

REGULAR CITY COUNCIL MEETING
NOVEMBER 7, 2022

The regular Sikeston City Council meeting of November 7, 2022 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, David Teachout, Onethia Williams, John Leible and Tom Robison. Councilmember Brian Self was absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha J. Graham, City Clerk Rhonda Council, Finance Director Karen Bailey, HR Director Amanda Groves, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Parks Director Dustin Care, Community Development Director Barry Blevins, Public Safety Captain Ryan Smith.

APPROVAL OF CITY COUNCIL MINUTES

City Council minutes of the regular meeting of September 26 and October 3, 2022 were presented for approval. Councilman Leible moved to approve the minutes as presented. Councilman Robison seconded the motion and the following vote was recorded:

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

OATH OF OFFICE CEREMONY

City Clerk Rhonda Council conducted the oath of office ceremony to swear in citizens appointed to various City Boards and Commissions.

ITEMS OF BUSINESS

Conditional Use Variance for Adult Novelty Retail Store at 1000 Linn

Laquita Price and Tera Sherrod have requested to open an adult novelty store, Priceless Pleasures, to be located at 1000 Linn St.

Zoning Codes and Municipal Codes require this type of business to obtain a conditional use variance before being allowed to operate. Conditional use variances are presented to the planning and zoning commission for review and the commission then forwards their recommendations and findings to the City Council for final approval.

The conditional use request for the business, Priceless Pleasures, was presented to the Planning and Zoning Commission at the October 11th, 2022, meeting. The board was asked to approve a conditional use variance for the business. The planning and zoning commission did not pass a favorable recommendation for the conditional use variance.

The business at its current location would not be in compliance with the adopted 2018 zoning codes for the reasons listed below:

- Adult-use businesses shall not be located within 1,000 ft of a park, school, day care center, library or religious or cultural activity. The proposed business location does not comply with the separation from Dudley Park.
- Adult-use businesses shall not be located within 500 feet of any other adult-use business or any agricultural or residential zone boundary. The requested location does not comply with the residential zone separation requirement.

- Said business shall be located in a c-3 zone and only on lots or parcels of land fronting Malone Ave or Main St. The proposed location does not comply with the Main or Malone requirement but is located in a C-3 zone.

On October 17th, several senior staff and myself went to visit the property. We looked at what the business looked like inside and out. We noticed that you could not view anything inside the store from outside. We were greeted by Mrs. Price who showed us into the store. From there we noticed small displays and a counter for sales with items behind the glass. There are two other rooms and a bathroom. The other rooms, one is for an office and the other one is for storage of merchandise. Between the displays of products and overall appearance of items, the store had a few items that could be seen at our Walmart or retail pharmacy. The business owners have stated they would regulate the hours of operation and have an age restriction for entrance.

The applicant requests that the City Council grant a conditional use allowing the operation of the business at 1000 Linn St.

Councilman Baker moved to approve the conditional use variance for an adult novelty retail store to be located at 1000 Linn. The motion was seconded by Councilman Robison, discussed and the following roll call vote recorded:

Baker Nay, Leible Nay, Robison Aye, Self Absent, Teachout Aye, Williams Aye, and Turnbow Nay, thereby not being passed.

Resolution 22-11-03, Application to Apply for Land Water Conservation Fund Program

RESOLUTION 22-11-03

A RESOLUTION OF THE CITY OF SIKESTON, MISSOURI TO APPLY FOR FEDERAL ASSISTANCE FROM THE LAND WATER CONSERVATION FUND PROGRAM FOR THE PURPOSE OF CONSTRUCTING A NEW ACCESSIBLE PLAYGROUND AT LEGION PARK.

