

TENTATIVE AGENDA

REGULAR CITY COUNCIL MEETING  
CITY HALL  
COUNCIL CHAMBERS  
105 E. CENTER ST., SIKESTON

Monday, October 25, 2021  
5:00 P.M.

- I. CALL TO ORDER
- II. RECORD OF ATTENDANCE
- III. OPENING PRAYER
- IV. PLEDGE OF ALLEGIANCE
- V. OATHS OF OFFICE – BOARDS & COMMISSION
- VI. ITEMS OF BUSINESS
  - A. Appoint Council Representative to Planning & Zoning Commission
  - B. Appointment to SEMO University – Sikeston Campus – Advisory Council
  - C. Resolution 21-10-01, Surplus of Regional Bomb Vehicles & Equipment
  - D. Authorization to Establish the City of Sikeston Municipal Division Bank Account
  - E. 1<sup>st</sup> Reading, Bill #6246, Court Automation Fees
  - F. 2<sup>nd</sup> Reading & Consideration, Bill #6244, Request to Rezone 623 E. Kathleen from R-4 Two Family Residential to C-3 Highway Commercial
  - G. 2<sup>nd</sup> Reading & Consideration, Bill #6245, Repealing Ordinance #5918-Establishing the Sheriff's Retirement Fund
  - H. 1<sup>st</sup> & 2<sup>nd</sup> Reading, Emergency Bill #6247, Annexation of Board of Municipal Utilities Property & Highway 61 Right-of-Way
  - I. Other Items as May Be Determined During the Course of the Meeting
- VII. ADJOURNMENT

Dated this 19<sup>th</sup> day of October 2021

Rhonda Council

Rhonda Council, City Clerk

The City of Sikeston complies with ADA guidelines. Notify Rhonda Council at 471-2512 (TDD Available) to notify the City of any reasonable accommodation needed to participate in the City Council's Meeting.

## Council Letter

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Council Letter: 21-10-25

Originating Department: Department of Governmental Services

Subject: Appoint Council Representative to Planning & Zoning Commission

To the Mayor and City Council:

Attachments:  
None

Action Options:

1. Nominate and elect Council member to serve as liaison on Planning & Zoning Commission
2. Other action as may be deemed appropriate

Background:

With the resignation of Councilmember Brandon Sparks, he needs to be replaced on the Planning & Zoning Commission where he served as Council liaison. Councilman Brian Self also serves on this board.

## Council Letter

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Council Letter: 21-10-25

Originating Department: Department of Governmental Services

To the Mayor and City Council:

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

Attachments:

1. None

Action Options:

1. Make one (1) appointment to SEMO University – Sikeston Campus – Advisory Council
2. Other action as Council may deem appropriate

Background:

One additional appointment is needed to the SEMO University – Sikeston Campus – Advisory Council and we have received two Resource Bank Applications since the previous appointments were made. One is from Austin Curtis and the other is from Tiara Riggs-Butler. This appointment is a three-year term.

Staff would like Council to make one appointment to the SEMO University – Sikeston Campus – Advisory Council.

## Council Letter

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Date of Meeting: 10/25/2021

Originating Department: Department of Public Safety

To the Mayor and City Council:

Subject: Resolution 21-10-01, Surplus of Regional Bomb Vehicles and Regional Equipment

Attachments:

1. Resolution 21-10-01
2. SEMO Bomb Squad Memorandum of Understanding
3. Equipment Transfer Request Form
4. Bomb Team Final Inventory List

Action Options:

1. Approval of Resolution to declare certain vehicles in the City's inventory to be Surplus property and officially approved transition to City Of Cape Girardeau.
2. Other action Council may deem appropriate.

Background:

In 2006, the city of Sikeston became the "Parent Agency" for the SEMO Regional Bomb Team. All vehicles and equipment acquired through the State Homeland Security Program and the Law Enforcement Terrorism Prevention Activities. Three vehicles assigned to this regional team were titled through the City of Sikeston, with the condition that we provide any costs associated with maintenance.

In 2019, Former Mayor Burch approached me about pulling out of this regional team due to the costs vs. benefit. I agreed with Mr. Burch as the state has its own bomb team and we were predominately funding this extra one ourselves. Poplar Bluff and Cape Girardeau only provided manpower and none of the maintenance costs.

December of 2019, I began working with Cape Girardeau and Poplar Bluff to discuss transferring this team to them. This took a great deal of time and discussion during the corona virus issues, which caused further delays because of other priorities. In February of 2021, Chief Wes Blair agreed to become the "parent agency" for the SEMO Regional Bomb Team. Currently we are

not involved in this program. Although, the SEMO Bomb Team will respond if we need their services, as well as the MSPH Bomb Team.

Former Mayor Burch and City Manager Douglass were both aware of this action in February of this year. This council action is needed to finalize the transfer.

