  
VICTORIA L. HUTCHESON

  
KEVIN P. MAINORD

  
MARY ANNE MAINORD

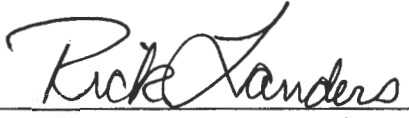
**PURCHASER:**

CITY OF SIKESTON, MISSOURI

BY: \_\_\_\_\_

Printed Name/Title:  
\_\_\_\_\_

SIKESTON BOARD OF MUNICIPAL UTILITIES

BY:   
RICK LANDERS, General Manager

# **Council Letter**

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Date of Meeting: 17-09-25

Department: Department of Governmental Services

To the Mayor and City Council:

Subject: Appointment to Public Safety Advisory Board

Attachments:  
None

Action Options:

1. Make Appointment to Public Safety Advisory Board
2. Other action as Council may deem appropriate.

Background:

While updating the recent appointments to the Public Safety Advisory Board, there was an oversight on an additional expired appointment. In addition to moving out of state, board member Michele Williams term has also expired. Staff asks that Council appoints a replacement for Ms. Williams.

Resource Bank Applicants include:

Andy Caton, 510 Thornwood  
Delbert Curry, 601 Maple St.  
Paul Cohen, 118 N. 6<sup>th</sup> St.  
Andrea Baker, 111 Greenbriar  
Michael Wondel, 807 Sikes  
Tre Holley, 216 Thomas  
John Leible, 1018 Pine St.  
Morgan Hough, 105 Grove St.  
Jim McClure, 104 Meadowbrook  
Ron Payne II, 447 N. Ingram



# **Council Letter**

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Date of Meeting: 17-09-25

Department: Department of Governmental Services

To the Mayor and City Council:

Subject: Appointments to SEMO University – Sikeston Campus – Advisory Council

Attachments:  
None

Action Options:

1. Make 2 Appointments to SEMO University Advisory Council
2. Other action as Council may deem appropriate.

Background:

SEMO University – Sikeston Campus – Advisory Council has the following term limit: *“Any individual who has served two consecutive terms will not be eligible for an additional term until the individual has been off the Advisory Council for at least one year”*. When appointments were made September 5<sup>th</sup>, two individuals (Terry Williams & Carrie Lape) were reappointed but had served their term limit. Staff would like for Council to make two (2) new appointments to the SEMO University Advisory Council.

The Resource Bank Applicants include the following:

- Susan Howle Werner, 938 North West St.
- Libby Caskey, 139 Greenbrier
- Mike Ziegenhorn, 558 Park Ave.
- Agnes Mason, 104 Brenda Dr.