WHEREAS, the City of Sikeston, Missouri is applying for federal assistance from the Land Water Conservation Fund for the purpose of constructing a new accessible playground at Legion Park.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIKESTON, MISSOURI, that

1. Dustin Care of the City of Sikeston, Missouri is authorized to sign the application for federal assistance and any other official project documents that are necessary to obtain such assistance, including any agreements, contracts or other documents that are required by the State of Missouri or any federal agencies.
2. The City of Sikeston, Missouri currently has the written commitment for the minimum 50% matching share for the project elements that are identified in the application and will allocate the necessary funds to complete the project.
3. In the event a grant is awarded, the City of Sikeston, Missouri will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for public access for 25 years and/or will maintain maintenance/construction equipment purchased with grant funding for its useful life and in support of future projects.
4. In the event a grant is awarded, the City of Sikeston, Missouri is prepared to complete

the project within the time period identified on the signed project agreement.

5. In the event a grant is awarded, the City of Sikeston, Missouri will comply with all rules and regulations of the Land Water Conservation Fund Program, applicable Executive Orders and all state laws that govern the grant application during the performance of the project.

Councilman Teachout moved to approve Resolution 22-11-03, authorization to apply for the Land Water Conservation Fund Program for the purpose of constructing a new accessible playground at Legion Park. The motion was seconded by Councilman Leible, discussed and the following roll call vote recorded:

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

Resolution 22-11-01, Authorization for Building Reserve Fund

RESOLUTION 22-11-01

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF AN INTEREST-BEARING CHECKING ACCOUNT FOR BUILDING RESERVE FUND.

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

WHEREAS, The City of Sikeston, Missouri (the "City") has determined the need for the construction of a fire station to be located at 919 East Malone, Sikeston, Missouri.

WHEREAS, funds will be appropriated out of revenues accruing to the City of Sikeston, available fund balances, and transfers from other funds for the purpose of establishing a building fund for a new fire station.

WHEREAS, It is desired to segregate these funds from other municipal monies.

WHEREAS, This checking account will require two (2) signatories, the mayor and city treasurer.

NOW THEREFORE, This Resolution shall be in full force and effect from and after its passage.

Councilman Baker moved to approve Resolution 22-11-01, authorizing the establishment of a new checking account for a Building Reserve Fund for a new fire station . The motion was seconded by Councilman Robison, discussed and the following roll call vote recorded:

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

Resolution 22-11-02, Authorizing a Flexible Spending Account

RESOLUTION 22-11-02

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF AN INTEREST-BEARING FLEXIBLE SPENDING CHECKING ACCOUNT.

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

WHEREAS, The City of Sikeston, Missouri (the "City") has determined the need for creation of a flexible spending account to establish a Section 125 Cafeteria Plan.

WHEREAS, The flexible spending account will permit employees to set aside tax-free monies for the payment of qualifying medical expenses and child daycare.

WHEREAS, It is desired to segregate these funds from other municipal monies.

WHEREAS, Funding for this account will come from employee payroll deductions.

WHEREAS, This checking account will require two (2) signatories, the mayor and city treasurer.

WHEREAS, Tri-Star Benefit Systems, Inc DBA Tri-Star Systems will review and authorize disbursements. They are also permitted to distribute payments from the fund

NOW THEREFORE, This Resolution shall be in full force and effect from and after its passage.

Councilman Leible moved to approve Resolution 22-11-02, authorizing a flexible spending account at Southern Bank. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

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

1st Reading, Bill #6283, Establishing Chapter 655 – Food Trucks

Councilman Teachout moved for the first reading of Bill Number 6283. The motion was seconded by Councilman Leible and the following vote recorded

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

City Counselor Graham presented the bill for reading. This bill as approved shall become Ordinance Number 6283 and shall amend sections 605.025 and 607.130 and shall establish Chapter 655 Food Trucks in the Municipal Code of the City of Sikeston, Missouri.

1st Reading, Bill #6284, Amending Chapter 607 – Itinerant Vendor

Councilman Baker moved for the first reading of Bill Number 6284. The motion was seconded by Councilman Teachout and the following roll call vote recorded:

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

City Counselor Graham presented the bill for reading. This bill as approved shall become Ordinance Number 6284 and shall amend Chapter 607, Itinerant Vendor, within the City of Sikeston, Missouri.