You will see the attached memorandum of understanding, the State of Missouri Transfer Form, and the equipment list. Also included were the grant funded vehicles that have also been transferred to Cape Girardeau. They are:

2006 Ford F550 (bomb truck), 1FDAW57P66EC22911 (EOD-1)

2006 Freightliner Emergency One Bomb Truck, 1FVACXDJ06HU63603 (EOD-2)

2006 Kenco Trailer with containment vessel, 1K9FA112565188130

Again, these were not sold. We were incurring a large cost of our city tax dollars to provide services over the entire Southeast Missouri Region. This did not seem fiscally responsible to me, being that there is a bomb team with the Missouri State Highway Patrol. This regional equipment and its costs were simply moved to Cape Girardeau unless they later deem it unsustainable and then it would likely move to the MSHP Bomb Team.

RESOLUTION 21-10-01

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, In 2006, the City of Sikeston became the "Parent Agency" for the SEMO Regional Bomb Team. All vehicles and equipment acquired through the State Homeland Security Program and the Law Enforcement Terrorism Prevention Activities. Three vehicles assigned to this regional team were titled through the City of Sikeston, with the condition that we provide any costs associated with maintenance; and

WHEREAS, In 2019, Former Mayor Burch approached staff about pulling out of this regional team due to the costs vs. benefit. Staff agreed with Mr. Burch as the state has its own bomb team and we were predominately funding this extra one ourselves. Poplar Bluff and Cape Girardeau only provided manpower and none of the maintenance costs; and

WHEREAS, December of 2019, City staff began working with Cape Girardeau and Poplar Bluff to discuss transferring this team to them. This took a great deal of time and discussion during the corona virus issues, which caused further delays because of other priorities. In February of 2021, Chief Wes Blair agreed to become the "parent agency" for the SEMO Regional Bomb Team. Currently we are not involved in this program although the SEMO Bomb Team will respond if we need their services, as well as the MSPH Bomb Team; and

WHEREAS, the City of Sikeston seeks to surplus all SEMO Regional Bomb Beam equipment to the City of Cape Girardeau, MO. The removal of such items from its inventories will maximize operations.

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

The items 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 list attached. Also included were the grant funded vehicles that were transferred to Cape Girardeau:**

2006 Ford F550 (bomb truck): 1FDAW57P66EC22911 (EOD-1)

2006 Freightliner Emergency One Bomb Truck: 1FVACXDJ06HU63603 (EOD-2)

2006 Kenco Trailer with containment vessel: 1K9FA112565188130

Read this 25<sup>th</sup> day of October 2021, discussed and voted as follows:

Self \_\_\_\_\_, Teachout \_\_\_\_\_, Williams \_\_\_\_\_,  
Meredith \_\_\_\_\_, Baker \_\_\_\_\_, and Turnbow \_\_\_\_\_,  
thereby being \_\_\_\_\_.

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

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

ATTEST:

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



**City of Sikeston**

### **Memorandum of Understanding**

The Memorandum of Understanding (MOU) is made on this 26<sup>th</sup> day of January 2021, between the City of Sikeston, Sikeston Department of Public Safety, and the City of Cape Girardeau, Cape Girardeau Police Department.

Sikeston DPS is currently the host agency, and title holder, for the SEMO Regional Bomb Team, which was formed to provide Bomb Team/EOD services to the Southeast Missouri Region, commonly referred to as Region E. Sikeston DPS has in its possession certain items that were purchased with grant funding through State Homeland Security Program (SHSP) and Law Enforcement Terrorism Prevention Activities (LETPA) grants.

Sikeston DPS currently wishes to transfer certain grant funded equipment, as well as other equipment, to the City of Cape Girardeau, City of Cape Girardeau Police Department. It is understood that that the City of Cape Girardeau Police Department will take possession of vehicles and equipment, and provide upkeep, maintenance, and comply with all grant requirements as well as inventory requirements set forth by State and Federal grant guidelines.





City of Sikeston

**Memorandum of Understanding (Cont'd)**

Equipment to be transferred is listed on an attached spreadsheet; however, certain other small equipment will also be transferred that is not listed on the spread sheet. Additionally, the listed inventory of explosives will be transferred to the City of Cape Girardeau Police Department for their storage and safekeeping.

This Agreement set forth between both agencies upon signature of Authorized Representatives from both agencies.

**City of Sikeston, Sikeston DPS**

**City of Cape Girardeau, Cape Girardeau Police Department**

James B. McMillen

Printed Name of Authorized Representative

WES BLAIR

Printed Name of Authorized Representative

J B McMillen

Signature of Authorized Representative

Wm Blair

Signature of Authorized Representative

Director

Title

CHIEF OF POLICE

Title

2/4/2021

Date

2/9/2021

Date







MISSOURI OFFICE OF HOMELAND SECURITY  
DIVISION OF GRANTS

EQUIPMENT DISPOSITION/TRANSFER  
REQUEST FORM

P.O. Box 749  
Jefferson City, MO 65102  
Telephone: (573) 526-9020  
Fax: (573) 526-9012

