

TENTATIVE AGENDA

REGULAR CITY COUNCIL MEETING  
CITY HALL  
COUNCIL CHAMBERS  
105 E. CENTER ST., SIKESTON MO  
WEDNESDAY, OCTOBER 2, 2023  
5:00 P.M.

- I. CALL TO ORDER
- II. RECORD OF ATTENDANCE
- III. OPENING PRAYER
- IV. PLEDGE OF ALLEGIANCE
- V. APPROVAL OF CITY COUNCIL MINUTES
  - A. Regular Council Minutes July 5, 2023
  - B. Regular Council Minutes July 31, 2023
  - C. Regular Council Minutes August 28, 2023
- VI. ACCEPTANCE OF BOARD AND COMMISSION MINUTES
  - A. Housing Authority June 12, 2023
  - B. Housing Authority July 10, 2023
- VII. OATH OF OFFICE CEREMONY
- VIII. ITEMS OF BUSINESS
  - A. Award Domestic Violence Surcharge Funding
  - B. Approval of Grant Administration Selection
  - C. Resolution 23-10-01: Surplus of Aviation Fuel Tanks
  - D. Resolution 23-10-02: Surplus of Miscellaneous DPW Vehicles/Equipment
  - E. Approve Contract with Gateway Design for ARPA Legion Park Project
  - F. 1<sup>st</sup> Reading, Bill #6327, Amend Chapter 505, Article III – Obstructing Public Ways
  - G. Other Items as May Be Determined During the Course of the Meeting
- IX. ADJOURNMENT

Dated this 29<sup>th</sup> day of June 2023.

Rhonda Council

Rhonda Council, City Clerk

**REGULAR CITY COUNCIL MEETING**  
**JULY 5, 2023**

The regular Sikeston City Council meeting of July 5, 2023 was called to order at 5:00 p.m. at City Hall located at 105 E. Center St., Sikeston. Present at the meeting were: Mayor Greg Turnbow, John Leible, Ryan Lindsey, David Teachout, Tom Robison and Onethia Williams (arriving at 5:05 p.m.). Councilman Vest Baker was absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Graham, Finance Director Karen Bailey, Finance Director Amanda Groves, Communications Manager David Jenkins, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Parks Director Dustin Care, Community Development Director Barry Blevins, Public Safety Director James McMillen, Captain Ryan Smith, Captain Zak Haskin and Captain Derick Wheatley.

**APPROVAL OF CITY COUNCIL MINUTES**

City Council minutes of the regular meeting of June 5 and June 26, 2023 were presented for approval. Councilman Robison moved to approve the minutes as presented. Councilman Lindsey seconded the motion and the following vote was recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye,  
Williams Absent, and Turnbow Aye, thereby being passed.

**ITEMS OF BUSINESS**

**Renewal of Convention & Visitors Bureau (CVB) Agreement**

In June 2020, the City of Sikeston entered into a contract with the Sikeston Regional Chamber of Commerce for Tourism Marketing & Promotion Services for a period of three (3) years that is set to expire on June 30, 2023. This agreement would renew the previous agreement for an additional three (3) years, commencing on July 1, 2023 and continuing through June 30, 2026.

Councilman Teachout moved to approve the renewal of the Convention & Visitors Bureau Agreement with the Sikeston Regional Chamber of Commerce for a three year period commencing on July 1, 2023 and continuing through June 30, 2026. The motion was seconded by Councilman Leible, discussed and the following roll call vote recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye,  
Williams Absent, and Turnbow Aye, thereby being passed.

*Councilwoman Williams arrived.*

**Authorization to Add City Clerk to City Bank Accounts**

City Charter requires that all bank accounts shall be supervised by the city treasurer and that the treasurer not be a signatory to any disbursement of city funds. Staff requests a motion by the Council to add City Clerk Rhonda Council as a signer on all city accounts and check or draft disbursements.

Councilman Leible moved to authorize the addition of Rhonda Council as a signer on all city accounts and check or draft disbursements. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye,  
Williams Aye, and Turnbow Aye, thereby being passed.

Authorization to Purchase Various Vehicles for Public Works Department

Public Works is seeking to purchase several vehicles this year that are in the current budget for various divisions. Over the past 2 years we have had great difficulty finding/ordering work vehicles that were available. This year we are seeking council's authorization to find and purchase used/new vehicles wherever we can find them to serve our needs. This includes the following:

- ¾ ton work truck – Building Maintenance - \$45,000.00 Budget
- 1-1½ ton flatbed work truck – Parks - \$75,000.00 Budget
- 1-1½ ton flatbed work truck – Streets - \$75,000.00 Budget
- 1 ton dual axle work truck – All Divisions - \$70,000.00 Budget

Councilman Teachout moved to authorize the purchase of various vehicles for the Public Works Department. The motion was seconded by Councilman Leible, discussed and the following roll call vote recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

Authorization to Purchase Two New SUV Patrol Vehicles

The Department of Public Safety is requesting to purchase two (2) 2023 Dodge Durangos from Landmark Dodge at the price of \$84,270.00 and use remaining budgeted dollars to outfit it with necessary equipment. The car will be assigned to our frontline patrol fleet and will replace vehicles that will be surplus. The funds for the car and the equipment needed to outfit it were included in the FY24 budget for DPS.

Councilman Robison moved to authorize the purchase of two 2023 Dodge Durangos from Landmark Dodge in the amount of \$84,270, using remaining funds to outfit the vehicles with necessary equipment. The motion was seconded by Councilman Lindsey, discussed and the following roll call vote recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

Authorization to Purchase Used Patrol Car

The Department of Public Safety is requesting approval to purchase one (1) used AWD Highway Patrol 2020 Dodge Charger at the price of \$23,000. The purchase of this car was included in the FY24 budget. The remaining budgeted funds will be used to outfit the cars with emergency equipment.

Councilman Leible moved to authorize the purchase of a used AWD Highway Patrol 2020 Dodge Charger in the amount of \$23,000, utilizing remaining funds to outfit the vehicle with emergency equipment. The motion was seconded by Councilman Lindsey, discussed and the following roll call vote recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

Authorization to Accept Local Emergency Planning Committee Grant

Sikeston DPS is requesting we enter into a contract with the Bootheel LEPC for a grant for Hazmat items. Sikeston DPS has written the grant for Bootheel LEPC/Sikeston DPS and has

been awarded \$27,230.83. The equipment purchased with this grant is approved will be paid for upfront by Bootheel LEPC. Once all items have been paid for and Bootheel LEPC shows proof of payment the city will reimburse the Bootheel LEPC up to the grant value which is \$27,230.83.

Councilman Leible moved to authorize Sikeston Department of Public Safety to enter into a contract with Bootheel Local Emergency Planning Commission for their Local Emergency Planning District Grant in the amount of \$27,230.83 to purchase hazmat materials. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

#### Authorization to Purchase Hazmat Items Using Bootheel Local Emergency Planning Committee/District Grant

Sikeston Department of Public Safety has been awarded a grant from Bootheel Local Emergency Planning Committee/District in the amount of \$27,230.83 to purchase hazmat materials. Staff seeks to enter into an agreement with JSR Environmental in the amount of \$14,336.82 to purchase hazmat booms and pads.

Councilman Robison moved to approve the purchase of hazmat materials from JSR Environmental in the amount of \$14,336.82. The motion was seconded by Councilman Lindsey, discussed and the following roll call vote recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

#### Discussion – Knox Box Requirements

This program has been in place prior to 2010 and has been an invaluable asset to the protection of both Life Safety and Property conservation.

1. What the requirement is, when Knox boxes are required, etc.

The current requirement and procedure Sgt. Whitley and I enforce. New Construction buildings, change of occupancy and major renovation buildings must have a Knox Box. But we do not stop the forward progress of a business from obtaining a license or operation because they do not have a Knox Box. Interconnected buildings are a priority where stand alone buildings are given more leniency. We currently use this method of discretion to help relieve the burden of chasing off small business but still try to maintain the level of safety and security a Knox Box Offers

2. The actual language from the fire code that requires them.

#### SECTION 506 KEY BOXES

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official.

506.1.1 Locks. An approved lock shall be installed on gates or similar barriers where required by the fire code official.

506.1.2 Key boxes for non standardized fire service elevator keys. Key boxes provided for non standardized fire service elevator keys shall comply with Section 506.1 and all of the following:

1. The key box shall be compatible with an existing rapid entry key box system in use in the jurisdiction and approved by the fire code official.
2. The front cover shall be permanently labeled with the words "Fire Department Use Only—Elevator Keys."
3. The key box shall be mounted at each elevator bank at the lobby nearest to the lowest level of fire department access.
4. The key box shall be mounted 5 feet 6 inches (1676 mm) above the finished floor to the right side of the elevator bank.
5. Contents of the key box are limited to fire service elevator keys. Additional elevator access tools, keys and information pertinent to emergency planning or elevator access shall be permitted where authorized by the fire code official.
6. In buildings with two or more elevator banks, a single key box shall be permitted to be used where such elevator banks are separated by not more than 30 feet (9144 mm). Additional key boxes shall be provided for each individual elevator or elevator bank separated by more than 30 feet (9144 mm). Exception: A single key box shall be permitted to be located adjacent to a fire command center or the non-standard fire service elevator key shall be permitted to be secured in a key box used for other purposes and located in accordance with Section 506.1.

506.2 Key box maintenance. The operator of the building shall immediately notify the fire code official and provide the new key where a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

3. Why we support having them (safety, response time, property damage, etc.).

Support for the Knox box program comes from all avenues of the job we perform. With out a Knox Box for example Wendell apartments would be replacing a new door every week as it's a locked facility and no one staffs it 24/7. This is an issue because we often enter this building for Life Safety of the residents, false alarms, actual Fires and calls. Without a Knox Box I'm certain a life of a resident would be lost, the apartments could have burned down and we would have caused unnecessary damage to the building.

Safety is a priority of the department as well as property conservation in fact it is the main focus of Fire departments everywhere to Save Lives and Property. If we have to break open a store front door and there is a fire we have no way to control air flow and prevent the fire from flowing through the building unnecessarily. If a fire starts in an adjoining business the uninvolved business needs to be inspected for extension of the original fire. An unaffected business without a Knox box will then suffer a loss of a door and building security for no reason when all it took was for the Department to open a Knox Box retrieve a key and do what work needs to be done and then resecure the same business as it was found.

We often deal with overly extended wait times for business owners to respond when an alarm has been set off. If we are unable to address this issue immediately we may be holding up the ability of the department to correct the issue. If the issue is nothing then no harm or foul has happened. If there are items on fire in the building that are not easily observed from the store front (example, storage area) the fire is now going unchecked causing damage which can be prevented.

The damage we may do to a door or store front is completely avoidable when a Knox Box is in place we avoid damage even when we are warranted to cause necessary damage.

4. Estimated cost of the box.

Minimum cost for the box \$487.00 plus tax, Installation cost on average by a contractor is \$350.00.

5. Other Information

The Knox Box program is a well established nation wide program. Locally Cape Girardeau, Poplar Bluff and Jackson all use the Knox Box program. The box can be tied to an alarm system. It can be recess mounted. The keys to access them are strictly specific to the city. They are near impossible to pick, break open, or remove from a building without causing major damage. There are a multitude of things which can be discussed.

**ADJOURNMENT**

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

Baker Absent, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye,  
Williams Aye, and Turnbow Aye, thereby being passed.

APPROVED:

---

GREG TURNBOW, MAYOR

ATTEST:

---

RHONDA COUNCIL, CITY CLERK

SEAL:

**REGULAR CITY COUNCIL MEETING**  
**JULY 31, 2023**

The regular Sikeston City Council meeting of July 31, 2023 was called to order at 5:00 p.m. at City Hall located at 105 E. Center St., Sikeston. Present at the meeting were: Mayor Greg Turnbow, John Leible, Tom Robison, Brian Self, Vest Baker and David Teachout. Council member Onethia Williams was absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Graham, City Clerk Rhonda Council, Finance Director Karen Bailey, HR Director Amanda Groves and Carrie Burgfeld, Communications Manager David Jenkins, Street Supervisor Darren Martin, Community Development Director Barry Blevins, Public Safety Captain Derick Wheatley.

**ITEMS OF BUSINESS**

1<sup>st</sup> & 2<sup>nd</sup> Reading, Emergency Bill #6316, Permit the Sale of Liquor by the Drink

Councilman Leible moved for the first reading of Bill Number 6316. The motion was seconded by Councilman Teachout and the following vote recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye,  
Williams Aye, and Turnbow Aye, thereby being passed.