2nd Reading & Consideration, Bill #6287, Approve Chapter 100 Bonds for Unilever

Councilman Leible moved for the second reading of Bill Number 6287. The motion was seconded by Councilman Teachout and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

BILL NO. 6287

ORDINANCE NO. 6287

AN ORDINANCE AUTHORIZING THE CITY OF SIKESTON, MISSOURI, TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (UNILEVER PROJECT), SERIES 2022, IN A PRINCIPAL AMOUNT OF NOT TO EXCEED \$22,000,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING AND EQUIPPING A FACILITY FOR AN INDUSTRIAL DEVELOPMENT PROJECT IN THE CITY; APPROVING A PLAN FOR THE PROJECT; AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

WHEREAS, the City of Sikeston, Missouri, a charter city and political subdivision of the State of Missouri (the "City"), is authorized and empowered pursuant to the provisions of Article VI, Section 27(b) of the Missouri Constitution, Sections 100.010 through 100.200, inclusive, of the Revised Statutes of Missouri (collectively, the "Act") and the City Charter to purchase, construct, extend, improve and equip certain projects (as defined in the Act), to issue industrial revenue bonds for the purpose of providing funds to pay the costs of such projects and to lease or otherwise dispose of such projects to private persons or corporations for manufacturing, commercial, office industry, warehousing and industrial development purposes upon such terms and conditions as the City deems advisable; and

WHEREAS, on November 15, 2021, the City Council adopted Resolution No. 21-11-02 (the "Inducement Resolution"), stating the City's intent to undertake an industrial development project consisting of the construction and equipment of an approximately 12,200 square foot expansion (collectively with the acquisition of the below-defined Project Site, the "Project") to the existing Unilever Manufacturing (US), Inc. (the "Company") facility located at 2400 Rose Parkway in the City; and

WHEREAS, the Company recently completed the Project in reliance on the Inducement Resolution; and

WHEREAS, the City Council finds and determines that is desirable to grant final approval to the transactions contemplated by the Inducement Resolution, including (a) the issuance of the City's Taxable Industrial Revenue Bonds (Unilever Project), Series 2022, in the maximum principal amount of \$22,000,000 (the "Bonds"), for the purpose of acquiring the Project, including the real estate upon which the Project is located (as legally described in the Lease Agreement hereinafter authorized, the "Project Site"), (b) the lease of the Project to the Company pursuant to the hereinafter-authorized Lease Agreement, and (c) the execution of the hereinafter-authorized Performance Agreement, pursuant to which the Company will make certain payments in lieu of taxes; and

WHEREAS, the Act requires the City to prepare a plan in connection with any industrial development project undertaken pursuant to the Act; and

WHEREAS, a Plan for an Industrial Development Project and Cost/Benefit Analysis (the “Plan”) has been prepared in the form of **Exhibit A** attached hereto; and

WHEREAS, notice of the City’s consideration of the Plan has been given in the manner required by the Act, and the City Council has fairly and duly considered all comments submitted to the City Council regarding the proposed Plan; and

WHEREAS, the City Council hereby finds and determines that it is desirable for the improvement of the economic welfare and development of the City and within the public purposes of the Act that the City: (1) approve the Plan pursuant to the Act; (2) issue the Bonds and finance the costs of the Project using proceeds of the Bonds, subject to certain terms and conditions set forth in this Ordinance; and (3) enter into certain agreements and documents with the Company relating to the Bonds; and

WHEREAS, the City Council further finds and determines that it is necessary and desirable in connection with the implementation of the Plan and the issuance of the Bonds that the City enter into certain documents and take certain other actions as herein provided;

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

Section 1. Approval of the Plan. The City Council hereby approves the Plan.

Section 2. Authorization for the Project. The City is hereby authorized to provide for the acquisition, construction, equipping, installation and improvement of the Project in the manner and as more particularly described in the Indenture and the Lease Agreement.

Section 3. Authorization of the Bonds. The City is hereby authorized to issue and sell the Bonds as described in the recitals hereto for the purpose of providing funds to pay the costs of the Project. The Bonds shall be issued and secured pursuant to the Indenture and shall have such terms, provisions, covenants and agreements as are set forth in the Indenture.