**Purpose of Disposition of Equipment/Property:** When original or replacement equipment acquired with homeland security funds is no longer needed for the original project or program, the equipment may be retained, sold, or disposed, if it is not needed in any other homeland security sponsored project or program. The following are the procedures to eliminate any equipment item from the inventory:

- The subrecipient must complete and submit a Disposition of Equipment Form to their awarding agency (for example: OHS, RPC, COG, etc.).
- The awarding agency will request approval to transfer or dispose of the equipment from the RHSOC or working group. If approved, the RHSOC/working group chair will sign the form. (This step does not apply to LETPA and NSGP)
- If the awarding agency approves, they will endorse the form and submit it to the OHS for review
- If the item can no longer be used by the homeland security program and the equipment per item fair market values is less than \$5,000, the OHS will approve for the agency to retain, sell or dispose with no further obligation to the OHS
- If the item can be used by another qualifying agency for the Homeland Security Program, the OHS will approve the transfer of the equipment to the other qualifying agency, if they agree to follow relevant grant requirement, and sign a transfer of equipment form
- If the item(s) cannot be used by the Homeland Security Program and the equipment value is \$5,000 or more, the OHS shall have the right to the fair market value proceeds from the sale of the equipment
- No equipment may be disposed of or sold without prior approval from the OHS
- Documentation describing the disposal of equipment must be maintained in the subrecipient grant file.
- If requesting disposition for multiple equipment items at one time you may attach a spreadsheet that includes all of the information below. Please check box if a spreadsheet is attached ☐

Requestor Name: James Mcmillen			
Title: Director of Public Safety			
Agency: Sikeston Department of Public Safety			
Phone Number: 573-471-4711			
Email Address: Jbmcmil@sikeston.org			
Signature: Click or tap here to enter text.			
Date: 01/26/2021			
<b>EQUIPMENT DETAIL</b>			
Region:	E	County:	Scott
Fiscal Year Purchased:	Multiple	Grant Program:	LETPA
Title Holder Agency:	City of Sikeston	Equipment Location:	City of Sikeston
Equipment Description:	Multiple Items <i>Attached Listing</i>	Manufacturer and Model:	Click here to enter text.
Identification Number/Serial Number:	Click here to enter text.	Quantity:	Click here to enter text.
Acquisition Cost:	Click here to enter text.	Acquisition Date:	Click here to enter text.
Current Market Value:	Click here to enter text.	% of Federal funds used in acquisition:	Click here to enter text.
Requested Method of Disposition:	Equipment to be transferred to the City of Cape Girardeau Police Department		

Reason for Retirement: (Check appropriate box and note comments below)	<input type="checkbox"/>	Expired (past useful shelf life)	<input type="checkbox"/>	Missing or lost
	<input type="checkbox"/>	Obsolete (not in use)	<input type="checkbox"/>	Replaced (list new description, model, & serial number in comments box)
	<input type="checkbox"/>	Disposed or discarded	<input type="checkbox"/>	Stolen
	<input type="checkbox"/>	Damaged or destroyed	<input type="checkbox"/>	Other
	<input checked="" type="checkbox"/>	Transfer to the City of Cape Girardeau Police Department		
Comments	All EOD Equipment to be transferred to the City of Cape Girardeau Police Department			
Fire Equipment Transfer	<input type="checkbox"/> Selection of this box certifies that a Donated Equipment Application has been approved. For a transfer of equipment from a Fire Department/District, a Donated Equipment Application must be completed prior to transferring the equipment. The application can be found at: <a href="https://dfs.dps.mo.gov/programs/resources/donated-equipment.php">https://dfs.dps.mo.gov/programs/resources/donated-equipment.php</a> . The Division of Fire Safety is bound by state statute to approve the donation of all equipment from one fire department to another, Section 320.091 RSMo.			

**Transfer Information:**

New Agency Name: City of Cape Girardeau Police Department	
New Contact Name: Chief Wes Blair <i>W Blair</i> 2/9/2021	
New Location: City of Cape Girardeau Police Department	
New Contact Phone Number: 573-339-6135	New Contact Email: wblair@cityofcape.org

Approvals: The following approval must be obtained before retirement of equipment is granted. Each party should retain a copy. Not applicable to LETPA and NSGP.

**Responsible Authorized Official of title holding agency:**

Name	Title	Phone	Signature	Date
James B. McMillen	Director	573-620-1334	<i>James B. McMillen</i>	01/26/2021

**Regional Planning Commission/Council of Governments Program-Director**

Name	Title	Phone	Signature	Date
N/A				

**RHSOC Chair/Vice Chair Approval**

Name	Title	Phone	Signature	Date
N/A				

**OHS Approval**

Name	Title	Phone	Signature	Date
Joni McCarter	Program Manager	573-576-9020	<i>Joni McCarter</i>	2/3/21

# INVENTORY LIST

## **EOD2 (Black Truck)**

CAB: 2006 Freightliner

Vehicle identification number 1FAVACXDJ06HU63603

Mercedes-Benz engine serial number 0906538469

E-One box

The truck has a pto operated generator that runs the truck when in the sitting position at an EOD event. The truck has exterior emergency lights and siren box but the DPS mobile radio has been removed and given to Cpt. Smith. The truck has a dvr and monitor that is utilized for recording video/audio from the robot and the rear pole mounted camera system. The truck currently has a land support charging cable to charge and operate the truck when it is parked. This system charges the DC support batteries and operates an onboard refrigerator that houses the two cooling units for the EOD suits when the truck is stationary.

The truck has a towed Total Containment System with is hydraulic and manual operated opening system and it has an emergency diesel generator to operate the unit independent of EOD2. This generator can also be used to provide additional independent power to EOD2 if needed.

The truck has a lock box in the rear portion of the truck and it currently houses 3 sticks of C4 explosive, binary explosive, a small section of at least 300 grain det cord and about 4 feet of what appears to be C2 sheet explosive.

Other items on the truck are as follows:

- A. Remote tec robot, "Titus", with a battery charging system
- B. Removeable Remote tec controller
- C. Portable remote robot controller (found on the state inventory)
- D. truck mounted Craftsman toolbox with various tools for maintenance and operation
- E. 2 Scan X x-ray systems with batteries and a charger
- F. 2- Eod bomb suits with cooling suits
- G. 2-EOD helmets with 3 additional new face shields
- H. 2-disrupter stands
- I. 2 non-conductive poles (next to the robot)
- J. left side compartments of the truck house the antenna, shore power line and tool kit for the robot
- K. right side compartments of the truck hold another tool kit for the robot, chairs attachable there is a line and clamp kit on the front right compartment
- L. various batteries for the x-ray units along with batteries for the EOD helmets/air system and the EOD suit cooling vests.
- M. gamma radiation detector
- N. portable composite disrupter
- O. additional disruptor barrels and cleaning kits
- P. remote firing unit with three receivers and control lanyard for the remote firing unit

- Q. scan-x xray system
- R. logos "bread maker" x ray system refurbished
- S. 2 sets of bed of nails
- T. Andros "Titus" multi platform robot
- U. snake eye camera
- V. roll of shock tube
- W. 2 eod suits

### **EOD1 (White 2006 Ford F550**

vehicle identification number 1FDAW57P66EC22911)

This truck is used as a support vehicle for EOD 1 because of the seating capacity and diesel tank in the bed of the truck. The tank and pump has been replaced in the past couple of years.

It is equipped with an inverter and tools on the cargo side panels, emergency lights with siren box.

The truck has a diesel pony tank with fuel pump in the bed along with two EOD day boxes. There is an additional white day box that has some blasting caps in it.

The truck has a front mounted winch with a portable winch in one of the back panels that can be attached to the rear of the truck if needed.

This truck also has the Fox ray s-ray system along with one of the Remote Opening back packs.

There are three portable radiation detectors in the front drivers door.

There is a front mounted snow blade/plow for the truck and the plow is in the Malden location.

The truck has a tommy lift on the vehicle which is in operating condition.

EOD1 is equipped with several other grant funded bomb tools, including an EOD suit, Tool Bomb Kit, and several other tools.

### **Malden:**

1-job box which contains the led shielding sleeves for the TCV and hydraulic hoses for the unit.

1-snow plow for EOD1.

1-aluminum box which was originally mounted on the top of the truck to house the "harpoon" for the robot and other support material for the TCV.

1-portable disruptor kit

Several other grant funded bomb tools

## **EXPLOSIVES INVENTORY**

### **Truck (EOD 1)**

17 Primadets in day box on truck 5ft 125ms  
12 Atlas electric caps  
1 OMNI explosive cap  
5 non electric aluminum  
26 assorted electric caps  
100 ft 200 grain det cord  
Spare Detasheet  
Spare Det Cord  
5 HELIX binary explosive  
3 one pound booster  
Spare 15 grain det cord  
3 Chris Cherry Magic Cubes  
2 shape charges  
2.75 blocks of C4 1 AquaDet  
2 HydraJet

### **On Ford F550 (EOD 2)**

7-16 ft Primadet  
21 various assorted electric caps 9-5 ft 125ms Primadet red  
16 delay primadet  
25-20 ft Primadet  
Explosives in large white day box  
Small amount of 15 grain det cord  
100 ft safety fuse  
3 cases of shock tube  
10 Cases with 2 1000 ft rolls 50 gr Det Cord  
100 ft 200 gr det cord  
10 Helix binary explosives  
Two rolls detasheet  
82 HELIX binary explosives  
12 Military C4 half sticks  
12 Omni C4 sticks  
2 full stick military C4  
2 Omni breach tactical  
17 one pound booster  
18 grain det cord less than 1000 ft 25 grain det cord 1000 ft  
37 Orange 90 gram cast boosters Can of slip on booster 4

Can of slip on booster 7  
32 Shape charges  
51 kinestick binary explosive  
Numerous loose caps in magazine loaded to capacity

**All Items were photographed, in place, by Sikeston DPS personnel, prior to transferring any equipment to the City of Cape Girardeau Police Department**

**Certain other small equipment will also be transferred that is not listed on this spread sheet**

## Council Letter

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Date of Meeting: 21-10-25

Originating Department: Finance Department

To the Mayor and City Council:

Subject: Authorization to Establish the City of Sikeston Municipal Division Bank Account

Attachment(s):

1. None

Action Options:

1. Authorize staff to open a new municipal court division bank account
2. Other action Council may deem appropriate

Background:

Southern Bank is now requiring council approval of all new bank accounts. The Show-Me Courts implementation requires the city open a new municipal division bank account to be used only for Show-Me Court receipts and disbursements. Checks will require two (2) signatures.

Municipal Court staff will be responsible for the deposit all fines, costs, surcharges, and bonds collected on a daily basis. They will reconcile receipts to deposits. Deposits will be transmitted by other city staff to the bank. Bank reconciliations will be performed by court staff and reviewed by the City Treasurer. Court staff will be permitted to 'view only' bank transactions, they will not have access to wire or transfer funds electronically.

Court staff will develop procedures to ensure monthly distributions are made accurately and timely, providing a monthly reconciliation of all funds collected and disbursed.

Staff requests the city council authorize the opening of a new municipal court division bank account.

# **Council Letter**

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Date of Meeting: 21-10-25

Originating Department: Finance Department

To the Mayor and City Council:

Subject: Bill Number 6246 Establishing the State Court Automation Fund Surcharge

Attachment(s):

1. Ordinance Number 6246

Action Options:

1. First Reading of Bill Number 6246
2. Other action Council may deem appropriate

Background:

Once the City of Sikeston decided to use Show-Me Courts in our municipal division court, a city ordinance is required to be passed, implementing a \$7.00 surcharge or fee to go to the Statewide Court Automation Fund. Bill Number 6246 establishes that court cost.

Even though Ordinance Number 6246 has an effective date of December 1, 2021, the fee will not be withheld on court cases until the City is live on Show-Me Courts. The Office of State Court Administrators (OSCA) is advising it will be the end of the year before we go live.



THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6246 AND SHALL AMEND TITLE 1, CHAPTER 135 OF CITY CODE TO AUTHORIZE THE COLLECTION OF ADDITIONAL COURT COSTS AS REQUIRED BY STATE STATUTE.

WHEREAS, Section 488.012.3(5) and Section 488.027.2 of the Revised Statutes of the State of Missouri requires municipalities to assess a surcharge on any violation of criminal or traffic laws of the state;

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

SECTION I: This Ordinance shall be codified in the Municipal Code of the City of Sikeston, Missouri

SECTION II: Establishment of State Court Automation Fund Surcharge:

**“STATE COURT AUTOMATION FUND SURCHARGE”**

- A. In addition to any cost which may be assessed by the Municipal Court pursuant to Statute, ordinance or Court rule, in every proceeding filed in the municipal division for violation of an ordinance, a surcharge of seven dollars (\$7.00) shall be assessed. Such surcharge shall also be assessed in cases in which pleas of guilty are processed in the Violations Bureau. No such surcharge shall be collected when the proceeding or defendant has been dismissed by the Court, when costs are waived or when costs are paid to the City.
- B. Such surcharge shall be collected by the Municipal Court and transmitted monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide Court Automation Fund as provided in Section 488.012.3(5) and Section 488.027.2, RSMo.

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

SECTION V: Record of Passage

- A. Bill Number 6246 was introduced and read the first time this 25<sup>th</sup> day of October 2021.
- B. Bill Number 6246 was discussed on this 1<sup>st</sup> day of November 2021, and was voted as follows:

Baker, \_\_\_\_\_, Merideth, \_\_\_\_\_, Self, \_\_\_\_\_,  
Teachout, \_\_\_\_\_, Turnbow, \_\_\_\_\_, and Williams, \_\_\_\_\_,  
thereby being

\_\_\_\_\_.

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6246 and shall be in full force and effect December 1, 2021.

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

\_\_\_\_\_  
Approved As To Form  
Tabatha Thurman, City Counselor

Seal/Attest:

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

# **Council Letter**

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Date of Meeting: 21-10-25

Originating Department: Department of Community Development

To the Mayor and City Council:

Subject: 2<sup>nd</sup> Reading, Bill # 6244, Authorization to Rezone from R-4 to C-3

Attachment(s):

1. Bill # 6244
2. Plat

Action Options:

1. Conduct 2<sup>nd</sup> Reading and approve request
2. Other action Council may deem appropriate

Background:

Staff received a request from Lambert Engineering on behalf of Twoglenn, LLC, to rezone all of Lot 6 in Block 15 in the Chamber of Commerce Addition, Scott County, Missouri, also known as 623 E Kathleen, from “R-4” Two Family/Duplex to “C-3” Highway Commercial.

The Planning and Zoning committee met September 14, 2021 and passed a favorable recommendation to approve the rezoning request.

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6244 PROVIDING FOR THE REZONING FROM "R4" TWO-FAMILY RESIDENTIAL TO "C-3" HIGHWAY COMMERCIAL THE FOLLOWING DESCRIBED REAL ESTATE TO-WIT: ALL OF LOT 6 BLOCK 15 IN THE CHAMBER OF COMMERCE ADDITION, ALSO KNOWN AS 623 E KATHLEEN, SCOTT COUNTY, MISSOURI.

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

SECTION I: This Ordinance shall not be codified in the City Municipal Code.

Section II: The Planning and Zoning Commission met on September 14, 2021 and voted to approve the rezoning from "R4" Two Family Residential to "C-3" Highway Commercial the following described real estate to-wit: "All of Lot Number 6 in Block 15 in Chamber of Commerce Addition in the City of Sikeston, Scott County, Missouri. Subject to all easements, if any, affecting the same."

SECTION III: A plat of said real estate is marked as Exhibit "A" attached hereto and incorporated by reference.

SECTION IV: The above tract of land is hereby rezoned from "R4" Two Family Residential to "C-3" Highway Commercial.

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

SECTION VI: Severability: Should any part or parts of this ordinance be found or held to be invalid by any court of competent jurisdiction, the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION VII: Record of Passage

- A. Bill Number 6244 was introduced and read the first time this 4<sup>th</sup> day of October 2021.
- B. Bill Number 6244 was read the second time and discussed on this 25<sup>th</sup> day of October 2021 and was voted as follows:

Self, \_\_\_\_\_, Baker, \_\_\_\_\_, Merideth, \_\_\_\_\_,  
Teachout, \_\_\_\_\_, Williams, \_\_\_\_\_, and Turnbow \_\_\_\_\_ ,  
hereby being \_\_\_\_\_.

- C. Ordinance 6244 shall be in full force and effect from and after November 24, 2021.

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

\_\_\_\_\_  
Approved as to form  
Tabatha Thurman, City Counselor

Seal / Attest:

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

Exhibit “A”



## Council Letter

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Date of Meeting: 21-10-25

Originating Department: Finance Department

To the Mayor and City Council:

Subject: Bill Number 6245 Repealing Ordinance Number 5918, Establishing the Sheriff's Retirement Fund

Attachment(s):

1. Ordinance Number 6245
2. Ordinance Number 5918

Action Options:

1. 2<sup>nd</sup> Reading & Consideration of Bill Number 6245
2. Other action Council may deem appropriate

Background:

In August 2013, the State of Missouri established the Sheriffs' Retirement Fund Surcharge. A fee of three dollars (\$3.00) was assessed following a conviction or plea of guilty in all cases involving the violation of a municipal ordinance or traffic law. The three dollar (\$3) fee was collected by the municipal court clerk and subsequently forwarded by the city to the "Sheriffs' Retirement Fund".

In June 2021, the Missouri Supreme Court ruled the fee was unconstitutional and municipalities were ordered to stop withholding it effective July 1, 2021. The city immediately ceased collection of the fee. Bill Number 6245 updates city code referencing court costs.

The Supreme Court order was for new assessments only. There are no appellate or Supreme Court orders regarding the collection of previously assessed or previously disbursed Sheriffs' Retirement Fund surcharge.

Staff recommends passage of Bill Number 6245.

**BILL Number 6245**

**ORDINANCE Number 6245**

A BILL, WHICH UPON ADOPTION AND PASSAGE, SHALL BECOME ORDINANCE NUMBER 6245 AND SHALL REPEAL ORDINANCE NUMBER 5918, WHICH AUTHORIZED THE COLLECTION OF ADDITIONAL COURT COSTS AS REQUIRED BY STATE STATUTE, AND REMOVING TITLE 1, CHAPTER 135, SECTION 135.295 IN THE MUNICIPAL CODE OF THE CITY OF SIKESTON, MISSOURI.

WHEREAS, the Supreme Court of Missouri issued an opinion June 1, 2021, in Daven Fowler, et al., Appellants/Cross-Respondents, vs. Missouri Sheriffs' Retirement System, Respondent/Cross-Appellant regarding the constitutional validity of section 57.955, RSMo. The Court issued a mandate June 17, 2021, with an effective date of July 1, 2021. The order reflected discontinuation of the assessment of the Sheriffs' Retirement Fund (SRF) surcharge of \$3.00. The order applies to all circuit court and municipal ordinance divisions in the state.

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: Ordinance Number 5918 is hereby repealed, removing Title I, Chapter 135, Section 135.295, "Sheriff's Retirement Fund Surcharge" in the City Municipal Code.

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 6245 was introduced and read the first time this 4<sup>th</sup> day of October, 2021.

B. Bill Number 6245 was read the second time and discussed this 25<sup>th</sup> day of October, 2021, and voted as follows:

Baker, \_\_\_\_\_, Merideth, \_\_\_\_\_, Self, \_\_\_\_\_,

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

thereby being \_\_\_\_\_,

becoming ordinance 6245.

C. Ordinance 6245 shall be in full force and effect November 25, 2021.

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

\_\_\_\_\_  
Approved as to form  
Tabatha Thurman, City Counselor

Seal / Attest:

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

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 5918 AND SHALL AMEND TITLE 1, CHAPTER 135 OF CITY CODE TO AUTHORIZE THE COLLECTION OF ADDITIONAL COURT COSTS AS REQUIRED BY STATE STATUTE.

WHEREAS, Section 57.955 of the Revised Statutes of the State of Missouri requires municipalities to assess a surcharge on any violation of criminal or traffic laws of the state; and

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

SECTION I: This Ordinance shall be codified in the Municipal Code of the City of Sikeston, Missouri

SECTION II: Establishment of Sheriff Retirement Fund Surcharge:

**"SHERIFFS' RETIREMENT FUND SURCHARGE"**

- A. In accordance with Section 57.955 of the Revised Statutes of Missouri, there shall be assessed a fee of three dollars (\$3.00) following a conviction or plea of guilty in all cases involving the violation of a municipal ordinance or traffic law, except those cases where the charge has been dismissed by the court or when costs are to be paid by the state, county or municipality.
- B. The said three dollar (\$3.00) fee required in paragraph A above, shall be collected by the Municipal Court Clerk who shall, at least monthly, transmit all such fees collected to the City Clerk.
- C. The City Clerk shall, at least monthly, transmit of all such fees referred to in paragraph A above which are received from the Municipal Court Clerk to the "Sheriff Retirement Fund."

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

SECTION V: Emergency Clause. This Ordinance is adopted as an emergency measure to meet the statutory effective date of August 28, 2013.

SECTION VI: Record of Passage

- A. Bill Number 5918 was introduced and read the first time this 29<sup>th</sup> day of July 2013.
- B. Bill Number 5918 was discussed on this 5<sup>th</sup> day of August 2013, and was voted as follows:


Burch, Aye, Depro, Aye, Teachout, Aye, Gilmore, absent,  
Hedrick, Aye, Harris, Aye, and Pullen Aye,

thereby being

approved.

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 5918 and shall be in full force and effect August 28, 2013.

  
Jerry Pullen, Mayor

  
Approved As To Form  
Charles Leible, City Counselor

Seal/Attest:

  
Carroll Couch, City Clerk

# **Council Letter**

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Date of Meeting: 21-10-25

Originating Department: Community Development

To the Mayor and City Council:

Subject: 1<sup>st</sup> and 2<sup>nd</sup> Reading and Consideration, Emergency Bill #6247, Request the annexation of the Water Treatment Plant NO.4 Tract of Land, & U.S. Highway 61.

Attachment(s):

1. Bill #6247
2. Plat

Action Options:

1. Conduct 1<sup>st</sup> and 2<sup>nd</sup> Reading and approve the request to approve proposed annexation of Water Treatment Plant NO.4 tract of land, & US Highway 61.
2. Other action Council may deem appropriate

Background:

The Planning and Zoning Commission met on October 12, 2021, and passed a favorable recommendation to approve the proposed annexation of a certain tract of land located in all of that part of the existing US. Highway 61 right-of-way from the south city limits of the city of Sikeston, New Madrid County, Missouri at the south line of U.S.P.S. No. 159 at highway station 106+09.41 southerly to the south line of U.S.P.S. no. 627 at highway station 155+31.11, and a tract on the east side of us highway 61 south in New Madrid County. containing 71.37 acres more or less.

Due to the contractual requirements, this matter is being presented as an emergency measure to accommodate timelines.



AN EMERGENCY ORDINANCE OF WHICH UPON APPROVAL SHALL BECOME ORDINANCE NUMBER 6247 PROVIDING FOR THE A PROPOSED ANNEXATION OF A CERTAIN TRACT OF LAND LOCATED ALL OF THAT PART OF THE EXISTING U.S. HIGHWAY 61 RIGHT-OF-WAY FROM THE SOUTH CITY LIMITS OF THE CITY OF SIKESTON, NEW MADRID COUNTY, MISSOURI AT THE SOUTH LINE OF U.S.P.S. NO. 159 AT HIGHWAY STATION 106+09.41 SOUTHERLY TO THE SOUTH LINE OF U.S.P.S. NO. 627 AT HIGHWAY STATION 155+31.11, AND A TRACT ON THE EAST SIDE OF US HIGHWAY 61 SOUTH IN NEW MADRID COUNTY, MISSOURI CONTAINING 71.37 ACRES, MORE OR LESS.

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 October 12, 2021, and passed a favorable recommendation to approve the proposal to annex this tract of land in the City of Sikeston, New Madrid County, Missouri. The tract or parcel of land, which is attached hereto, is marked Exhibit "A" and incorporated by reference and legally described as follows and known as. Wastewater Treatment Plant No. 4: & US Highway 61

A tract or parcel of land being a part of U.S.P.S. 39, 45, 159, 254, 255, 368, 619, and 627 in Township 26 North, Range 14 East, New Madrid County, Missouri and being further described by metes and bounds as follows:

Commencing at the Southwest corner of U.S.P.S. 627 in the center of U.S. Highway 61 for the point of beginning; thence N 81°33'13" E along the South line thereof a distance of 50.00 feet to the East right-of-line of said U.S. Highway 61, monumented with a metal spike and number 28; thence continuing N 81°33'13" E along the South line of U.S.P.S. 627 a distance of 3,013.55 feet, monumented with an iron pipe; thence N 9°39'01" W a distance of 869.64 feet, monumented with an iron rod; thence S 80°38'59" W a distance of 3,004.69 feet to the East right-of-way line of said U.S. Highway 61, monumented with an iron rod; thence N 9°04'39" W a distance of 927.30 feet to the Southwest corner of a sanitary lift station tract; thence N 80°55'24" E a distance of 70.00 feet to the Southeast corner thereof; thence N 9°04'39" W a distance of 60.00 feet to the Northeast corner thereof; thence S 80°55'24" W a distance of 70.00 feet to the Northwest corner thereof and being on the East right-of-way line of U.S. Highway 61; thence continuing N 9°04'39" W along said right-of-way line a distance of 1,222.26 feet to Hwy Sta 125+00, 50'LT; thence N 80°55'21" E along said right-of-way line a distance of 5.00 feet to Hwy Sta 125+00, 55'RT; thence N 9°04'39" W along said right-of-way line a distance of 937.20 feet to Hwy PT 115+62.80, 55'RT; thence along said right-of-way line on a curve to the left with radius of 22,972.98' and a chord N 9°27'09" W - 300.71' a distance of 300.72 feet to Hwy PC 112+62.80, 55'RT; thence continuing N 9°49'39" W a distance of 562.81 feet to Hwy Sta 107+00, 55'LT; thence S 80°10'21" W a distance of 5.00 feet to Hwy Sta 107+00, 50'LT; thence continuing along said right-of-way line N 9°49'39" W a distance of 250.86 feet to Hwy Sta 104+73.7, 50'LT; thence N 80°10'21" E a distance of 25.00 feet to Hwy Sta 104+73.7, 75'LT; thence N 8°26'21" W along said right-of-way line a distance of 221.77 feet, being the Southwest corner of the Three Rivers College property as described in Book 2013 on Page 2834 and monumented with a 5/8" rebar and cap stamped, "John Chittenden, PLS 2108"; thence S 80°10'21" W a distance of 160.26 feet to the West right-of-way line of said U.S. Highway 61; thence S 11°17'14" E along said right-of-way line a distance of 191.67 feet to Hwy Sta 104+43.6 BK, 75'RT, monumented with a R/W Marker; thence N 80°10'21" E a distance of 25.00 feet to Hwy Sta 104+49.6 AHD, 50'RT, monumented with a R/W Marker; thence continuing along said right-of-way line S 9°49'39" E a distance of 280.96 feet to Hwy Sta 107+00, 50'RT, monumented with a 5/8" rebar and cap stamped, "Darrall Hirtz, PLS 2140"; thence S 80°10'21" W a distance of 5.00 feet to Hwy Sta 107+00, 55'RT, monumented with a 5/8" rebar and cap stamped, "Darrall Hirtz, PLS 2140"; thence continuing S 9°49'39" E along said right-of-way line a distance of 562.81 feet to PC 112+62.80, 55'RT,

monumented with a 5/8" rebar and cap stamped, "Darrall Hirtz, PLS 2140"; thence along a curve to the right with a radius of 22,862.98' and a chord bearing S 9°27'09" E - 299.27' a distance of 299.27 feet to PT 115+62.80, 55'RT, monumented with a 5/8" rebar and cap stamped, "Darrall Hirtz, PLS 2140"; thence S 9°04'39" E along said right-of-way line a distance of 937.20 feet to Hwy Sta 125+00, 55'RT, monumented with a 5/8" rebar and cap stamped, "Darrall Hirtz, PLS 2140"; thence N 80°55'21" E a distance of 5.00 feet to Hwy Sta 125+00, 50'RT, monumented with a 5/8" rebar and cap stamped, "Darrall Hirtz, PLS 2140"; thence continuing S 9°04'39" E along said right-of-way line a distance of 3,030.55 feet; thence N 81°33'13" E a distance of 50.00 feet to the point of beginning and containing 71.37 acres, more or less.  
Subject to any and all easements, if any, affecting the same.

SECTION III: Said plat 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 enable timely action for Wastewater Treatment Plant No.4.

SECTION VII: Record of Passage

A. Bill Number 6247 was introduced and read the first time this 25<sup>th</sup> day of October 2021.

B. Bill Number 6247 was read the second time this 25<sup>th</sup> day of October 2021, and was voted as follows;

Self, \_\_\_\_\_, Baker, \_\_\_\_\_, Merideth, \_\_\_\_\_

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

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

C. Ordinance 6247 and shall be in full force and effect beginning on October 25, 2021.

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

\_\_\_\_\_  
Approved As To Form  
Tabatha Thurman, City Counselor

Seal/Attest

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