City Counselor Graham presented the bill for reading. This bill, as adopted as an emergency measure, shall become Ordinance Number 6316, calling for an election in the City of Sikeston, Missouri on the question of whether to allow the sale of liquor by drink in excess of 5% to be held on November 7, 2023; and directing the City Clerk to give notice of the election.

Councilman Baker moved for the second reading of Bill Number 6316. The motion was seconded by Councilman Williams and the following vote recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye,  
Williams Aye, and Turnbow Aye, thereby being passed.

City Counselor Graham presented the bill for reading.

Bill Number 6316

Ordinance Number 6316

THIS BILL, AS ADOPTED AS AN EMERGENCY MEASURE, SHALL BECOME ORDINANCE NUMBER 6316, CALLING FOR AN ELECTION IN THE CITY OF SIKESTON, MISSOURI ON THE QUESTION OF WHETHER TO ALLOW THE SALE OF LIQUOR BY DRINK IN EXCESS OF 5% TO BE HELD ON NOVEMBER 7, 2023; AND DIRECTING THE CITY CLERK TO GIVE NOTICE OF THE ELECTION.

WHEREAS, the City Council of the City of Sikeston, Missouri, under the authority of Section 311.110 of the Revised Statutes of Missouri has determined upon its own motion that the question herein be submitted to the voters to determine whether or not intoxicating liquor as defined in Chapter 311 of the Revised Statutes of Missouri shall be sold, furnished, or given away within the corporate limits of the City of Sikeston, Missouri; and

WHEREAS, said election is required prior to liquor by the drink being authorized in accordance with Section 311.090 of the Revised Statutes of Missouri; and

WHEREAS, the substantial form of the ballot issue is set forth in Section 311.130 of the Revised Statutes of 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: A special election is hereby ordered to be held in the City of Sikeston, Missouri on November 7, 2023 on the following question:

**QUESTION**

IN ORDER TO PROVIDE RETAIL OPPORTUNITES THAT ARE EQUAL TO CITIES WITH A POPULATION IN EXCESS OF 19,500 INHABITANTS AND IN ORDER TO PROMOTE RETAIL GROWTH AND IN ORDER TO PROVIDE EQUAL OPPORTUNITIES FOR BUSINESSES THAT DO NOT HAVE A LIQUOR LICENSE CONNECTED WITH FOOD OR OTHER RETAIL SALES, SHALL INTOXICATING LIQUOR, CONTAINING ALCOHOL IN EXCESS OF FIVE PERCENT (5%) BY WEIGHT, BE SOLD BY THE DRINK AT RETAIL FOR CONSUMPTION ON THE PREMISES WHERE SOLD?

☐

YES

☐

NO

IF YOU ARE IN FAVOR OF THE QUESTION, PLACE AN 'X' IN THE BOX OPPOSITE 'YES'. IF YOU ARE OPPOSED TO THE QUESTION, PLACE AN 'X' IN THE BOX OPPOSITE 'NO'.

SECTION III: The form of the Notice of Special Election for said election, a copy of which is attached hereto as Exhibit A and made a part hereof, is hereby approved.

SECTION IV: That said election be held on the 7<sup>th</sup> day of November 2023, and that appropriate steps be taken to ensure that said election be held on said day.

SECTION V: Any other ordinances or part(s) thereof inconsistent herewith are hereby repealed.

SECTION VI: Should any other 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: This ordinance is passed as an emergency measure, as it must be forwarded immediately to the appropriate County Clerks for inclusion on the November ballot, in order to meet the requirements of State Election Law, Chapter 115 of the Missouri Revised Statutes.

SECTION VIII: Record of passage:

- A. Bill Number 6316 was introduced and read the first time this 31<sup>st</sup> day of July, 2023.
- B. Bill Number 6316 was read the second time and discussed on this 31<sup>st</sup> day of July, 2023. Following discussion, Councilman Leible moved to approve Bill Number 6316. The motion was seconded by Councilman Williams, discussed and the following roll call vote was recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.



- C. Ordinance No. 6316 and shall be in full force and effect from and after Monday, July 31, 2023.

Authorization to Purchase Additional Flock Cameras

The Department of Public Safety would like to enter into a 5-year agreement with Flock Safety to add four Flock cameras to the existing city-wide camera infrastructure. This adds to their existing four Flock Cameras. These cameras have proven to be very useful with investigations and recoveries that may have gone undetected. To date, the existing four cameras have been responsible for the direct recovery of two stolen vehicles and two stolen license plates (totaling approximately \$20,000 in recovered value). The system directly contributed to the locating of a missing person as well as a person with an active felony arrest warrant. Officers successfully used the system to locate a suspect involved in the leaving the scene of an accident incident. With the information received from the Flock system, the officer identified the suspect and cleared the report that resulted in a felony amount of damage to a vehicle. These cameras have only been online since June.

The cost quoted is a total of \$60,600 billed annually with the first payment being \$12,600 (this first year includes installation fees). The remaining years will be billed at \$12,000 per year. This amount would be covered by the current DPS camera budget.

Councilman Baker moved to authorize the purchase of four (4) additional flock cameras for Department of Public Safety in the amount of \$60,600, billed annually with first payment of \$12,600 and additional payments at \$12,000. The motion was seconded by Councilman Leible, discussed and the following vote recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

(Walk-On Item) Resolution 23-07-01, Authorization to Apply for Transportation Alternate Funding for Phase 4 of Rail-to-Trail Project

A RESOLUTION OF THE CITY OF SIKESTON, MISSOURI STATING ITS INTENT TO SEEK FUNDING FOR THE DEVELOPMENT OF PHASE FOUR OF THE SIKESTON RAIL TRAIL PROJECT THROUGH THE TRANSPORTATION ALTERNATIVES PROGRAM (TAP) AND AUTHORIZING THE MAYOR TO PURSUE ACTIVITIES IN AN ATTEMPT TO SECURE SAID FUNDING.

WHEREAS, The Transportation Alternatives Program (TAP) was authorized under Section 1122 of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) and is reauthorized under the FAST Act and Continuing Resolutions; and

WHEREAS, the federally funded TAP provides opportunities to communities to expand transportation choices and enhance the transportation experience through categories of activities related to the surface transportation system; and

WHEREAS, The Missouri Department of Transportation is designed to award Transportation Alternatives Program funding; and

WHEREAS, The City has an eligible project which may apply for and utilize TAP funding.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Sikeston, Missouri, that it desires to participate with the Missouri Department of Transportation in the improvement of our community under the activities authorized pursuant to the Transportation Alternative Program.

THEREFORE, BE IT FURTHER RESOLVED that the Mayor of the City of Sikeston, Missouri, is hereby authorized to prepare and submit documents which are necessary in applying for funding and establishing an administrative organization to implement activities pursuant to the aforementioned act.

THEREFORE, BE IT FURTHER RESOLVED that the applicant will dedicate a minimum 20% local match from local cash general funds to be used in the development of phase four of the rail to trail project.

Councilman Baker moved to authorize the City to apply for Missouri Department of Transportation (MoDOT) Transportation Alternative Program (TAP) funding for the Phase 4 of the Sikeston Rail Trail, which will begin midblock between Ingram and Pine and continue east to a pedestrian connection with Veterans Park. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

(Walk-on Item) Authorize Engineering Services Contract with Waters Engineering for Project TAP #5800(015), Rail-to-Trail Phase 4

The City of Sikeston was awarded a TAP project from MoDOT to continue the Rail Trail east from Main Street to a future parking area midway between Pine and Ingram. To begin this project, authorization of contracts for the design engineering and construction inspection of the project will need to be approved. This item is for the approval of the engineering contract with Waters Engineering. Waters Engineering was already selected by the council with the assistance of the professional services committee months prior. Authorization will allow design work to begin.

Councilman Leible moved to authorize engineering services contract with Waters Engineering for the design and construction services for the Rail-to-Trail project from Main Street to a future parking area midway between Pine and Ingram. This motion was seconded by Councilman Baker, discussed and the following roll call vote recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

Other Items:

Mayor Turnbow reminded citizens to vote on August 8 for the renewal of the half cent sales tax renewal.

Mayor Turnbow recognized Finance Director Karen Bailey on attending her final Council meeting as an employee of the City of Sikeston. Bailey will be retiring from the city effective August 4, 2023 after 44 years of service.

City Manager Douglass reminded Council that a super majority quorum will be needed at the August 28<sup>th</sup> meeting for the emergency ordinance establishing the 2024 Municipal Tax Levy. With Mayor Turnbow and Councilwoman Williams anticipated to be absent, the meeting will be moved to 4:00 p.m. to assure we have the quorum needed.

**ADJOURNMENT INTO EXECUTIVE SESSION**

There being no further business before the City Council, Councilman Teachout moved to adjourn into Executive Session. The motion was seconded by Councilman Leible and the following roll call vote was recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

**EXECUTIVE SESSION**

Present at the Executive Session meeting were: Mayor Greg Turnbow, David Teachout, Onethia Williams, John Leible, Vest Baker, Ryan Lindsey and Tom Robison. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha J. Graham, City Clerk Rhonda Council, Finance Director Karen Bailey and Amanda Groves, Public Safety Director James McMillen and Community Development Director Barry Blevins. Also present was Rick Landers, General Manager for Board of Municipal Utilities (BMU).

Board of Municipal Utilities (BMU) General Manager Rick Landers seeks Council's authorization to negotiate and enter into a contract to dispose of Brush Creek Coal Mine property in Southern Illinois. Councilman Teachout motioned to authorize BMU to negotiate and enter into a contract to dispose of property located in Southern Illinois. The motion was seconded by Councilman Robison, discussed and the following roll call vote recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

Rick Landers left the meeting.

Sikeston Area Chamber of Commerce would like to donate property located by Jeremiah's to the City of Siketon. Councilman Leible motioned to authorize the Mayor to execute contract for the donation of property located by Jeremiah's from the Siketon Area Chamber of Commerce to the City of Siketon. The motion was seconded by Councilman baker, discussed and the following roll call vote recorded:

Baker Aye, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

Councilman Baker recused himself from the meeting.

The City of Siketon seeks to purchase one acre of property located off Larcel Drive on Highway 60 from LaValle Farm in the amount of \$50,000.00. Councilman Teachout motioned to authorize the Mayor to execute a contract to purchase one acre of land from LaValle Farm in the amount of \$50,000.00. The motion was seconded by Councilwoman Williams, discussed and the following roll call vote recorded:

Baker Recused, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye, Williams Aye, and Turnbow Aye, thereby being passed.

**ADJOURNMENT OUT OF EXECUTIVE SESSION**

There being no further business before the City Council, Councilman Teachout moved to adjourn out of Executive Session. The motion was seconded by Councilman Leible and the following roll call vote was recorded:

Baker Absent, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye,  
Williams Aye, and Turnbow Aye, thereby being passed.

### **ADJOURNMENT**

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

Baker Absent, Leible Aye, Robison Aye, Lindsey Aye, Teachout Aye,  
Williams Aye, and Turnbow Aye, thereby being passed.

APPROVED:

---

GREG TURNBOW, MAYOR

ATTEST:

---

RHONDA COUNCIL, CITY CLERK

SEAL:

**REGULAR CITY COUNCIL MEETING**  
**MONDAY, AUGUST 28, 2023**

The regular Sikeston City Council meeting of August 28, 2023 was called to order at 4:00 p.m. at City Hall located at 105 E. Center St., Sikeston. Present at the meeting were: Council members David Teachout, Vest Baker, John Leible, Ryan Lindsey and Tom Robison. Mayor Greg Turnbow and Mayor Pro Tem Onethia Williams were absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Graham, City Clerk Rhonda Council, Finance Director Amanda Groves, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Parks Director Dustin Care, Public Safety Captain Derick Wheatley and Community Development Supervisor Bruce Copeland.

**PUBLIC HEARING – ESTABLISHMENT OF 2023 MUNICIPAL TAX LEVY**

Councilman Robison motioned to begin the Public Hearing to discuss the Establishment of the 2023 Municipal Tax Levy. The motion was seconded by Councilman Baker and the following vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Finance Director Amanda Groves presented the State Auditor's Office Assessed Valuation Summary and Tax Rate Calculations for establishing the 2023 property tax rates. The tax rates for 2023 will be: General \$0.4195; Park \$0.1829; and Library \$0.1978.

No remarks were heard from the public.

There being no further discussion before the City Council, Councilman Baker moved to adjourn from the public hearing. The motion was seconded by Councilman Robison and the following vote was recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

**ITEMS OF BUSINESS**

**1<sup>st</sup> & 2<sup>nd</sup> Reading, Emergency Bill #6317, Establishing the 2023 Tax Levy**

Councilman Baker moved for the first reading of Bill Number 6317. The motion was seconded by Councilman Leible and the following roll call vote was recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

City Counselor Graham presented the bill for reading. An emergency bill, which upon adoption and passage, shall become Ordinance Number 6317, an ordinance fixing the rate of taxation on all taxable property in the City of Sikeston, Missouri, for the fiscal year 2023-2024.