Section 4. Limitation on Liability. The Bonds and the interest thereon shall be limited obligations of the City, payable solely out of certain payments, revenues and receipts derived by the City from the Lease Agreement. Such payments, revenues and receipts shall be pledged and assigned to the bond trustee named in the Indenture (the “Trustee”) as security for the payment of the Bonds as provided in the Indenture. The Bonds and the interest thereon shall not constitute general obligations of the City, the State of Missouri (the “State”) or any political subdivision thereof, and neither the City nor the State shall be liable thereon. The Bonds shall not constitute an indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction and are not payable in any manner by taxation.

Section 5. Authorization of Documents. The City is hereby authorized to enter into the following documents (collectively, the “City Documents”), in substantially the forms presented to and approved by the City Council and attached to this Ordinance, with such changes therein as shall be approved by the officials of the City executing the documents, such officials’ signatures thereon being conclusive evidence of their approval thereof:

(a) Special Warranty Deed from the Company, as grantor, to the City, as grantee, in substantially the form attached hereto as **Exhibit B**, pursuant to which the Company will transfer title to the Project to the City.

(b) Lease Agreement (the “Lease Agreement”) between the City and the Company, in substantially the form attached hereto as **Exhibit C**, pursuant to which the City will lease the Project to the Company pursuant to the terms and conditions in the Lease Agreement, in consideration of rental payments by the Company that will be sufficient to pay the principal of and interest on the Bonds.

(c) Performance Agreement between the City and the Company, in substantially the form attached hereto as **Exhibit D**, pursuant to which the Company will make certain payments in lieu of taxes.

(d) Trust Indenture (the “Indenture”) between the City and the Trustee, in substantially the form attached hereto as **Exhibit E**, pursuant to which the Bonds will be issued and the City will pledge the Project and assign certain of the payments, revenues and receipts received pursuant to the Lease Agreement to the Trustee for the benefit and security of the owners of the Bonds upon the terms and conditions as set forth in the Indenture.

(e) Bond Purchase Agreement between the City and the Company, in substantially the form attached hereto as **Exhibit F**, pursuant to which the Company will purchase the Bonds from the City.

Section 6. Execution of Documents. The Mayor or the City Manager is hereby authorized to execute the Bonds and to deliver the Bonds to the Trustee for authentication for and on behalf of and as the act and deed of the City in the manner provided in the Indenture. The Mayor or the City Manager is hereby authorized to execute the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, for and on behalf of and as the act and deed of the City. The City Clerk is hereby authorized to attest to and affix the seal of the City to the Bonds and the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 7. Further Authority. The City shall, and the officials, agents and employees of the City are hereby authorized to, take such further action, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds and the City Documents. The Mayor and the City Manager are hereby authorized, through the term of the Lease Agreement, to execute all documents on behalf of the City (including documents pertaining to the transfer of property or the financing or refinancing of the Project by the Company) as may be required to carry out and comply with the intent of this Ordinance, the Indenture and the Lease Agreement. The Mayor and the City Manager are further authorized, on behalf of the City, to grant such consents, estoppels and waivers relating to the Bonds, the Indenture, the Lease Agreement or the Performance Agreement as may be requested during the term thereof; provided, such consents, estoppels and/or waivers shall not increase the principal amount of the Bonds, increase the term of the Lease Agreement or the tax exemption as provided for therein, waive an event of default or materially change the nature of the transaction. The City Clerk is authorized to attest to and affix the seal of the City to any document authorized by this Section.

Section 8. Savings. Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or connected with the subject matter hereof.

Section 9. Severability. If any term, condition or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the City Council that it would have enacted this Ordinance without the invalid or unenforceable provision. If, as a result of a subsequent change in applicable law, the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Record of Passage:

- A. Bill Number 6287 was introduced and read the first time this 31st day of October, 2022.
- B. Bill Number 6287 was read the second time and discussed on this 7th day of November, 2022. Following discussion, Councilman Baker moved to approve Bill Number 6287. The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

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

- C. Upon passage by the City Council, this Bill shall become Ordinance No. 6287 and shall be in full force and effect from and after December 7, 2022.

2nd Reading & Consideration, Bill #6288, Approve Chapter 100 Bonds for Carlisle

Councilman Baker moved for the second reading of Bill Number 6288. The motion was seconded by Councilman Leible and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

BILL NO. 6288

ORDINANCE NO. 6288

AN ORDINANCE APPROVING AN AMENDED AND RESTATED PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT AND COST/BENEFIT ANALYSIS AND AUTHORIZING THE CITY OF SIKESTON, MISSOURI, TO ENTER INTO AN OMNIBUS AMENDMENT TO BOND DOCUMENTS IN CONNECTION WITH A PROJECT BY CARLISLE CONSTRUCTION MATERIALS, LLC.

WHEREAS, the City of Sikeston, Missouri (the "City"), previously issued its Taxable Industrial Revenue Bonds (Carlisle Construction Materials, LLC Project), Series 2021, in the maximum principal amount of \$85,000,000 (the "Bonds"), for the purpose of constructing an approximately 455,000 square foot manufacturing facility (the "Project Improvements") on an approximately 124-acre site located northwest of the intersection of Highway 62 and County Road 824 in the City (the "Project Site") and acquiring and installing within the Project Improvements certain equipment and other personal property (the "Project Equipment" and, together with the Project Site and the Project Improvements, the "Project"); and

WHEREAS, in connection therewith, the City entered into (a) a Trust Indenture dated as of July 1, 2021 (the "Indenture") with Security Bank of Kansas City, as Trustee (the "Trustee"), pursuant

to which the Bonds were issued, (b) a Bond Purchase Agreement dated as of July 1, 2021 (the "Bond Purchase Agreement") with Carlisle Construction Materials, LLC, a Delaware limited liability company (the "Company"), pursuant to which the Company purchased the Bonds, (c) a Lease Agreement dated as of July 1, 2021 (the "Lease") with the Company, pursuant to which the City leased the Project to the Company, and (d) a Performance Agreement dated as of July 1, 2021 (the "Performance Agreement") with the Company, pursuant to which the City agreed to provide partial tax abatement with respect to the Project; and

WHEREAS, the Company has requested that the maximum principal amount of the Bonds be increased; and

WHEREAS, an Amended and Restated Plan for an Industrial Development Project and Cost/Benefit Analysis for the Project (the "Amended Plan") has been prepared in the form attached hereto as **Exhibit A**; and

WHEREAS, notice of the City's consideration of the Amended Plan has been given in the manner required by the law, and the City Council has fairly and duly considered all comments submitted to the City Council regarding the proposed Amended Plan; and

WHEREAS, the City Council hereby finds and determines that it is necessary and desirable to amend the Indenture, the Bond Purchase Agreement, the Lease, the Performance Agreement and any other document entered into in connection with the issuance of the Bonds (collectively, the "Bond Documents") as requested by the Company;

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

Section 1. Approval of the Amended Plan. The City Council hereby approves the Amended Plan.

Section 2. Approval of Omnibus Amendment. The City Council hereby approves the Omnibus Amendment to Bond Documents (the "Omnibus Amendment") in substantially the form presented to and approved by the City Council and attached to this Ordinance as **Exhibit B**. The Mayor is hereby authorized to execute the Omnibus Amendment, for and on behalf of and as the act and deed of the City. The City Clerk is hereby authorized to attest to and affix the seal of the City to the Omnibus Amendment.

Section 3. Savings. Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

Section 4. Severability. If any term, condition or provision of this Ordinance is held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the City Council that it would have enacted this Ordinance without the invalid or unenforceable provision. If as a result of a subsequent change in applicable law, the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Record of Passage:

- A. Bill Number 6288 was introduced and read the first time this 31st day of October, 2022.
- B. Bill Number 6288 was read the second time and discussed on this 7th day of November, 2022. Following discussion, Councilman Baker moved to approve Bill Number 6288. The motion was seconded by Councilman Leible, discussed and the following roll call vote was recorded:

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

- C. Upon passage by the City Council, this Bill shall become Ordinance No. 6288 and shall be in full force and effect from and after December 7, 2022.