Councilman Leible moved for the second reading of Bill Number 6317. The motion was seconded by Councilman Lindsey and the following vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

City Counselor Graham presented the bill for a second reading.

BILL Number 6317

ORDINANCE Number 6317

AN EMERGENCY BILL, WHICH UPON ADOPTION AND PASSAGE, SHALL BECOME ORDINANCE NUMBER 6317, AN ORDINANCE FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY OF SIKESTON, MISSOURI, FOR THE FISCAL YEAR 2023-2024.

WHEREAS, the Sikeston City Council held a public hearing in accordance with Section 67.110 RSMO prior to the adoption of the City's 2023-2024 Tax Rate.

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

Section I. This ordinance will not be codified in the Municipal Code Book of the City of Sikeston.

Section II. That for the purpose of maintaining a general fund, there is hereby levied a tax rate of four thousand one hundred sixty hundredths of a cent (\$.4195) per one hundred dollars (\$100.00) of assessed valuation on all taxable property in the City of Sikeston, Missouri, for the year 2023-2024.

Section III. That for the purpose of maintaining a public library fund, there is hereby levied a tax rate of one thousand nine hundred eighty-five one hundredths of a cent (\$.1978) per one hundred dollars (\$100.00) of assessed valuation on all taxable property in the City of Sikeston, Missouri, for the year 2023-2024.

Section IV. That for the purpose of maintaining public parks, there is hereby levied a tax rate of one thousand eight hundred thirteen one hundredths of a cent (\$.1829) per one hundred dollars (\$100.00) of assessed valuation on all taxable property in the City of Sikeston, Missouri, for the year 2023-2024.

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: Due to requirements of the State of Missouri, this ordinance will become effective upon its passage.

Section VIII. Record of Passage:

- A. Bill Number 6317 was introduced and read the first time this 28<sup>th</sup> day of August 2023.
- B. Bill Number 6317 was read the second time and discussed this 28<sup>th</sup> day of August 2023. Following discussion, Councilman Baker moved to approve Bill Number 6317. The motion

was seconded by Councilman Robison, discussed and the following roll call vote was recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

C. Ordinance 6317 shall be in full force and effect from and after Monday, August 28, 2023.

1<sup>st</sup> & 2<sup>nd</sup> Reading, Emergency Bill #6318, Amendment to State Block Grant Agreement, Project 20-077B-2, Fuel Facility

Councilman Leible moved for the first reading of Bill #6318. The motion was seconded by Councilman Lindsey and the following vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

City Counselor Graham presented the bill for reading. This bill as approved shall become emergency ordinance number 6318, authorizing the Mayor to execute a contract between the City of Sikeston, Missouri and the Missouri Highways and Transportation Commission for Project #20-077B-2 for Airport Layout Plan Update.

Sikeston Airport is currently constructing a new fuel farm utilizing MoDOT Aviation funding. Ordinance #6318 gives approval authorization for amendment #2 to keep the project on schedule.

Councilman Robison moved for the second reading of Bill #6318. The motion was seconded by Councilman Lindsey and the following vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

City Counselor Graham presented the bill for a second reading.

Bill No. 6318

Ordinance No. 6318

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6318 AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF SIKESTON, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR PROJECT# 20-077B-2 FOR AIRPORT LAYOUT PLAN UPDATE.

THEREFORE, 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: That the Agreement set forth on "Exhibit A" set forth the various responsibilities and liabilities of the parties regarding the State Block Grant Agreement for Project# 20-077B-2, Fuel Facility

SECTION III: The Mayor and such other officials as may be necessary are hereby authorized, empowered and directed to execute any documents necessary and proper to effectuate the same

and specifically "Exhibit A" which is attached hereto and incorporated by reference.

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, 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 to comply with Missouri Highways and Transportation Commission requirements.

SECTION VII: Record of Passage:

- A. Bill Number 6318 was introduced and read the first time this 28<sup>th</sup> day of August 2023.
- B. Bill Number 6318 was read the second time and discussed this 28<sup>th</sup> day of August 2023. Following discussion, Councilman Robison moved to approve Bill Number 6318. The motion was seconded by Councilman Leible, discussed and the following roll call vote was recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6318 and shall be in full force and effect.

Approval of Consultant Selection for Legion Park Revitalization Project

The City of Sikeston was awarded project funding for the revitalization of Legion Park using ARPA funds through the Missouri Department of Economic Development. Part of this project involves selecting a consultant for design and inspection services.

A Request for Qualifications was posted on July 5<sup>th</sup>, 2023. Staff spoke to three consultants about the RFQ: Gateway Design, Waters Engineering, and Lambert Engineering. Only one submittal of qualifications was received and that was from Gateway Design using Waters Engineering as a subconsultant. Since we received only one submittal, no Professional Services Committee meeting was held. Results were also submitted to Department of Economic Development and have received their approval to continue with only one respondent.

Councilman Baker motioned to approve Gateway Design as the consultant for the Legion Park Revitalization Project, using Waters Engineering as a subconsultant. The motion was seconded by Councilman Robison, discussed and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

1<sup>st</sup> & 2<sup>nd</sup> Reading, Emergency Bill #6319, Request to Subdivide 1320 S. Main from One Parcel to Two Parcels

Councilman Robison moved for the first reading of Bill Number 6319. The motion was seconded by Councilman Baker and the following roll call vote was recorded:



Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

City Counselor Graham presented the bill for reading. An emergency ordinance which upon approval shall become Ordinance Number 6319 providing for the approval to subdivide a tract of land known as 1320 S. Main St., containing 1.8 acres from one (1) parcel into two (2) parcels in the City of Sikeston, New Madrid County, Missouri.

Councilman Leible moved for the second reading of Bill #6319. The motion was seconded by Councilman Robison and the following vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

City Counselor Graham presented the bill for a second reading.

Bill No. 6319

Ordinance No. 6319

AN EMERGENCY ORDINANCE OF WHICH UPON APPROVAL SHALL BECOME ORDINANCE NUMBER 6319 PROVIDING FOR THE APPROVAL TO SUBDIVIDE A TRACT OF LAND, KNOWN AS 1320 S MAIN ST, CONTAINING 1.8 ACRES, FROM ONE (1) PARCEL INTO TWO (2) PARCELS IN THE CITY OF SIKESTON, 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 August 8, 2023 and passed a favorable recommendation to approve the proposed subdivision the tract or parcel of land in the City of Sikeston, 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 1320 S. Main:

"DESCRIPTION - TRACT 2: THAT PART OF U.S.P.S. 1127, TOWNSHIP 26 NORTH, RANGE 14 EAST, NEW MADRID COUNTY, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH LINE OF U.S.P.S. 1127 AND THE EAST RIGHT-OF-WAY LINE OF HIGHWAY 61, THENCE NORTH 80°37'49" EAST, 285.47 FEET; THENCE SOUTH 09°54'01" EAST, 169.07 FEET; THENCE SOUTH 79°27'20" WEST, 172.20 FEET; THENCE NORTH 36°03'23" WEST, 53.58 FEET; THENCE SOUTH 88°16'58" WEST, 91.13 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE; THENCE WITH SAID RIGHT-OF-WAY LINE, NORTH 09°37'17" WEST, 112.59 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS OF RECORD.

DESCRIPTION - TRACT 3: THAT PART OF U.S.P.S. 1127, TOWNSHIP 26 NORTH, RANGE 14 EAST, NEW MADRID COUNTY, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF U.S.P.S. 1127 AND THE EAST RIGHT-OF-WAY LINE OF HIGHWAY 61, THENCE NORTH 80°37'49" EAST, 285.47 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 80°37'49" EAST,

209.71 FEET; THENCE SOUTH 09°54'01" EAST, 164.77 FEET; THENCE SOUTH 79°27'20" WEST, 209.72 FEET; THENCE NORTH 09°54'01" WEST, 169.07 FEET TO THE POINT OF BEGINNING, CONTAINING 0.80 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS OF RECORD."

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 meet time restraints.

SECTION VII: Record of Passage

- A. Bill Number 6319 was introduced and read the first time this 28<sup>th</sup> day of August 2023.
- B. Bill Number 6319 was read the second time and discussed this 28<sup>th</sup> day of August 2023. Following discussion, Councilman Lindsey moved to approve Bill Number 6319. The motion was seconded by Councilman Baker, discussed and the following roll call vote was recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

- C. Ordinance 6319 shall be in full force and effect from and after August 28, 2023.

1<sup>st</sup> & 2<sup>nd</sup> Reading, Emergency Bill #6320, Request to Subdivide 1330 S. Main St. from One Parcel to Two Parcels

Councilman Baker moved for the first reading of Bill Number 6320. The motion was seconded by Councilman Leible and the following vote was recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Counselor Graham presented the bill for reading. An emergency ordinance of which upon approval shall become Ordinance Number 6320, providing for the approval to subdivide a tract of land know as 1330 S. Main St., containing 4.45 acres, from one (1) parcel into two (2) parcels in the City of Sikeston, New Madrid County, Missouri.

Councilman Leible moved for the second reading of Bill #6320. The motion was seconded by Councilman Lindsey and the following vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

City Counselor Graham presented the bill for a second reading.

Bill No. 6320

Ordinance No. 6320

AN EMERGENCY ORDINANCE OF WHICH UPON APPROVAL SHALL BECOME ORDINANCE NUMBER 6320 PROVIDING FOR THE APPROVAL TO SUBDIVIDE A TRACT OF LAND, KNOWN AS 1330 S MAIN ST, CONTAINING 4.45 ACRES, FROM ONE (1) PARCEL INTO TWO (2) PARCELS IN THE CITY OF SIKESTON, 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 August 8, 2023 and passed a favorable recommendation to approve the proposed subdivision the tract or parcel of land in the City of Sikeston, Missouri. The tract or parcel of land, which is attached hereto, marked Exhibit "A" and "B" and incorporated by reference and legally described as follows and known as 1330 S. Main:

"DESCRIPTION - TRACT 1: THAT PART OF U.S.P.S. 1127, TOWNSHIP 26 NORTH, RANGE 14 EAST, NEW MADRID COUNTY, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF U.S.P.S. 1127 AND THE EAST RIGHT-OF-WAY LINE OF HIGHWAY 61, THENCE WITH SAID RIGHT-OF-WAY LINE, SOUTH 09°37'17" EAST, 112.59 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT-OF-WAY LINE, NORTH 88°16'58" EAST, 91.13 FEET; THENCE SOUTH 36°03'23" EAST, 38.46 FEET; SOUTH 79°06'36" WEST, 107.41 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE; THENCE WITH SAID RIGHT-OF-WAY LINE, NORTH 09°37'17" WEST, 49.35 FEET TO THE POINT OF BEGINNING, CONTAINING 0.09 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS OF RECORD."

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 meet time restraints.

SECTION VII: Record of Passage

A. Bill Number 6320 was introduced and read the first time this 28<sup>th</sup> day of August 2023.

- B. Bill Number 6320 was read the second time and discussed this 28<sup>th</sup> day of August 2023. Following discussion, Councilman Baker moved to approve Bill Number 6320. The motion was seconded by Councilman Leible, discussed and the following roll call vote was recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

- C. Ordinance 6320 shall be in full force and effect from and after August 28, 2023.

1<sup>st</sup> & 2<sup>nd</sup> Reading, Emergency Bill #6321, Continuation of City of Sikeston's 1% Sales Tax

Councilman Lindsey moved for the first reading of Bill Number 6321. The motion was seconded by Councilman Baker and the following vote was recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

City Counselor Graham presented the bill for reading. This bill as adopted as an emergency measure shall become Ordinance Number 6321 and which shall continue a sales tax of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the City of Sikeston for general revenue purposes and pursuant to Section 94.510 of the Revised Statutes of the State of Missouri.

Councilman Leible moved for the second reading of Bill #6321. The motion was seconded by Councilman Lindsey and the following vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

City Counselor Graham presented the bill for a second reading.

Bill No. 6321

Ordinance No. 6321

THIS BILL AS ADOPTED AS AN EMERGENCY MEASURE SHALL BECOME ORDINANCE NUMBER 6321 AND WHICH SHALL CONTINUE A SALES TAX OF ONE PERCENT ON THE RECEIPTS FROM THE SALE AT RETAIL OF ALL TANGIBLE PERSONAL PROPERTY OR TAXABLE SERVICES AT RETAIL WITHIN THE CITY OF SIKESTON FOR GENERAL REVENUE PURPOSES AND PURSUANT TO SECTION 94.510 OF THE REVISED STATUTES OF THE STATE OF 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 Sikeston Municipal Code.

SECTION II: That an election was held August 8, 2023, submitting to the voters the question of whether to continue a city sales tax of one percent that would expire September 30, 2034.

SECTION III: That by a majority vote, the question was approved by the voters on August 8, 2023.

SECTION IV: Therefore, there is imposed a sales tax for general revenue purposes of one percent pursuant to Section 94.510 of the Revised Statutes of the State of Missouri effective October 1, 2024 and expiring September 30, 2034.

SECTION V: That the City Clerk is hereby authorized and directed to notify the Director of Revenue of this ordinance, along with a copy of the ballot and certified election results reflecting the effective date thereof.

SECTION VI: Any other ordinances or part(s) thereof inconsistent herewith are hereby repealed.

SECTION VII: 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 VIII: This ordinance is passed as an emergency measure in order to comply with the Missouri Department of Revenue timetable for effective date of the tax.

SECTION IX: Record of Passage.

- A. Bill Number 6321 was introduced and read the first time this 28<sup>th</sup> day of August 2023.
- B. Bill Number 6321 was read the second time and discussed this 28<sup>th</sup> day of August 2023. Following discussion, Councilman Leible moved to approve Bill Number 6321. The motion was seconded by Councilman Robison, discussed and the following roll call vote was recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

- C. Ordinance Number 6321 shall be in full force and effect from and after its passage.

#### Boards and Commissions Appointments

Councilman Baker nominated Robert Murphy for reappointment and Caroline Nace Littleton for appointment to the Board of Adjustments. Councilman Leible moved to appoint Robert Murphy and Caroline Nace Littleton. The motion was seconded by Councilman Lindsey and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Councilman Baker nominated Scott Ezell and Marty Presley for reappointment and Carl Vincent for appointment to the Board of Appeals. Councilman Lindsey moved to appoint Scott Ezell, Marty Presley and Carl Vincent to the Board of Appeals. The nominations were seconded by Councilman Leible and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Councilman Leible nominated Jon Gilmore for reappointment to the Board of Municipal Utilities. Councilman Lindsey moved to appoint Jon Gilmore to Board of Municipal Utilities. The motion was seconded by Councilman Baker and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Councilman Lindsey nominated Britt McConnell for reappointment to the Enhanced Enterprise Zone Board. Councilman Leible moved to appoint Britt McConnell to the Enhance Enterprise Zone Board. The motion was seconded by Councilman Baker and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Councilman Lindsey nominated Viola Blow for reappointment as Resident Liaison to the Housing Authority Board of Commissioners. Councilman Leible moved to appoint Viola Blow for reappointment as Housing Authority Resident Liaison. The nomination was seconded by Councilman Baker and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Councilman Robison nominated Carrie Lape and Brenda Robinson-Echols for reappointment to the Land Clearance for Redevelopment Authority (LCRA) Commission. Councilman Lindsey motioned to reappoint Carrie Lape and Brenda Robinson-Echols to the Land Clearance for Redevelopment Authority Commission. The nomination was seconded by Councilman Leible and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Councilman Baker nominated Tre Holley and Jason Davis for reappointment and Mandy Leible for a first term appointment to the Park Board. Councilman Robison motioned to reappoint Tre Holley and Jason Davis and appoint Mandy Leible to the Park Board. The nomination was seconded by Councilman Lindsey and the following vote recorded:

Baker Aye, Leible Abstain, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Councilman Robison nominated William Watson for reappointment to the Planning and Zoning Commission. Councilman Baker motioned to reappoint William Watson to the Planning & Zoning Commission. The nomination was seconded by Councilman Leible and the following roll call vote was recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Councilman Baker nominated Andy Caton, Harry Howard and David Terrell for reappointment to the Public Safety Advisory Board. Councilman Lindsey motioned to reappoint Andy Caton, Harry

Howard and David Terrell to the Public Safety Advisory Board. The nominations were seconded by Councilman Leible and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Councilman Baker nominated Holly Greene and Blake Bain for reappointment and Natalie Bohannon and Jean Marie Culbertson for appointment to the Sikeston Pet & Animal Welfare Services (PAWS) Advisory Board. Councilman Lindsey motioned to reappoint Holly Greene and Blake Bain and appoint Natalie Bohannon and Jean Marie Culbertson for appointment to the Sikeston Pet and Animal Welfare Services Advisory Board. The nomination was seconded by Councilman Leible and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Councilman Robison nominated to reappoint Susanne Chitwood and Shelley McTigue to the Tourism Advisory Board. Councilman Lindsey nominated Shelley McTigue and Kelly Knight to the Tourism Advisory Board. By a vote of 5-0 for Shelley McTigue and a vote of 4-1 for Kelly Knight (Baker, Leible, Lindsey and Teachout for Kelly Knight; Robison for Susanne Chitwood), Councilman Leible motioned to reappoint Shelley McTigue and appoint Kelly Knight to the Tourism Advisory Board. The motion was seconded by Councilman Baker and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Councilman Robison nominated to appoint Ben Ross to the Traffic Committee. Councilman Lindsey motioned to appoint Ben Ross to the Traffic Committee. The motion was seconded by Councilman Baker and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

Councilman Lindsey nominated Caroline Nace Littleton, Bobby Henry, William Watson II, Camille Lancaster and Darlene Margrabe for a first term on the SEMO University-Sikeston Campus Advisory Council. Councilman Leible motioned to appoint Caroline Nace Littleton, Bobby Henry, William Watson II, Camille Lancaster and Darlene Margrabe to the SEMO University-Sikeston Campus Advisory Council. The motion was seconded by Councilman Baker and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

#### Authorize Renewal of Municipal Judge Contract

Frank Marshall has been the municipal judge since 1993. The proposed FY24 contract does not include an increase. The fee is \$30,000 per year. New language in the contract clarifies the responsibilities of the municipal judge:

\* The judge is responsible for the daily operations of the Municipal Court Division of Sikeston

\* The judge is responsible for the Municipal Court's compliance with Missouri State Statutes and OSCA's rules and regulations.

\* The judge is responsible for meeting all of the 33<sup>rd</sup> Judicial Circuit Court's requirements.

Councilman Robison motioned to approve the renewal of the Municipal Judge contract for FY24 in the amount of \$30,000. The motion was seconded by Councilman Baker, discussed and the following roll call vote recorded:

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

### **ADJOURNMENT**

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

Baker Aye, Leible Aye, Lindsey Aye, Robison Aye, Teachout Aye,  
Williams Absent, and Turnbow Absent, thereby being passed.

APPROVED:

---

GREG TURNBOW, MAYOR

ATTEST:

---

RHONDA COUNCIL, CITY CLERK

SEAL:



**MINUTES OF THE REGULAR MEETING**

**HOUSING AUTHORITY OF THE**

**CITY OF SIKESTON, MISSOURI**

**HELD ON THE 12th DAY OF JUNE  
2023**

On the 12th day of June 2023, at 12:00 Noon, the Board of Commissioners of the Housing Authority of the City of Sikeston, Missouri met in regular session at the Housing Authority Office Building in Sikeston, Missouri.

The Meeting was called to order and upon roll call, the following members of the Body were present:

Present: Commissioners Harry Howard, Brenda Robinson-Echols, and Ben Ross

Absent: Commissioners Viola Blow and Christina King

Also Present: Executive Director Doug Friend and Onethia Williams

Being a quorum present, the following business was transacted

Motion duly made by Commissioner Brenda Robinson Echols to approve the previous minutes, seconded by Ben Ross. Motion carried unanimously.

Motion duly made by Commissioner Brenda Robinson Echols and seconded by Commissioner Ben Ross to pay the bills as presented. Motion unanimously approved.

Motion duly made by Commissioner Ben Ross to approve the SEMAP corrective action plan, seconded by Brenda Robinson Echols, motion approved unanimously.

Motion duly made by Commissioner Brenda Robinson Echols to approve the PHAS corrective action plan, seconded by Ben Ross. Motion carried unanimously.

Motion duly made by Brenda Robinson Echols, seconded by Ben Ross to approve the Housing Opportunity Through Modernization Act (HOTMA), motion approved unanimously.

Motion duly made by Brenda Robinson Echols, seconded by Ben Ross to Renew the Nutrition Center Lease. Motion approved unanimously.

Motion duly made by Ben Ross, seconded by Brenda Robinson Echols to allow the offices to close on Monday, July 3, 2023. Motion approved unanimously.

Motion duly made by Brenda Robinson Echols, seconded by Ben Ross to allow bids for the surplus of 2003 Dodge Caravan. Motion approved unanimously.

Being no further business to come before the Body, Brenda Robinson Echols moved to adjourn, seconded by Ben Ross. Meeting adjourned.

*Doug Friend*  
Secretary

*Harry M. Howard*  
Chairman

**MINUTES OF THE REGULAR MEETING**

**HOUSING AUTHORITY OF THE**

**CITY OF SIKESTON, MISSOURI**

**HELD ON THE 10th DAY OF JULY  
2023**

On the 10th day of July 2023, at 12:00 Noon, the Board of Commissioners of the Housing Authority of the City of Sikeston, Missouri met in regular session at the Housing Authority Office Building in Sikeston, Missouri.

The Meeting was called to order and upon roll call, the following members of the Body were present:

**Present:** Commissioners Harry Howard, Brenda Robinson-Echols, Christina King and Viola Blow

**Absent:** Commissioner Ben Ross

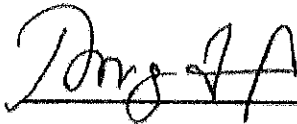
**Also Present:** Executive Director Doug Friend and Onethia Williams

Being a quorum present, the following business was transacted.

Motion duly made by Commissioner Brenda Robinson Echols and seconded by Commissioner Viola Blow to award the surplus 2003 Dodge Caravan to the high bid Josie Hudson for \$2024. The other bids were as follows, Jack O'Guin \$800, Larry White \$2000, Dannys Auto Sales \$1556. The motion was amended to state that if Josie Hudson failed to purchase the vehicle the bid would go to Larry White. (Note to the Board, Josie Hudson completed the purchase with certified funds and the title was transferred).

Being no further business to come before the Body, Brenda Robinson Echols moved to adjourn, seconded by Ben Ross. Meeting adjourned.

  
Chairman



Doug Friend, Secretary

## Council Letter

---

Council Letter: 23-10-02

Originating Department: Department of Governmental Services

To the Mayor and City Council:

Subject: Award of 2024 Domestic Violence Surcharge Shelter Funding

Attachments:

House of Refuge Application for Funding

Action Options:

1. Authorize calendar year 2024 funding in an amount not to exceed \$7,500 to the House of Refuge Domestic Violence Shelter;
2. Other actions as Council may deem appropriate.

Background:

In 2002, the State established a funding source for domestic violence abuse shelters. A \$4.00 Domestic Violence Shelter Surcharge was placed on all municipal court convictions. These funds are retained by the City and distributed via an application process to domestic violence shelters serving the municipality.

On September 18, 2023 the House of Refuge for Abused and Battered Women submitted an application for funding in the amount of \$7,500. This amount would be distributed on a monthly basis during calendar year 2024. Their application meets all municipal requirements, and if Sikeston's municipal court caseload remains at current levels, at least \$5,000 in domestic violence shelter surcharge fees should be generated.

Staff is seeking Council award Domestic Violence Surcharge funding in an amount not to exceed \$7,500, to the House of Refuge for Abused and Battered Women.

**City of Sikeston, Missouri**

**SHELTER FOR VICTIMS OF DOMESTIC VIOLENCE  
FUNDING PROGRAM FOR YEAR ENDING  
DECEMBER 31, 2024**

**APPLICATION**

Sikeston City Hall  
105 East Center Street, Sikeston, MO 63801  
(573) 475-3701

**I. Identification:**

Applicant Shelter: House of Refuge

Shelter Director: Jill Hill

Shelter's Mailing Address:

Telephone: 573-472-4499 Fax: 573-472-9966 Email: SikestonSafePlace@gmail.com

Federal Employer Identification Number (FEIN): 43-1764746

Date of Incorporation:

02-2001

Date Operations Began:

07-2001

**II. Primary Contact:**

Name: Jill Wondel

Title: Grant Coordinator

Mailing Address: 413 Hartman Circle, St. Peters, MO 63304

Telephone: 573-703-6915

Fax: 573-472-9966

Email: jwondel@gmail.com

**III. Application Prepared by:**

Name/Title: Jill Wondel  
Grant Coordinator

Date: 9/16/2023

Telephone: 573-703-6915

Fax: 573-472-9966

Email: jwondel@gmail.com

**IV. Verification of Eligibility:**

- A. Attach copy of shelter's Certificate of Incorporation from the Missouri Secretary of State.
  - B. Attach list of the directors of the corporation with addresses and telephone numbers.
  - C. Attach list of shelter trustees, their addresses and telephone numbers; indicate their representation of Sikeston's racial, ethnic and socioeconomic diversity; and indicate their personal experience in confronting or mitigating the problems of domestic violence.
  - D. Attach list of the applicant shelter's proposed funding sources indicating the type of support supplied (cash, goods or services), and what percentage of the shelter's total operational income each source provides.
  - E. Submit documentation stating the nature and type of residential services or facilities provided for children when accompanied by a parent, guardian or custodian who is a victim of domestic violence and receiving temporary residential service at the shelter?
  - F. Does the applicant shelter require its employees and volunteers to maintain the confidentiality of any information that would identify the individuals served by the shelter?    Yes        If so, attach copy of statement.
  - G. Does the applicant shelter require its employees and volunteers to maintain the confidentiality of information or records that are directly related to the advocacy services provided to shelter residents? If so, attach copy of statement.    Yes
  - H. Does the applicant shelter advise individuals being served by the shelter of the nature and scope of its confidentiality requirements? If so, attach copy of statement.    Yes
- 

**V. Historical Data:**

- A. Attach summary of the applicant shelter's prior year's activities. Indicate what specific services and programs were provided.

- B. Attach report indicating the number of individuals receiving services from the applicant shelter in the prior year, delineated by type of services, sex, race, and age.
- C. Attach copy of applicant shelter's financial statement or annual report for the past two years.

---

**VI. Proposed Operating Budget:**

- A. Attach applicant shelter's proposed operating budget for the calendar year ending December 31, 2024.
- B. What is the amount of funding being requested from the City of Sikeston?

\$7,500

---

**VII. Proposed Services:**

Attach summary of the services the applicant shelter proposes to offer with an estimate of the number of persons to be served during the calendar year ending December 31, 2024.

---

**VIII. Signatures:**

I attest that the information provided in and submitted with this application is, to the best of my knowledge, complete and accurate. If approved, the applicant intends to provide the services described in this application.

**APPLICANT:**

Jill Hill  
Shelter Director (Please Print)

[Signature]  
Signature

Director 08/22/2023  
Title Date

Sandra Nelson  
President of Corporation (Please Print)

[Signature]  
Signature

Chairperson, Board of Directors 9/18/23  
Title Date

**CITY OF SIKESTON:**

Approved and funding appropriated this                      day of                      2023.

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

ATTEST:

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

# STATE OF MISSOURI



**Rebecca McDowell Cook**  
**Secretary of State**

**CORPORATION DIVISION**  
**CERTIFICATE OF INCORPORATION**  
**MISSOURI NONPROFIT**

WHEREAS, DUPLICATE ORIGINALS OF ARTICLES OF INCORPORATION OF  
HOUSE OF REFUGE FOR ABUSED AND BATTERED WOMEN

HAVE BEEN RECEIVED AND FILED IN THE OFFICE OF THE SECRETARY OF  
STATE, WHICH ARTICLES, IN ALL RESPECTS, COMPLY WITH THE  
REQUIREMENTS OF MISSOURI NONPROFIT CORPORATION LAW;

NOW, THEREFORE, I, REBECCA MCDOWELL COOK, SECRETARY OF STATE  
OF THE STATE OF MISSOURI, BY VIRTUE OF THE AUTHORITY VESTED IN  
ME BY LAW, DO HEREBY CERTIFY AND DECLARE THIS ENTITY A BODY  
CORPORATE, DULY ORGANIZED THIS DATE AND THAT IT IS ENTITLED TO  
ALL RIGHTS AND PRIVILEGES GRANTED CORPORATIONS ORGANIZED UNDER  
THE MISSOURI NONPROFIT CORPORATION LAW.

IN TESTIMONY WHEREOF, I HAVE SET MY  
HAND AND IMPRINTED THE GREAT SEAL OF  
THE STATE OF MISSOURI, ON THIS, THE  
19TH DAY OF OCTOBER, 1998.

*Rebecca McDowell Cook*  
Secretary of State



\$25.00



**HOUSE OF REFUGE  
2022-23 BOARD MEMBERS**

Name	Email	Phone #	Street	City	State	Zipcode
Sandra Nelson (President)	<a href="mailto:snelson1199@hotmail.com">snelson1199@hotmail.com</a>	573.225.8699	39 Cty Hwy 475	Sikeston	MO	63801
Holly Hunter Heckemeyer (VP)	<a href="mailto:hhunterhaloween@sbcglobal.net">hhunterhaloween@sbcglobal.net</a>	573.270.9395	713 Moore	Sikeston	MO	63801
Lorya Knox (Secretary)	<a href="mailto:loryaknox@gmail.com">loryaknox@gmail.com</a>			Sikeston	MO	63801
Brian Menz (Treasurer)	<a href="mailto:menzfirm@gmail.com">menzfirm@gmail.com</a>			Sikeston	MO	63801
Blake Bain	<a href="mailto:blakehrosen@gmail.com">blakehrosen@gmail.com</a>	314.707.7076	4 Cotton Trace Street	Sikeston	MO	63801
Julie Gonzales	<a href="mailto:julie.gonzales13@gmail.com">julie.gonzales13@gmail.com</a>	573.382.0514	P.O. Box 1163	Sikeston	MO	63801
Carolyn Harris	<a href="mailto:carolyn.harris@charter.net">carolyn.harris@charter.net</a>	573.380.3798	622 Blanton	Sikeston	MO	63801
Lorya Knox	<a href="mailto:loryaknox@gmail.com">loryaknox@gmail.com</a>	573.620.1070	614 Vaughn	Sikeston	MO	63801
Scarlett Loomas	<a href="mailto:sloomas@daeoc.com">sloomas@daeoc.com</a>	573.225.4196	115 Thomas	Sikeston	MO	63801
Brian Menz	<a href="mailto:menzfirm@gmail.com">menzfirm@gmail.com</a>	573.471.6688	211 S Kingshighway St	Sikeston	MO	63801
Diedre Peters	<a href="mailto:diedre_peters@yahoo.com">diedre_peters@yahoo.com</a>	573.356.6831	710 N. Ranney St.	Sikeston	MO	63801
Lynda Warren	<a href="mailto:lwarren4980@gmail.com">lwarren4980@gmail.com</a>	573.703.3314	5 Dement Rd.	Sikeston	MO	63801
Tyler Rowe	<a href="mailto:trowe@sikeston.org">trowe@sikeston.org</a>			Sikeston	MO	63801
Patty Moody	<a href="mailto:pmoody@nmcso.org">pmoody@nmcso.org</a>			New Madrid	MO	63801
Tammy Burch	<a href="mailto:tburch@burchfood.com">tburch@burchfood.com</a>	573-620-3862	20 Greeen Meadows	Sikeston	MO	63801
Jimmy Alsup	<a href="mailto:jimjungle773@yahoo.com">jimjungle773@yahoo.com</a>			Miner		
Megan Anderson	<a href="mailto:megan@wandersoftware.com">megan@wandersoftware.com</a>			Sikeston		

lawyer  
real estate  
police officer  
accountant

citizen  
accountant  
retired teacher  
police officer  
daeoc  
accountant  
lawyer  
mom  
police officer  
victim advocate  
financial officer  
law enforcement  
citizen

## House of Refuge, Sikeston

### Proposed Funding Sources 2024

Source of Income	Funding Source	Funding Type	Amount	Percentage
VOCA	Federal Grant	Cash	\$147,000.00	38%
DVSS	Federal/State Grant	Cash	\$125,000.00	32%
VAWA	State Grant	Cash	\$44,000.00	11%
SSVF	State Grant	Cash	\$25,000.00	6%
County M&D Fees	Court Fees	Cash	\$9,600.00	2%
City M&D Fees	Court Fees	Cash	\$7,500.00	2%
Fundraiser/ Contributions	Donations	Cash	\$25,000.00	6%
Interest Income	Interest	Cash	\$1,600.00	0%
<b>Total Income</b>			<b>\$384,700.00</b>	<b>100%</b>

## House of Refuge for Abused and Battered Women Residential Services for Children

### 1. Overnight Shelter

The House of Refuge provides temporary overnight shelter for victims of domestic violence and sexual assault and their children with a maximum stay of 60 days. If the shelter is full, assistance is provided to secure safe housing in other Missouri shelters or a hotel. A family with children are housed in one of two family rooms, each sleeping up to six people. (Two other rooms are available for women who are alone, with three twin beds in each room).

### 2. Food

The shelter provides three meals a day, plus snacks for residential clients and their children. The residents prepare their own meals. We also offer assistance in applying for EBT and WIC.

### 3. Children's Services

Services are provided for both residential and non-residential children. These are individualized and include child advocacy, support sessions and counseling. Referrals are made to the appropriate resources in the community, as well as for other state and federal programs, including DAEOC, Missouri Bootheel Regional Consortium, Sikeston Public Schools, and Bootheel Counseling. We assist in enrolling children in local schools, Head Start or daycare as appropriate. We have a sunny playroom with books, toys, a separate television, children's DVD's and comfortable seating. Outside we have a large grassy back yard to run and play.

### 4. Medical Services

All clients and their children are screened for medical needs and are assisted in referral and transportation to appropriate medical care.

### 5. Mental Health and/or Drug Abuse Counseling

All those requiring services are referred for appropriate diagnosis and treatment. We also offer parenting classes and discussion groups for both residents and non-residents.

### 6. Transportation

Transportation is provided to clients and their children when they have legal/court appointments, medical care or counseling appointments or transfer to other agencies or shelters.

### 7. Permanent Housing Referral Services

One of our goals includes safe and independent living arrangements for our clients and their children. The staff and trained volunteers assist clients in obtaining permanent housing either directly or with an agency that specializes in housing assistance such as the Housing Authority or DAEOC.

### 8. Prevention and Recovery

Staff and volunteers provide community outreach education to schools and organizations on the nature and dynamics of sexual violence, internet safety, healthy relationships and sex trafficking. Our clients learn about the cycle of violence, their part in it, and ways of ending the cycle.

# **Council Letter**

---

Date of Meeting 23-10-02

Originating Department: Public Works

To the Mayor and City Council:

Subject: Authorization to Approve Grant Administrator Selection for Legion Park Community Revitalization Project (ARPA).

Action Options:

1. Authorize staff to approve Grant Administrator Selection
2. Other action the City Council deems appropriate.

Background:

A Request for Proposals for Grant Administration for the Legion Park Community Revitalization Project was posted on August 11, 2023. We received proposals from three organizations: Bootheel Regional Planning Commission, MarksNelson, and ZGB Consulting. Staff met with the Professional Services Committee on September 20, 2023 to review the submitted proposals. We are recommending awarding Bootheel Regional Planning Commission as the Grant Administrator for the Legion Park Community Revitalization Project. Staff is seeking authorization to negotiate and execute a contract with Bootheel Regional Planning Commission.

# Council Letter

---

Date of Meeting 23-10-02

Originating Department: Public Works

To the Mayor and City Council:

Subject: Authorization to Surplus Aviation Fuel System

Action Options:

1. Authorize staff to surplus Aviation Fuel System
2. Other action the City Council deems appropriate.

Attachment:

1. Resolution 23-10-01

Background:

The following Aviation fuel systems are no longer in use and staff is requesting these be declared surplus from city inventory. Once declared surplus, staff will make arrangements for these fuel systems to be auctioned/sold.

1. Aviation Fuel System, SN: 34452
2. Aviation Fuel System, SN: 1364438

RESOLUTION 23-10-01

A RESOLUTION OF THE CITY OF SIKESTON, MISSOURI DECLARING CERTAIN EQUIPMENT IN THE CITY'S INVENTORY TO BE SURPLUS PROPERTY AND AUTHORIZING ITS DISPOSAL.

WHEREAS, Certain equipment, vehicles and items in the City's inventory, due to its age or state of disrepair can no longer adequately perform the day-to-day operations of the City; and

WHEREAS, the City of Sikeston seeks to remove such items from its inventories to maximize operations, and while providing a safe and efficient environment for its employees.

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

The items enumerated below are hereby declared surplus and the City Manager is directed to proceed with the removal of this item from City inventories by sale at public auction, sale by sealed bid, or when the item is no longer usable, by disposal.

Equipment:

1. Aviation Fuel System, SN: 34452
2. Aviation Fuel System, SN: 1364438

Read this 2<sup>nd</sup> day of October 2023, discussed, and voted as follows:

Leible \_\_\_\_\_, Lindsey \_\_\_\_\_, Teachout \_\_\_\_\_, Williams \_\_\_\_\_,  
Robison \_\_\_\_\_, Baker \_\_\_\_\_ and Turnbow \_\_\_\_\_  
thereby being \_\_\_\_\_.

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

\_\_\_\_\_  
Approved as to Form:  
Tabatha Graham, City Counselor

ATTEST:

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

# Council Letter

---

Date of Meeting 23-10-02

Originating Department: Public Works

To the Mayor and City Council:

Subject: Authorization to Surplus DPW vehicles & equipment

Action Options:

1. Authorize staff to surplus DPW vehicles & equipment
2. Other action the City Council deems appropriate.

Attachment:

1. Resolution 23-10-02

Background:

The following vehicles are no longer in use and staff is requesting these be declared surplus from city inventory. Once declared surplus, staff will make arrangements for these vehicles to be auctioned/sold.

1. 2008 Ford F350, VIN: 1FDWF36RX8ED0375
2. 2011 CAT Backhoe, VIN: CAT0420EADJLO1840
3. 2000 Ford F350, VIN: 1FDWF36SXYEA36727
4. 2006 Crown Vic, VIN: 2FAHP71W96X08644
5. 2000 Ford F150, VIN: 1FTRF18W5YNB10058
6. 2000 Ford Ranger, VIN: 1FTYR10V4YPB81228

RESOLUTION 23-10-02

A RESOLUTION OF THE CITY OF SIKESTON, MISSOURI DECLARING CERTAIN EQUIPMENT, VEHICLES, AND ITEMS IN THE CITY'S INVENTORY TO BE SURPLUS PROPERTY AND AUTHORIZING ITS DISPOSAL.

WHEREAS, Certain equipment, vehicles and items in the City's inventory, due to its age or state of disrepair can no longer adequately perform the day-to-day operations of the City; and

WHEREAS, the City of Sikeston seeks to remove such items from its inventories to maximize operations, and while providing a safe and efficient environment for its employees.

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

The items enumerated below are hereby declared surplus and the City Manager is directed to proceed with the removal of this item from City inventories by sale at public auction, sale by sealed bid, or when the item is no longer usable, by disposal.

Vehicles/Equipment:

1. 2008 Ford F350, VIN: 1FDWF36RX8ED0375
2. 2011 CAT Backhoe, VIN: CAT0420EADJLO1840
3. 2000 Ford F350, VIN: 1FDWF36SXYEA36727
4. 2006 Crown Vic, VIN: 2FAHP71W96X08644
5. 2000 Ford F150, VIN: 1FTRF18W5YNB10058
6. 2000 Ford Ranger, VIN: 1FTYR10V4YPB81228

Read this 2<sup>nd</sup> day of October 2023, discussed, and voted as follows:

Leible \_\_\_\_\_, Lindsey \_\_\_\_\_, Teachout \_\_\_\_\_, Williams \_\_\_\_\_,  
Robison \_\_\_\_\_, Baker \_\_\_\_\_ and Turnbow \_\_\_\_\_  
thereby being \_\_\_\_\_.

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

\_\_\_\_\_  
Approved as to Form:  
Tabatha Graham, City Counselor

ATTEST:

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



# Council Letter

---

Date of Meeting 23-10-02

Originating Department: Public Works

To the Mayor and City Council:

Subject: Approve Contract with Gateway Design for ARPA Legion Park Community Revitalization Project # 34196844

Action Options:

1. Approve Contract with Gateway Design
2. Other action the City Council deems appropriate.

Attachments:

1. Contract with Gateway Design

Background:

On August 28<sup>th</sup>, 2023, Council approved Gateway Design for the RFQ process for the ARPA Legion Park Community Revitalization Project. Gateway has provided a contract for city execution. Staff has reviewed the contract and discussed it with owner Patrick Worzer. Staff is seeking council approval to execute the agreement and issue a notice to proceed.

## PROFESSIONAL DESIGN AND ENGINEERING SERVICES CONTRACT

This Contract (the "CONTRACT") is by and between the City of Sikeston, MO hereafter referred to as "CITY" and Gateway Design Studio, LLC hereinafter referred to as "CONSULTANT".

The CITY has selected CONSULTANT to perform professional design and engineering services for the development of plans and specifications for: Legion Park Revitalization Project #34196844 located at various locations including Legion Park (between Malone Avenue and Front Street and between Kingshighway and Scott Street); and Rail Trail from Legion Park along Railroad ROW from Scott Street west to Sunset Drive in Sikeston, Missouri.

CITY and CONSULTANT hereby mutually agree as follows:

### ARTICLE 1 - SCOPE OF SERVICES

The services covered by this CONTRACT shall include furnishing the professional, technical, and other personnel necessary for the design and engineering of the Legion Park Revitalization Project #34196844 (the "PROJECT"). CONSULTANT agrees to perform all those services described in Exhibit A and B, attached hereto, and made a part hereof, in accordance with the terms and conditions stated therein, (such services being hereinafter referred to as the "WORK").

### ARTICLE 2 – STANDARDS AND PERMITS

Design criteria and project planning will be in accordance with the standards of the CITY. Permits for this PROJECT may be required possibly from other public review agencies. The CONSULTANT shall be responsible for assisting the CITY in applying for all permits that are required to construct the PROJECT. The CONSULTANT shall prepare all documents required to apply for the required permits and approvals and shall represent the CITY at all meetings in which the various agencies request the CITY'S attendance.

The CONSULTANT shall provide any additional information requested by the agencies and shall revise the permit documents and/or plans, as required by the agencies, for the agencies to properly evaluate the permit applications.

### ARTICLE 3 - FEES AND PAYMENT

1. For the services described in Exhibit A - Scope of Services, the CITY will pay, and the CONSULTANT will accept as full compensation, costs of services and supplies based upon the fees and rates provided in the Scope of Services, the total fee amount shall be a LUMP SUM fee of One Hundred Ninety-Five Thousand Five Hundred Eighteen and 00 Dollars. (\$195,518.00).
2. Reimbursable Project Expenses will be billed in addition to the fee above and as listed in Exhibit A.
3. Progress payments for services rendered shall be made monthly upon

submission of a detailed invoice, in form reasonably satisfactory to the City Representative (as defined in Article 16 below) for work performed during the previous month. The CITY will make progress payments not later than thirty days after receipt of acceptable invoices with appropriate documentation.

4. **An initial 5% deposit fee of \$9,775.00** shall be due within 30 days upon signing of this CONTRACT and credited towards the overall fee upon payment.

#### **ARTICLE 4 - SUBCONTRACTING**

Except as listed on Exhibit A and B attached hereto, no part of the services to be performed by CONSULTANT hereunder shall be subcontracted without the prior written consent of the CITY. The subcontracting of the work shall in no way relieve the CONSULTANT of CONSULTANT'S primary responsibility for the quality and performance of the work.

CONSULTANT shall assure that any sub consultant, as provided for herein, is in full compliance with all laws, rules, regulations, ordinances, provisions of this CONTRACT, and, without limiting the generality of the foregoing, compliance with all federal laws applicable to contracts of this type.

#### **ARTICLE 5 - RESPONSIBILITY OF CONSULTANT**

The CONSULTANT shall be responsible for the professional quality, technical accuracy, and the coordination of designs, drawings, specifications, and other services furnished under this CONTRACT. The CONSULTANT shall, without additional compensation, correct or revise any errors or deficiencies in his designs, drawings, specifications and other services.

All plans, specifications and other documents shall be endorsed by the CONSULTANT and shall reflect the name and seal of the Professional Landscape Architect or Engineer endorsing the work.

The CONSULTANT shall defend suits or claims for infringement of any copyright or patent rights arising out of use or adoption of any design, drawings or specifications furnished by him, and shall indemnify the CITY or other agency of government from loss or damage on account thereof.

Neither the CITY'S review, approval, acceptance of, nor payment for, any of the services required under this CONTRACT shall be construed to operate as a waiver of any rights under this CONTRACT or any cause of action arising out of the performance of this CONTRACT, and the CONSULTANT shall be and remain liable to the CITY in accordance with applicable CITY codes and Ordinances and State and Federal laws for all damages to the CITY caused by the CONSULTANT'S negligent performance of any of the services furnished under this CONTRACT.

#### **ARTICLE 6 - TIME OF COMPLETION**

The services of the CONSULTANT shall commence upon receipt of a Notice to Proceed from the CITY, which Notice shall be in writing, and the CONSULTANT shall within ten

days proceed with the schedule as set forth in Exhibit A.

The times specified herein may be extended by written order of the City Representative in the event of unavoidable delay. The CONSULTANT may submit to City Representative timely requests for extension of time before plans are due, citing reasons why the delay involved is unavoidable.

## **ARTICLE 7 - INFORMATION BY THE CITY**

The CITY will provide upon request available information of record to the CONSULTANT.

The CITY will provide representatives to attend meetings with interested property owners and public utilities, upon request of the CONSULTANT.

## **ARTICLE 8 - INSURANCE REQUIREMENTS**

The CONSULTANT and its Sub consultants shall procure and maintain during the life of this CONTRACT insurance of the types and minimum amounts as follows:

1. Worker's Compensation in full compliance with statutory requirements of Federal and State of Missouri law and Employer's Liability coverage in the amount of \$500,000.
2. Comprehensive General Liability and Bodily Injury, including

Liability Expenses:	\$2,000,000 each occurrence
Medical Expenses:	\$10,000 each person
Bodily Injury or Property Damage:	\$2,000,000 aggregate
All Other Injury or Damage (Including Medical Expenses)	\$2,000,000
Hired Auto Liability	Included in Limits
Non-Owned Auto Liability	Included in Limits
3. Comprehensive Automobile Liability, Bodily Injury including  
Death, Property Damage: \$300,000 Combined Single Limit
4. Professional Liability \$1,000,000 aggregate,  
\$1,000,000 per occurrence

The Comprehensive General Liability policy shall be endorsed to cover the liability assumed by the CONSULTANT hereunder. To the extent permitted by law, the CONSULTANT shall name the CITY as an additional insured on all insurance policies required by the CONTRACT. Said insurance shall be written by a company or

companies licensed to do business in the State of Missouri.

Certificates evidencing such insurance shall be furnished to the CITY prior to CONSULTANT commencing the work. The insurance evidenced by the certificate shall indicate that it will not be canceled or altered, except that it may be canceled or altered upon twenty days prior written notice thereof to the CITY. The certificate(s) must state the CITY as an additional insured on those policies applicable.

Nothing within this requirement or CONTRACT shall be a waiver of the CITY'S sovereign immunity or authorize a cause of action against CITY for damages

## **ARTICLE 9 - INDEMNIFICATION**

The CONSULTANT and his SUBCONSULTANTS shall indemnify and save harmless the CITY against injury, loss or damage and costs and expenses (including reasonable attorney fees) suffered or incurred by the CITY for personal injuries including death, or property damages sustained, caused by negligent or willful acts, errors or omissions of the CONSULTANT, any subcontractors of CONSULTANT their respective agents, employees or contractors arising out of the WORK of this CONTRACT.

CONSULTANT'S obligation, if any, to indemnify the CITY is limited to losses incurred by the CITY as a direct result of CONSULTANT'S sole act(s) or omission(s) and does not extend to losses sustained in whole or in part as a result of the CITY'S act(s) or omission(s). Said losses shall not exceed the construction value of the CONSULTANT'S direct work as related to this project.

## **ARTICLE 10 - TERMINATION**

The CITY may terminate this CONTRACT at any time, with or without cause, effective upon delivery of Notice thereof to the CONSULTANT.

Should the CONTRACT be so terminated, all drawings and documents in connection with the project shall become the property of the CITY who shall, in that event, make reasonable allowance for expenses incurred and services satisfactorily performed by the CONSULTANT to the date of termination.

## **ARTICLE 11 - OWNERSHIP OF DOCUMENTS**

All original documents, studies, or graphic material, drawings, photographs, or plans prepared by the CONSULTANT, pertaining to the design of the project, shall be deemed the property of the CITY and the CITY shall be entitled to physical possession of said documents whether complete or in progress.

A record original of the documents will be on file at the office of the CONSULTANT. Any unauthorized alterations or changes made without the expressed knowledge from the CONSULTANT shall deem us not responsible for any said alterations and changes.

**ARTICLE 12 - DECISIONS UNDER THIS AGREEMENT**

The City Representative will determine the acceptability of work performed under this CONTRACT and will decide all questions which may arise relative to the proper performance of this CONTRACT.

**ARTICLE 13 - EQUAL OPPORTUNITY CLAUSE**

During the performance of this CONTRACT, the CONSULTANT agrees as follows:

The CONSULTANT, with regard to the work performed by it after award and prior to completion of the CONTRACT, will not discriminate on the ground of race, color, religion, sex, national origin or disability in the selection and retention of subcontractors. The CONSULTANT will comply with Title VI of the Civil Rights Act of 1964, as amended. In all solicitations either by competitive bidding or negotiations made by the CONSULTANT for work to be performed under a subcontract, including procurement of materials or equipment, each potential subcontractor or supplier shall be notified of the CONSULTANT'S obligations under this CONTRACT and the regulations relative to nondiscrimination on the ground of color, race, religion, sex, national origin or disability.

The CONSULTANT will take action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, national origin or disability. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The CONSULTANT agrees to post notices in conspicuous places available to employees and applicants for employment.

The CONSULTANT will, in all solicitation, or advertisements for employees placed by or on behalf of the CONSULTANT; state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin or disability.

The CONSULTANT will comply with all provisions of State and Federal laws and regulations governing the regulations of Equal Employment Opportunity and Non-Discrimination.

**ARTICLE 14 - SUCCESSORS AND ASSIGNS**

The CITY and the CONSULTANT agree that this CONTRACT and all contracts entered into under the provisions of this CONTRACT shall be binding upon the parties hereto and their successors and assigns.

**ARTICLE 15 - CHANGES**

The CITY may make changes within the general scope of services of the CONTRACT. However, no changes will be made in the Scope of Service, the Time of Performance, the fees to be paid or other provisions which may affect the cost of the project without prior written order of the CITY and the execution of a suitable Amendment to this CONTRACT. Neither the CITY staff nor the CONSULTANT may authorize any substantive change in this CONTRACT by oral or other directions intended to substitute for a written contract Amendment.

This CONTRACT may be amended or supplemented only by an instrument in writing executed by the parties hereto.

**ARTICLE 16 - CITY REPRESENTATIVE**

For purposes of this CONTRACT, the City Representative will be the Director of Parks and Recreation of the CITY. The City Manager, in his sole discretion, may designate another City Representative from time to time. In such event, CONSULTANT shall be notified by the CITY, in writing.

**ARTICLE 17 - NOTICE**

Any notice required or permitted to be delivered under this CONTRACT shall be in writing and shall be deemed to have been delivered on the earliest to occur of (a) actual receipt; or (b) three business days after having been deposited with the U.S. Postal Service, postage prepaid, certified mail, return receipt requested; or (c) one business day after having been deposited with a reputable overnight express mail service that provides tracking and proof of receipt of items mailed. All notices shall be addressed to the parties at the addresses set forth below:

If to CONSULTANT: Gateway Design Studio, LLC  
Attn: R. Patrick Worzer, ASLA, RLA  
856 Kiefer Trails Dr.  
St. Louis, MO 63021

If to CITY: City of Sikeston  
Attn: Mr. Jay Lancaster, PE, Director of Public Works  
City of Sikeston  
105 E. Center Street,  
Sikeston, MO 63801

**ARTICLE 18- CHOICE OF LAW**

This CONTRACT, and all work and other activities governed hereby shall be governed by the laws of the State of Missouri.

**ARTICLE 19 - CONFLICTS**

In the event of any conflict or discrepancy between the terms of this CONTRACT and those set forth in Exhibit A hereto, it is expressly understood and agreed that the terms and provisions of this CONTRACT shall govern.

**ARTICLE 20 - SEVERABILITY**

If any provision of this CONTRACT is held to be illegal, invalid or unenforceable under present or future laws, such provision shall be fully severable. In such event, this CONTRACT shall be construed and enforced as if such illegal, invalid, or unenforceable provision had never comprised a part of this CONTRACT and the remaining provisions of this CONTRACT shall remain in full force and effect, and shall not be affected by the illegal, invalid or unenforceable provision.

Executed by the CONSULTANT this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

Executed by the CITY this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY OF SIKESTON, MO**

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

ATTEST:

\_\_\_\_\_  
City Clerk

**GATEWAY DESIGN STUDIO, LLC**

  
Signature –

\_\_\_\_\_  
R. Patrick Worzer  
Printed Name

\_\_\_\_\_  
Owner - Principal  
Title

ATTEST:

\_\_\_\_\_  
Witness



## **EXHIBIT A – DESIGN & ENGINEERING SERVICES**

### **PROJECT UNDERSTANDING**

The scope and work described below is associated with professional park design & engineering services for the development of construction documents and bid/construction period services for: Legion Park Revitalization Project #34196844 in Sikeston, Missouri.

Directly across New Madrid Street from Legion Park is an underutilized parking lot owned by the City of Sikeston, colloquially referred to as “Legion Park West.” Historically, this parking area was a green space featuring mature trees.

This project would close the street in between Legion Park and Legion Park West, converting the street into a green space for pedestrians. In Legion Park West, the asphalt parking area would be converted to a playground installed by partner agency Levi’s Children Charity, an open-air city market pavilion installed by a private donor group and operated by partner agency, Historic Downtown Sikeston, and green space reminiscent of the historic park use. A public bathroom would be installed by the City in Legion Park to serve both park visitors and patrons of downtown businesses.

Additionally, the Cotton Belt Rail Trail which currently terminates in this block will be expanded 1.1 miles west to primarily to serve underprivileged neighborhoods to the west.

The City Market Pavilion will be developed through a Design/Build approach which CONSULTANT will coordinate with representative pavilion manufacturers and vendors for preliminary and final plans and specifications that may be used for bid & construction.

The consultant responsibilities may include but are not limited to:

The preparation of Preliminary and Final plans, Contract plans, work with grant administrator to prepare and submit necessary permits (as needed), contract documents, assisting with the bidding process and preparation of PS&E and final documents. Determine needs of the local agency, conduct topographic and utility surveys (if necessary) and arrange for subsurface investigations (if necessary).

Project consists of the following work:

### **GENERAL PROJECT SCOPE**

Site improvements to provide for:

- Rail Trail Extension
- Removing street for additional green space
- Construct new restroom building.

- Construct new City Market pavilion – Design/Build.
- Additional Park features as identified.

### SUBMITTALS AND COMPLETION

Submittals and reviews may be required from various public review agencies including City's Public Works and Parks Department, Building Department, local Sewer Agency, and local Utility companies.

The final design construction/bid documents are estimated to be completed within (5-6) months from Authorization to Proceed.

### BIDDING

Bidding of the construction work may take place for approximately (3-4) weeks or as determined by the CITY. During that time, the CITY Staff and the CONSULTANT may conduct a Pre-Bid Meeting and address questions and issue addenda, as necessary.

Immediately after the bids are opened, the CITY Staff will review the bids, confirm contractor qualifications, and make a recommendation to the City Board of Aldermen for approval approximately at a specific time deemed necessary by the CITY. Once approved, the contracts will be executed so that work is anticipated to begin in 2024.

### CONSTRUCTION PERIOD

Continually during the Construction Period, CITY Staff and the CONSULTANT will conduct Construction Period Services to review and inspect the construction work to ensure all work is being completed per the plans and specifications. The CITY staff will monitor the schedule to ensure interim milestone completion dates are met.

CONSULTANT will work with contractor on behalf of the CITY, assist with preconstruction conference, perform periodic site inspection, prepare change orders, inspect construction materials, check shop drawings submitted by contractor, conduct construction test and inspection (as needed), be present during critical construction operations, work with CITY to do necessary inspections and reporting and participate in final inspection.

### FINAL DOCUMENTS

Final documents may be a combination of drawings and written documents for the use by the CONSULTANT and CITY. It is anticipated that full collaboration with the CITY staff and other relevant stakeholders will be required.

Final drawings will be CADD produced in a suitable format for the use by CONSULTANT and the CITY. Notes and specifications shall be type written and included on the plans. The following scope of services and associated fees reflect CONSULTANT'S design development process for Legion Park Revitalization Project and are based on recent discussions between CITY and CONSULTANT:

## **SCOPE OF SERVICES**

The CONSULTANT shall provide services as set forth below:

### **LAND SURVEYING**

CONSULTANT shall provide the following items on the survey plans prepared by a licensed Missouri Land Surveyor which include, but are not limited to:

1. 30"x42" drawing sheets with North directed to the top of the sheet
2. Scale: 1" = 20 ft.
3. Elevations based upon the local area MoDot GPS network.
4. Missouri Minimum Standards Boundary Survey
5. Encroachments, structures, fences, and walls with respect to property lines
6. Recorded Easements based upon a current title commitment to be furnished to the Surveyor by the City of Sikeston, MO
7. Zoning, building lines, setbacks, etc. as necessary.
8. (2) Benchmarks - as required by local agencies
9. 1 ft. interval contours
10. 22 ft. spot elevation grid on drawing
11. 25 ft. interval spot elevations along curbs, sidewalks, both sides of the edge of paved roads
12. Structure locations, paving and improvements.
13. Finished floor elevations (if applicable)
14. Utility information for all utilities serving the property.
15. Names of operating utilities, including contact person and phone number for each utility
16. Mean elevation of water in any excavation, well or nearby body of water
17. Location of flood plain and flood level of streams or adjacent bodies of water (if available or applicable)
18. Extent of watershed WITHIN the property (if applicable)
19. Location of trees 4" or larger
20. Perimeter outline of thickly wooded areas
21. Location of any suspected or confirmed soil contamination.
22. Topographic survey to overlap 25 ft. onto adjoining property.
23. Location of sanitary and storm sewers shall be limited to one down line or up line structure outside of the boundary limits.

### **PRELIMINARY DESIGN**

1. CONSULTANT will prepare Preliminary Design Documents for the project including plans for demolition/removal, grading/drainage, pavement/layout, utilities, the new trail section, new site furniture, the proposed pavilion, landscape improvements with associated notes.
2. CONSULTANT will coordinate with representative pavilion manufacturers and vendors for Preliminary Design/Build plans of the City Market Pavilion.
3. CONSULTANT will prepare one (1) Preliminary Cost Estimate for the park site improvements.
4. CONSULTANT will attend review meetings on-site or via Online as necessary for your comments.
5. CONSULTANT will provide ongoing project coordination for this phase of work to help make the project run smoothly and successfully.

#### **FINAL DESIGN & ENGINEERING - (CONSTRUCTION BID DOCUMENTS)**

1. CONSULTANT will prepare Final Site Improvement Documents for the project including plans for demolition/removal, grading/drainage, pavement/layout, new trail section, new site furniture, any necessary erosion control, earthwork, landscape improvements with associated notes and details.
2. CONSULTANT will prepare specifications as required for site-related improvements.
3. CONSULTANT will coordinate with representative pavilion manufacturers and vendors for Final Plans for bid/construction of the City Market Pavilion.
4. CONSULTANT will prepare one (1) Final Cost Estimate for the park site improvements.
5. CONSULTANT will provide permit administration for local, state, and federal agency approval of site improvements if applicable.
6. CONSULTANT will attend review meetings on-site or via Online as necessary for your comments.
7. CONSULTANT will provide ongoing project administration and coordination for this phase of work to help make the project run smoothly and successfully.

#### **BID ADMINISTRATION**

1. CONSULTANT will assist in developing Bid Packages to be issued to potential contractors. Bids are to be issued and received at the City of Sikeston.
2. CONSULTANT will attend a Pre-Bid meeting with the City and potential bidders to review the project and answer any questions.
3. CONSULTANT will assist with any clarifications and addenda during bid period.
4. CONSULTANT will attend a Post Bid meeting with the CITY to review and qualify bids.
5. CONSULTANT will provide a recommendation of bid award to the selected contractor(s).

#### **CONSTRUCTION PERIOD SERVICES (Appraisal, Permits, or Inspections)**

1. CONSULTANT will provide a pre-construction meeting with the Contractor prior to construction to review plans, specifications, and answer questions.
2. CONSULTANT will provide up to five (5) ongoing construction field visits and

- reports during construction as needed.
3. CONSULTANT will provide any necessary clarification of drawings and specifications during construction.
  4. CONSULTANT will attend bi-weekly online progress meetings (if necessary) with the contractor and CITY to ensure the project schedule is met.
  5. CONSULTANT will provide review of shop drawing submittals for approval and fabrication/ordering.
  6. CONSULTANT will assist with review of pay requests from contractor to assure work performed is justified for payment.
  7. CONSULTANT will provide a final inspection and punch list report(s) upon construction completion.
  8. CONSULTANT will provide project closeout services assuring all materials have been submitted by the contractor – manuals, guides, as-built drawings, etc.

### **ESTIMATED PROJECT SCHEDULE**

October 2023	Authorization to Proceed
November 2023	Project Survey Performed and Completed
January 2024	Preliminary Design Plans – 50% complete
February 2024	Preliminary Design Plans – 100% complete
March 2024	Final Design Engineering – 50% complete
April 2024	Final Design Plans – 75% complete
	Initial Submittal for Agency
Permits/Reviews/Comments May-June 2024	Final Plans and Specifications – 100% Complete
	Submit for Agency Permits/Reviews/Approvals
June - July 2024	Bid Period
July - August 2024	Estimated Construction Start

### **PROJECT SCHEDULE**

CITY understands that the time for completion of each phase of work depends upon many factors which may be out of the control of the CONSULTANT. CONSULTANT shall pursue completion of the Project in as timely a manner as possible. However, CONSULTANT makes no representation as to the actual date upon which each phase and/or the entire Project will be completed. CONSULTANT shall not be responsible for any delay in or failure to perform or for any loss, penalty, damage or delay caused in whole or in part by wars, riots, strikes, labor conditions or restrictions, sabotage, accidents, CONSULTANT weather conditions, fire, Acts of God, governmental decrees, rules, practices, actions or order, the act or neglect of the CITY or by any other cause beyond the control of CONSULTANT.

### **FEE COMPENSATION**

**BASE SCOPE**

Land Surveying	\$15,000.00 (Estimate)
Preliminary Design	\$44,500.00
Final Design & Engineering	\$69,000.00
Bid Administration	\$9,513.00
Construction Period Services	<u>\$57,505.00</u>
<b>TOTAL FEE – BASE SCOPE:</b>	<b>\$195,518.00</b>

PLUS Reimbursable Project Expenses Cost plus 10%  
(Record copies, reproduction, mail, and courier)

**REIMBURSABLE PROJECT EXPENSES****Project Expenses:**

Project-related expenses which include travel mileage (when applicable), long distance phone calls, reproduction, printing expenses, mail and courier service will be billed at cost plus 10% as reimbursable.

**In-house Project Expense Schedule:**

11"x17" Bond Print – Black/White	\$5.00
11"x17" Bond Print – Color	\$10.00
8.5x11" Xerox copies (Over 10) – Black/White	\$.50
8.5x11" Xerox copies (Over 10) – Color	\$1.50
Local Courier - In-house/Outside	\$30.00/Cost Plus
10% Mail Service	Cost Plus 10%
Overnight Shipping	Cost Plus 10%
Outside Reproduction and Printing	Cost Plus 10%

**COMPENSATION FOR ADDITIONAL SERVICES**

The following hourly rates will be utilized as the basis for additional services should they be authorized by the CITY for this project:

STANDARD RATE SCHEDULE (HOURLY RATES) EFFECTIVE THROUGH  
DECEMBER 31, 2024.

<u>Personnel Classification</u>	<u>Rate Hourly</u>
PRINCIPAL	\$175.00/Hour
PROJECT MANAGER	\$165.00/Hour
PROJECT ARCHITECT	\$155.00/Hour
DRAFTER II	\$90.00/Hour
DRAFTER I	\$80.00/Hour
OFFICE MANAGER	\$75.00/Hour

**ADDITIONAL TERMS AND CONDITIONS:****Dispute Resolution:**

Any controversy or claim arising out of the relationship between the Parties, or the breach thereof, may be settled by judgment rendered by any Court having jurisdiction thereof.

**Construction Means and Methods:**

CONSULTANT shall not be responsible for the means and methods of construction, job site safety, or appropriateness of installation methods undertaken on the property by the CITY and/or contractor hired to perform services related to this Project.

**Utilities/Hazardous Waste:**

CONSULTANT shall not be responsible for determining and marking underground utilities or any other items which may exist below ground level, and which may interfere with progression of the Project.

**Mechanic's Liens:**

CONSULTANT'S mechanic's lien rights shall in no way be waived or restricted.

**Waiver:**

The waiver by either party of a breach of this Agreement shall not operate as, or be construed as, as waiver of any subsequent breach thereof.

**Services not included are as follows:**

- Existing utility relocation of any kind.
- Geotechnical Study.
- Easement plat preparation or acquisition.
- Environmental Study.
- Structural design of any kind.
- R.O.W. Dedication Plat.
- Submittal, review, application, permit connection, tap fees.

## SIKESTON - LEGION PARK REVITALIZATION PROJECT PROJECT #34196844

### Contract Requirements

- Title VI of the Civil Rights Act of 1964, as amended
- 42 USC § 2000d-2000d-4
- Treasury: Applicable per 31 C.F.R. Part 22 government-wide regulations contained in 28 CFR part 42
- DED Grant Agreement § 13.1
- Specific Language is required by Treasury

*Language required under the Missouri-Treasury SFRF Grant Agreement:*

The contractors, subcontractors, successors, transferees, and assignees shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR part 22, which are herein incorporated by reference and made a part of this agreement. Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations 31 CFR part 22, and herein incorporated by reference and made a part of this agreement.

### Contract Requirements

- Executive Order 13166 Improving Access to services for Persons with Limited English Proficiency
- Title VIII of the Civil Rights Act of 1968 (Fair Housing Act)
- Section 504 of the Rehabilitation Act of 1973
- Age Discrimination Act of 1975
- Title II of the Americans with Disabilities [Act](#) (all services, programs, and activities provided or made available by public entities)



## Contract Requirements

- **Equal Employment Opportunity (construction contracts)**
- Executive Order 11246, as amended
- Treasury: Applicable per 2 CFR part 200, Appendix II (C)
- *"Federally assisted construction contract"* means any agreement or modification thereof between any applicant and a person for construction work which is paid for in whole or in part with federal funds. 41 CFR § 60-1.3

## Contract Requirements

### 1. **Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms – 2 CFR 200.321; E.O. 11625 and 12138:**

Prior to awarding contracts, the ARPA subrecipient and any contractor awarding subcontracts must take the following affirmative steps in accordance with 2 CFR 200.321:

- a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- b. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; and
- e. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

## Contract Requirements

- **Debarment and Suspension (Federal and State)**

Prohibits the use of debarred, suspended, or ineligible contractors and participants. State: Grant Agreement § 16.6(a)

- **Businesses Registered to Do Business in Missouri and in Good Standing** State: Grant Agreement § 16.6(b)

- **Prohibition on Employment of Unauthorized Aliens/E-Verify Participation Requirement (§§ 285.525 – 285.550, RSMo)**

## Contract Requirements

- **Access to Records and Record Retention**

2 CFR 200.334-.337

**General Reporting Obligations**

- ***Sample language:***

- The Contractor agrees to complete and submit all reports, in such form and according to such schedule, as may be required by Treasury, the State of Missouri or the local government entity. The Contractor further agrees to require any subcontractors to submit reports that may be required and to incorporate such language in its agreements.

## **Contract Requirements: Over \$10,000**

- **Termination for Cause and for Convenience (contracts exceeding \$10,000)**
- Treasury: Applicable per 2 CFR part 200, Appendix II (B)
- Sample Language in Guide but Subrecipient would want to check with legal

## **Contract Requirements: Over \$100,000**

- **New Restrictions on Lobbying (contracts exceeding \$100,000)**  
31 CFR part 21 Applicable per 2 CFR part 200, Appendix II (I)
- **Contract Work Hours and Safety Standards Act (contracts exceeding \$100,000 that involve the employment of mechanics or laborers)**  
40 U.S.C. Chapter 5, Sections 326-332; and 29 CFR part 4, 5, 6 and 8; 29 CFR part 70 to 240 (Applicable per 2 CFR part 200, Appendix E)

## Bonding Requirements for Contracts: over \$250,000 or Subrecipient's requirements if lower

### 2 CFR § 200.326 Bonding requirements.

For construction or facility improvement contracts or sub contracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

- (a) A **bid guarantee** from each bidder equivalent to **five percent of the bid price**. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- (b) A **performance bond** on the part of the contractor for **100 percent of the contract price**. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's requirements under such contract.
- (c) A **payment bond** on the part of the contractor for **100 percent of the contract price**. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

## Contract Requirements: over \$150,000

- **Clean Air Act and Clean Water Act (contracts exceeding \$150,000)**

Treasury: Applicable per 2 CFR part 200, Appendix II (G)

### Sample language:

During the performance of this contract, the contractor and all subcontractors shall comply with the requirements of the Clean Air Act, as amended, 42 USC 7401 et seq., the Clean Water Act, as amended, 33 USC 1251 et seq., and the regulations of the Environmental Protection Agency with respect thereto, as amended.

## Contract Requirements over \$250,000

- **Rights and Remedies for Breach, Penalties and Sanctions (contracts exceeding \$250,000)**
- Treasury: Applicable per 2 CFR part 200, Appendix II (A)

2 CFR part 200, Appendix II, states:

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

## Contractor Requirements over \$10 million or another federal agency requires

- **Davis-Bacon Act (if the Project has a Total Approved Budget amount greater than \$10 million)**

40 U.S.C. 3141-3148; and 29 CFR parts 1, 3, 5, 6 and 7

Treasury: Applicable per 2 CFR part 200, Appendix II (D)

- **Copeland Anti-Kickback Act (applies when Davis Bacon applies)**

40 U.S.C. 3145; 29 CFR part 3

Treasury: Applicable per 2 CFR part 200, Appendix II (D)

**Note: State Prevailing Wage kicks in at \$75,000 project total for construction for public works, contact MODOL if you are unsure state labor laws apply**

## Additional Contract Requirements

- Text Messaging While Driving Federal Executive Order 13513, 74 FR 51225
- Rights to Inventions (contracts for performance of experimental, developmental, or research work)
- Procurement of recovered materials (limited applicability)
- Prohibition on certain telecommunications and video surveillance services or equipment (limited applicability)
- Domestic preferences for procurements (goods, products, materials)

## Contract Requirements: Public Entity Requirements

- **Anti-Discrimination against Israel Act ([§ 34.600, RSMo](#), passed in 2020)**
- Required to be in public entity contracts "to acquire or dispose of services, supplies, information technology, or construction" unless the total potential value of the contract is less than \$100,000 or the contractor has fewer than ten employees.
- "Public entity" is defined as "the state of Missouri or any political subdivision thereof, including all boards, commissions, agencies, institutions, authorities, and bodies politic and corporate of the state created by or in accordance with state law or regulations."

# **Council Letter**

---

Date of Meeting: 23-10-02

Originating Department: Community Development Department

To the Mayor and City Council:

Subject: Bill 6327, Amend Chapter 505, Article III – Obstructing Public Ways

Attachment(s):

1. Bill 6327

Action Options:

1. First reading of Bill 6327
2. Other action Council may deem appropriate

Background:

This is to change the understanding of overhanging trees in sidewalks, streets and alleys. New parameters will be eight (8) feet for sidewalks and fifteen (15) feet for streets and alleys. This will give a better understanding to expectations to protect pedestrians and vehicular traffic.

Council's approval of the ordinance will be requested at the October 30<sup>th</sup> meeting.

**BILL Number 6327**

**ORDINANCE Number 6327**

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6327 AND SHALL AMEND TITLE V, CHAPTER 505, ARTICLE III, SECTION 505.310 IN THE MUNICIPAL 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 the City Municipal Code.

SECTION II: Title V– Chapter 505 – Article III Obstructing Public Ways shall be amended as follows:

**Section 505.310. Overhanging Trees.**

It is unlawful for any person occupying, in charge or control of or owning any real estate in the City to permit the trees on such property to hang over the sidewalks, streets and alleys so that the lower limbs thereof shall be closer than eight (8) feet to the sidewalks, or be closer than fifteen (15) feet to the vehicular-traveled portion of any street or alley. The owner, occupant, tenant or person in control of any real estate shall keep the trees thereon so trimmed that the limbs thereof shall not hang closer to any sidewalk, street or alley than is prescribed in this Article. It is unlawful for any person occupying, in charge or control of or owning any real estate in the City to permit the trees, bushes, shrubbery or other vegetation on such property to impede the view of street signs or traffic signs by oncoming vehicular traffic.

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: Record of Passage:

A. Bill Number 6327 was introduced and read the first time this 2<sup>nd</sup> day of October, 2023.

B. Bill Number 6327 was read the second time and discussed this 30<sup>th</sup> day of October, 2023, and voted as follows:

Lindsey, \_\_\_\_\_, Baker, \_\_\_\_\_, Leible, \_\_\_\_\_, Robison, \_\_\_\_\_

Teachout, \_\_\_\_\_, Williams, \_\_\_\_\_, and Turnbow \_\_\_\_\_,

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

becoming ordinance 6327.

C. Ordinance 6327 shall be in full force and effect from and after Wednesday, November 29th, 2023.



---

Greg Turnbow, Mayor

---

Approved as to form  
Tabatha Graham, City Counselor

Seal / Attest:

---

Rhonda Council, City Clerk