1st Reading, Bill #6289, Calling for General Election

Councilman Leible moved for the first reading of Bill Number 6289. The motion was seconded by Councilman Teachout and the following vote recorded

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

City Counselor Graham presented the bill for reading. This bill as approved shall become Ordinance Number 6289, calling for a General Election in the City of Sikeston, Missouri on Tuesday, April 4, 2023, for the purpose of electing a candidate for the position of Councilman At-Large.

2nd Reading & Consideration, Bill #6285, TAP 5800 (15) Grant Agreement for the Construction of Sidewalks Along US 61 between Linn St. & US 61

Councilman Baker moved for the second reading of Bill Number 6285. The motion was seconded by Councilman Teachout and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

BILL Number 6285

ORDINANCE Number 6285

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6285 AND SHALL AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS ON BEHALF 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 not be codified in the Sikeston Municipal Code.

SECTION II: The City Council of the City of Sikeston, Missouri do hereby approve the execution of an agreement with the Missouri Highways and Transportation Commission for the construction

of sidewalks beginning at US 61 between and along Linn Street and US 62 heading easternly until ending at South Ingram Road.

SECTION III: The Mayor of the City of Sikeston is hereby authorized to execute such Agreement and the City Clerk to attest to such execution and to affix the official seal of the City of Sikeston.

SECTION IV: The City Manager of the City of Sikeston is hereby authorized to execute all other documents necessary for this project on behalf of the City of Sikeston.

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

SECTION VII: Record of Passage:

- A. Bill Number 6285 was introduced and read the first time this 31st day of October, 2022.
- B. Bill Number 6285 was read the second time and discussed on this 7th day of November, 2022. Following discussion, Councilman Leible moved to approve Bill Number 6285. The motion was seconded by Councilman Baker, discussed and the following roll call vote was recorded:

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

- C. Ordinance 6285 shall be in full force from and after December 7, 2022.

2nd Reading & Consideration, Bill #6286, TAP 5800 (16) Grant Agreement for the Construction of Sidewalks Beginning at Wakefield Ave. Heading Southernly Along North West St. Until Just North of Route 114 (Malone Ave)

Councilman Leible moved for the second reading of Bill Number 6286. The motion was seconded by Councilman Teachout and the following vote recorded:

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

City Counselor Graham presented the bill for reading.

BILL Number 6286

ORDINANCE Number 6286

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6286 AND SHALL AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS ON BEHALF 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 not be codified in the Sikeston Municipal Code.

SECTION II: The City Council of the City of Sikeston, Missouri do hereby approve the execution of an agreement with the Missouri Highways and Transportation Commission for the construction of sidewalks beginning at Wakefield Avenue and heading southernly along North West Street until ending just north of Route 114.

SECTION III: The Mayor of the City of Sikeston is hereby authorized to execute such Agreement and the City Clerk to attest to such execution and to affix the official seal of the City of Sikeston.

SECTION IV: The City Manager of the City of Sikeston is hereby authorized to execute all other documents necessary for this project on behalf of the City of Sikeston.

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

SECTION VII: Record of Passage:

- A. Bill Number 6286 was introduced and read the first time this 31st day of October, 2022.
- B. Bill Number 6286 was read the second time and discussed on this 7th day of November, 2022. Following discussion, Councilman Baker moved to approve Bill Number 6286. The motion was seconded by Councilman Robison, discussed and the following roll call vote was recorded:

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

- C. Ordinance 6286 shall be in full force from and after December 7, 2022.

Authorization to Negotiate a Contract for Architectural Services (New Fire Station)

The City advertised for architectural services via the newspaper, FaceBook and direct submission. Two proposals were received. On October 31st, the Professional Consulting Committee met and evaluated the submissions. The highest ranked proposal was from Dille Pollard Architecture of Poplar Bluff & Cape Girardeau MO, however the Draw Architecture and Urban Design, LLC out of Kansas City, MO was a very close second.

Councilman Leible moved to authorize staff to form a committee to negotiate a contract for architectural services with Dille Pollard Architecture. The motion was seconded by Councilman Teachout and the following vote recorded:

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

Revision of Adopt-A-Road Application

The revision of the Adopt-A-Road application was discussed during the Council retreat. Changes include the applicant giving two business days in advance of doing any work on the right-of-way,

required to clean the adopted road at least two times a year and having an annual renewal. Applications are effective for one (1) year and if requirements are not met, the contract will be voided before the expiration date.

LCRA Update on Lot Clean-Ups

In 2010 the LCRA had 468 lots. Between the time period of 2010-2015 we had sold or gifted 290 lots. The LCRA currently own 127 lots. So far, we have sold 47 lots in 2022 with 10 waiting to close at this time. On September 30th, 2022, through October 28th, 2022, we rented a grapple truck and excavator to help with the lot clean up. During that time, we cleaned over 50 lots over the course of 6 days and just over 40-man hours. We hauled 15 loads of debris and 7 loads of trash from 54 properties in the grapple truck. We hope that the removal of the junk, trash, tree debris, and overgrowth on these lots will be appealing to buyers. This project was needed to help boost community relations and help show the citizens that all should comply with city codes.

Resolution 22-11-04, Application to Community Revitalization Grant Program (Walk-On)

RESOLUTION 22-11-04

A RESOLUTION OF THE CITY OF SIKESTON, MISSOURI TO APPLY FOR FEDERAL ASSISTANCE FROM THE COMMUNITY REVITALIZATION GRANT PROGRAM FOR THE PURPOSE OF EXPANDING LEGION PARK.

WHEREAS, the City of Sikeston, Missouri is applying for federal assistance from the Missouri Department of Economic Development for the purpose of expanding Legion Park to the west.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIKESTON, MISSOURI, that

1. Dustin Care of the City of Sikeston, Missouri is authorized to sign the application for federal assistance and any other official project documents that are necessary to obtain such assistance, including any agreements, contracts or other documents that are required by the State of Missouri or any federal agencies.
2. The City of Sikeston, Missouri currently has the written commitment for the minimum 50% matching share for the project elements that are identified in the application and will allocate the necessary funds to complete the project.
3. In the event a grant is awarded, the City of Sikeston, Missouri will commit the necessary financial resources to operate and maintain the completed project in a safe and attractive manner for public access for 25 years and/or will maintain maintenance/construction equipment purchased with grant funding for its useful life and in support of future projects.
4. In the event a grant is awarded, the City of Sikeston, Missouri is prepared to complete the project within the time period identified on the signed project agreement.
5. In the event a grant is awarded, the City of Sikeston, Missouri will comply with all rules and regulations of the Community Revitalization Grant Program, applicable Executive Orders and all state laws that govern the grant application during the performance of the project.

Councilman Leible moved to approve Resolution 22-11-04, authorizing Parks & Recreation Director to apply for federal assistance from the Community Revitalization Grant Program for the purpose of expanding Legion Park. The motion was seconded by Councilman Teachout and the following vote recorded:

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

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 vote was recorded:

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

ADJOURNMENT INTO EXECUTIVE SESSION

Present at the Executive Session meeting were: Mayor Greg Turnbow, David Teachout, Onethia Williams, John Leible and Tom Robison. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha J. Graham, City Clerk Rhonda Council, Finance Director Karen Bailey, HR Director Amanda Groves and Community Development Director Barry Blevins.

Staff informed Council that the City's Prosecuting Attorney, Kye Lawrence, will resign his position effective January 1, 2023. City Counselor Tabatha Thurman has expressed an interest in being considered for this position.

Councilman Leible moved to consider Tabatha Thurman for the position of the City's Prosecuting Attorney along with her present position as City Counselor. The motion was seconded by Councilman Teachout and the following vote recorded:

Baker Aye, Leible Aye, Robison Aye, Self Absent, 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 Baker moved to adjourn out of Executive Session. The motion was seconded by Councilman Teachout and the following roll call vote was recorded:

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

APPROVED:

GREG TURNBOW, MAYOR

ATTEST:

RHONDA COUNCIL, CITY CLERK

SEAL: