

TENTATIVE AGENDA

REGULAR CITY COUNCIL MEETING
CITY HALL
COUNCIL CHAMBERS
105 E. CENTER STREET, SIKESTON MO
Monday, November 7, 2022
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 September 26, 2022
 - B. Regular Council Minutes October 3, 2022
- VI. BOARDS & COMMISSION SWEARING-IN
- VII. ITEMS OF BUSINESS
 - A. Conditional Use Variance for Adult Novelty Retail Store at 1000 Linn
 - B. Resolution 22-11-03, Application to Apply for Land Water Conservation Fund Program
 - C. Resolution 22-11-01, Authorization for Building Reserve Fund
 - D. Resolution 22-11-02, Authorizing a Flexible Spending Account
 - E. 1st Reading, Bill #6283, Establishing Chapter 655 – Food Trucks
 - F. 1st Reading, Bill #6284, Amending Chapter 607 – Itinerant Vendor
 - G. 2nd Reading & Consideration, Bill #6287, Approve Chapter 100 Bonds for Unilever
 - H. 2nd Reading & Consideration, Bill #6288, Approve Chapter 100 Bonds for Carlisle
 - I. 1st Reading, Bill #6289, Calling for General Election
 - J. 2nd Reading & Consideration, Bill #6285, TAP 5800 (15) Grant Agreement for the Construction of Sidewalks Along US 61 between Linn St. & US 61
 - K. 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.)
 - L. Authorization to Negotiate a Contract for Architectural Services
 - M. Revision of Adopt-A-Road Application
 - N. LCRA Update on Lot Clean-Ups
 - O. Other Items as May Be Determined During the Course of the Meeting
- VIII. ADJOURNMENT INTO EXECUTIVE SESSION
Contract Negotiations (RSMo 610.021(12))
- IX. ADJOURNMENT

Dated this 1st day of November 2022

Rhonda Council

Rhonda Council, City Clerk

REGULAR CITY COUNCIL MEETING
MONDAY, SEPTEMBER 26, 2022

The regular Sikeston City Council meeting of September 26, 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, Brian Self, Onethia Williams, John Leible, Tom Robison and David Teachout. Councilman Vest Baker was absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Rhonda Council, Finance Director Karen Bailey, HR Director Amanda Groves, City Collector Vicky Lewis, IT Network Administrator Sam Villagrana, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Parks Director Dustin Care, Public Safety Director James McMillen and Community Development Director Barry Blevins.

ITEMS OF BUSINESS

Boards and Commissions Appointments

Councilman Self nominated Jodi Glidewell for reappointment to the Board of Adjustments. The motion was seconded by Councilman Self and the following roll call vote recorded:

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

Councilman Robison nominated James Beard and Tim Mitchell for reappointment and appointed Larry Hancock to the Board of Appeals. The nominations were seconded by Councilman Leible and the following roll call vote recorded:

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

Councilman Leible nominated Steven Burch for reappointment to the Board of Municipal Utilities. The nomination was seconded by Councilman Teachout and the following vote recorded:

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

Councilwoman Williams nominated Harry Howard for reappointment and Ben Ross for appointment to the Housing Authority Board of Commissioners. The nomination was seconded by Councilman Self and the following vote recorded:

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

Councilman Self nominated Anna Warf and Steve McPheeters for reappointment to the Industrial Development Authority. The nomination was seconded by Councilman Teachout and the following vote recorded:

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

Councilman Robison nominated Clayton Driskill for reappointment to the Land Clearance for Redevelopment Authority (LCRA) Commission. The nomination 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.

Councilman Teachout nominated Jeff Hay and Wade Hamra for reappointment and Austin Curtis for a first term appointment to the Park Board. The nomination 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.

Councilman Self nominated Larry Hancock and Gordon Jones for reappointment to the Planning and Zoning Commission. The nominations were seconded by Councilman Robison. The following roll call vote was recorded:

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

Councilman Teachout nominated Ned Matthews, Nathan Cox and Gordon Jones for reappointment to the Public Safety Advisory Board. The nominations were seconded by Councilman Leible and the following roll call vote recorded:

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

Councilman Self nominated Carrie Ann Corso for reappointment to the Sikeston Pet & Animal Welfare Services (PAWS) Advisory Board. The nomination was seconded by Councilman Teachout and the following roll call vote recorded:

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

Councilman Leible motioned to reappoint Nathan Cox and Matt Drake to the Tax Increment Finance Commission (TIF). The motion was seconded by Councilman Teachout and the following roll call vote recorded:

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

Councilman Teachout motioned to reappoint James Miller and appoint William Watson II to the Traffic Committee. The motion was seconded by Councilman Leible and the following roll call vote recorded:

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

Councilman Self motioned to appoint Lori Caldwell to the Scott County Extension Council. She will replace Christian King who declined her appointment earlier this year. The motion was seconded by Councilman Leible and the following roll call vote recorded:

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

Councilwoman Williams nominated Scott Ezell reappointment and Tiara Riggs-Butler, Wanda Harrington and JaxonMarie Wright for a first term on the SEMO University-Sikeston Campus Advisory Council. The motion was seconded by Councilman Leible and the following roll call vote recorded:

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

Approve RFP 23-12, Aruba Access Point (Wi-Fi)

The City of Sikeston received a quote in the amount of \$22,221.93 from Thin Blue Technologies, LLC of Dexter, MO for Solicited WI-FI access points. This price includes 33 access points, hardware and a 3-year license subscription. This project will replace all Access points throughout all city buildings (DPS, All Fire Stations, the Court House, City Hall, Animal Shelter, and All Public Works buildings, including the Airport and the Sports Complex). This upgraded technology will replace our current Cisco WI-FI access points, with many of those access points being over 12 years old, which are end-of-life and support.

Councilman Leible motioned to approve RFP 23-12, Aruba access points, in the amount of \$22,221.93 which will include 33 access points, hardware and a 3-year license subscription. The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

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

Mayor Turnbow recused himself from the meeting. Mayor Pro Tem Self presided the meeting.

Approve Amended Air Rights Easement Agreement

Boulder Construction LLC has been renovating the old Stallcup Building on the corner of Front Street and New Madrid Street on behalf of Center Street Properties LLC, the owner of the building. Boulder Construction would like to construct a balcony along the Front Street public right-of-way with an additional two balconies along New Madrid Street public right-of-way. The balconies should not use any pedestrian right-of-way along the New Madrid Street. Boulder Construction has submitted a set of engineered drawings ensuring that the balconies can withstand proper loading and determine the proper reinforcement without use of post support. If approved, Council gives authorization to sign the lease agreement of right-of-way airspace with Center Street Properties, LLC.

Councilman Robison motioned to approve the amended air rights easement agreement with Center Street Properties, LLC to allow the construction of a balcony along the Front Street public right-of-way and two additional balconies along New Madrid Street public right-of-way.

The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

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

1st & 2nd Reading, Emergency Bill #6282, Authorizing BMU to Sell Strip of Land to JNS Holdings, LLC

Councilman Teachout moved for the first reading of Bill #6282. 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 Recused, thereby being passed.

City Counselor Thurman presented the bill for reading. This bill as approved shall become emergency ordinance number 6282, authorizing the City of Sikeston and the Board of Municipal Utilities to enter into a purchase agreement with JNS Holdings, LLC.

JNS Holdings, LLC seeks to enter into a purchase agreement with BMU (Board of Municipal Utilities) to purchase a strip of their property located adjacent to them.

Councilman Teachout moved for the second reading of Bill #6282. 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 Recused, thereby being passed.

Counselor Thurman presented the bill for a second reading.

Bill No. 6282

Ordinance No. 6282

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6282, AUTHORIZING THE CITY OF SIKESTON AND THE BOARD OF MUNICIPAL UTILITIES TO ENTER INTO A PURCHASE AGREEMENT WITH JNS HOLDINGS, LLC.

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: Whereas, the City of Sikeston, Missouri, ("City"), and the Board of Municipal Utilities, ("BMU"), of the City of Sikeston, Missouri, does wish to enter into a Purchase Agreement with JNS Holdings, LLC; and subsequently execute a Warranty JNS Holdings, LLC, and

SECTION III: Whereas, JNS Holdings, LLC wishes to purchase the property located at Compress NENE 26-26-13 in the City of Sikeston, Missouri and full legal description attached hereto as Exhibit A.

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. In order to meet time restraints, this is being presented as an emergency ordinance.

SECTION VII: Record of Passage:

- A. Bill Number 6282 was introduced and read the first time this 26th day of September 2022.
- B. Bill Number 6282 was read the second time on this 26th day of September 2022. Following discussion, Councilman Robison moved to approve Bill Number 6282. The motion was seconded by Councilman Leible, discussed and the following roll call vote was recorded:

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

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6282 and shall be in full force and effect.

Mayor Turnbow returned to the meeting.

Approve Fiber Easement Agreement

GoSEMO is currently working on a broadband service project in the Sikeston area. As part of that project, they need to place some fiber equipment on the western portion of the power plant property near Highway BB and have requested an easement from BMU for this equipment. The proposed fiber equipment does not impact any present or future BMU use of land.

Councilman Self motioned to approve the fiber easement agreement with GoSEMO for their use of the western portion of the power plant property near Highway BB for their broadband service project. The motion was seconded by Councilman Robison, discussed and the following vote recorded:

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

Authorize Purchase of Compact Excavator

The Street Division would like to purchase a Kubota U35-4R3 compact excavator. The price for the excavator is \$51,819.18 and is included in the approved budget using Capital Improvement funding. This is being sought from Sourcewell which is a bidding company for government agencies.

Councilman Self motioned to authorize the purchase of a Kubota U35-4R3 compact excavator from Sourcewell in the amount of \$51,819.18. The motion was seconded by Councilman Teachout, discussed and the following vote recorded:

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

Authorize Purchase of Batwing Mower

The Parks and Recreation Department budgeted \$55,000.00 for the purchase of an 11-foot-wide area John Deere 1600 Turbo Wide mower in the Capital Improvement Fund. Greenway Equipment from Sikeston, MO submitted a bid using their government discount through the State of Missouri's cooperative purchasing program for \$65,500.00. Purchasing from Greenway Equipment through the State of Missouri's cooperative purchasing program meets state bidding requirements.

The \$65,5000 is over what was budgeted for the purchase of a new mower; however, the budget included the trade in value of our current Jacobsen wide area mower which we estimated at \$10,000. The Jacobsen mower was sold to Turfwerks for \$14,000 which will be applied to the purchase of a new mower and brings us under budget for this purchase.

Councilman Leible motioned to authorize the purchase of a John Deere 1600 Turbo Wide mower in the amount of \$65,500.00. The motion was seconded by Councilman Teachout, discussed and the following vote recorded:

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

2nd Reading & Consideration, Bill #6278, Amending Chapter 600, Alcoholic Beverages (Liquor License)

Councilman Self moved for the second reading of Bill Number 6278. 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 Thurman presented the bill for reading.

BILL Number 6278

ORDINANCE Number 6278

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6278 AND SHALL AMEND CHAPTER 600, ALCOHOLIC BEVERAGES, WITHIN THE CITY OF SIKESTON, MISSOURI.

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

SECTION I: This Ordinance shall be codified in Chapter 600 of the Sikeston Municipal Code.

SECTION II: Section 600.030 License Regulations, C. Temporary Permit For Sale by Drink – Certain Organizations, Paragraph 1 shall be amended to read as follows:

1. The City Collector or his/her designee may issue a permit for the sale of intoxicating liquor for consumption on premises where sold to any church, school, civic, service, fraternal, veteran, political or charitable club or organization for sale at a picnic, bazaar, fair or similar gathering. The permit shall be issued only for the day or days named therein and it shall not authorize the sale of intoxicating liquor for more than seven (7) days by any such club or organization.

SECTION III: Section 600.050. Application for License and Renewal, Subsection A shall be amended to read as follows:

- A. Filing Of An Application. Each application for an original or renewal license shall be filed with the City Collector or his/her designee on a form to be provided by the City, signed and sworn to by the applicant. Each application shall be accompanied by a proper remittance reflecting the appropriate license fee made payable to the City.

SECTION IV: Section 600.050. Application for License and Renewal, Subsection C shall be amended to read as follows:

- A. Application – Remittance, Made To Whom, Powers of City Collector or His/Her Designee.
 1. All applications for all licenses mentioned in this Chapter shall be made to the City Collector or his/her designee and shall be accompanied by a proper remittance made payable to the City.
 2. The City Collector or his/her designee shall have the power and duty to determine whether each application for such license shall be approved or disapproved. Upon disapproval of any application for a license, the City Collector or his/her designee shall so notify the applicant inwriting, setting forth therein the grounds and reasons for disapproval, and shall return herewith the applicant's remittance. Upon approval of any application for a license, the City Collector or his/her designee shall issue to the applicant the appropriate license upon the applicant's remittance of payment to the City Collector. The City Collector shall retain the application file and a copy of the license(s) issued.

SECTION V: Section 600.050. Application for License and Renewal, Subsection D shall be amended to read as follows:

- D. Upon approval of any application for a license, the City Collector or his/her designee shall grant the applicant a license to conduct business in the City for a term to expire with the thirtieth (30th) day of June next succeeding the date of such license, unless such license be revoked or suspended for cause before the expiration of such time.

SECTION VI: Section 600.055. Change of Premises – Council Approval required. This section is deleted in its entirety.

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

SECTION VIII: 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 IX: Record of Passage:

- A. Bill Number 6278 was introduced and read the first time this 29th day of August, 2022.
- B. Bill Number 6278 was read the second time and discussed on this 26th day of September, 2022. Following discussion, Councilwoman Williams moved to approve Bill Number 6278. The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Teachout Aye, Baker Aye,
Williams Aye, and Turnbow Absent, thereby being passed.;

- C. Ordinance 6278 shall be in full force and effect from and after October 26, 2022.

2nd Reading & Consideration, Bill #6280, Purchasing Policy – Publication of Bids

Councilman Self moved for the second reading of Bill Number 6280. 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 Thurman presented the bill for reading.

BILL Number 6280

ORDINANCE Number 6280

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6280 AND SHALL AMEND CHAPTER 145, PURCHASING POLICY, WITHIN THE CITY OF SIKESTON, MISSOURI.

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

SECTION I: This Ordinance shall be codified in Chapter 145. Purchasing Policy of the Sikeston Municipal Code.

SECTION II: Section 145.140 Notice Inviting Bids – Publication is amended to read as follows:

“Notice Inviting Bids – Publication.

Notice inviting bids shall be published on the City’s website at least five (5) days preceding the last day set for the receipt of proposals.”

SECTION III: Section 145.150. Notice Inviting Bids – Contents is amended to read as follows:

“Notice Inviting Bids – Contents

The notice required in Section 1145.140 shall include a general description of the articles to be purchased or sold, shall state where bid blanks and specifications may be secured and the time and place for opening bids.”

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

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

SECTION VI: Record of Passage:

- A. Bill Number 6280 was introduced and read the first time this 29th day of August, 2022.
- B. Bill Number 6280 was read the second time and discussed on this 26th day of September, 2022. Following discussion, Councilwoman Williams moved to approve Bill Number 6280. The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Teachout Aye, Baker Aye,
Williams Aye, and Turnbow Absent, thereby being passed.;

- C. Ordinance 6280 shall be in full force and effect from and after October 26, 2022.

2nd Reading & Consideration, Bill #6281, Amending Chapter 200, Article XII, Offenses Concerning Minors

Councilman Self moved for the second reading of Bill Number 6281. The motion was seconded by Councilman Teachout 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 Thurman presented the bill for reading.

BILL Number 6281

ORDINANCE Number 6281

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6281 AND SHALL AMEND CHAPTER 200, ARTICLE XII, OFFENSES CONCERNING MINORS, WITHIN THE CITY OF SIKESTON, MISSOURI.

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

SECTION I: This Ordinance shall be codified in Chapter 200 of the Sikeston Municipal Code.

SECTION II: Section 210.1970. Curfew for Juveniles, shall be amended to read as follows:

“A. It is unlawful for any person seventeen (17) or less years of age to be or remain upon the street within the City of Sikeston.”

SECTION III: Section 210.1989. Definitions shall be amended to read as follows:

“JUVENILE

Any person under eighteen (18) years of age.

YEARS OF AGE

Continues from one (1) birthday, such as the seventeenth (17th) to (but not including the day of) the next, such as the eighteenth (18th) birthday, making it clear that seventeen (17) or less years of age be treated as equivalent to the phrase “under eighteen (18) years of age”.

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

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

SECTION VI: Record of Passage:

- A. Bill Number 6281 was introduced and read the first time this 29th day of August, 2022.
- B. Bill Number 6281 was read the second time and discussed on this 26th day of September, 2022. Following discussion, Councilwoman Williams moved to approve Bill Number 6280. The motion was seconded by Councilman Teachout, discussed and the following roll call vote was recorded:

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

- C. Ordinance 6281 shall be in full force and effect from and after October 26, 2022.

Appoint Interview Committee for Finance Director

With the retirement of Finance Director Karen Baily next year, staff will start the interview process in hiring a replacement. Since the Finance Director is appointed by Council, appointing Council representatives to be part of the interview panel is being requested.

Councilman Robinson motioned to appoint Mayor Turnbow and Mayor Pro Tem Self to the interview committee for a new Finance Director. The motion was seconded by Councilman Leible and the following roll call vote was recorded:

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

Other Items

Pickleball ribbon cutting ceremony will take place tomorrow (September 27) at 11:30 a.m. at the Complex.

Reminder that Sikeston is currently under a no burn order per the Scott County Commissioners in conjunction with the Department of Public Safety.

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, Self 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
OCTOBER 3, 2022

The regular Sikeston City Council meeting of October 3, 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, Brian Self and Tom Robison. Councilmembers John Leible, Onethia Williams and Vest Baker were absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Rhonda Council, Finance Director Karen Bailey, HR Director Amanda Groves, City Collector Vicky Lewis, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Community Development Director Barry Blevins, Public Safety Captain Derick Wheetley.

APPROVAL OF CITY COUNCIL MINUTES

City Council minutes of the regular meeting of July 25, August 1, August 10 and August 29, 2022 were presented for approval. Councilman Robison moved to approve the minutes as presented. Councilman Self seconded the motion and the following vote was recorded:

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

ITEMS OF BUSINESS

Award Domestic Violence Surcharge Funding

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 20, 2022 the House of Refuge for Abused and Battered Women submitted an application for funding in the amount of \$5,000. This amount would be distributed on a monthly basis during calendar year 2023. 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.

Councilman Self moved to award the funding for the Domestic Violence Surcharge to the House of Refuge for Abused and Battered Women in the amount not to exceed \$5,000 for calendar year 2023. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

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

Resolution 22-10-01, Surplus DPS Vehicle

RESOLUTION 22-10-03

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 item 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:

2009 Dodge Charger (Unit 33), VIN: 2B3KA43T29H534629

Councilman Teachout moved to approve Resolution 22-10-01, Surplus of DPS Vehicles. The motion was seconded by Councilman Self, discussed and the following roll call vote recorded:

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

Resolution 22-10-02, Authorizing the Establishment of the CDBG Funds and Check Signers

RESOLUTION 22-10-02

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A NON-INTEREST-BEARING CHECKING ACCOUNT FOR CDBG FUNDS AND DESIGNATING REQUEST FOR FUNDS AND CHECK SIGNATORIES.

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

WHEREAS, The City of Sikeston, Missouri (the "City") has been awarded funds from the State of Missouri Community Development Block Grant Program (CDBG); and

WHEREAS, These funds originate from the United States Department of Housing and Urban Development (HUD); and

WHEREAS, HUD and CDBG require establishment of a non-interest bearing account with two (2) signatories and the designation of three (3) signatories for the Request for Funds; and

WHEREAS, The Mayor must certify these signatures to CDBG.

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

Designated RFF approvers will be City Manager Jonathan Douglass, Account Clerk Brooke Reeves, and City Engineer Jay Lancaster. The authorized checking account signers will be City Treasurer Karen Bailey, Account Clerk Jessica Britton, and City Clerk Rhonda Council.

Councilman Self moved to approve Resolution 22-10-02, Authorizing the Establishment of CDBG Funds & Check Signers. The motion was seconded by Councilman Robison, discussed and the following roll call vote recorded:

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

Authorization to Perform Procurement Procedures for CDBG Project 2020-PF-CV01 – Shelter

The City of Sikeston was awarded a \$1,991,450 grant from the Missouri Department of Economic Development Community Development Block Grant Program. This project is the construction of a new homeless shelter to be located on Kathleen Street between Scott and Stoddard Streets in Sikeston, Missouri.

DAEOC submitted the grant application through the City of Sikeston. Staff would like to assign or grant them procurement responsibilities for this project. City purchasing guidelines will continue to be followed and city staff has been and will continue to be involved in bids and financial oversight.

Councilman Robison moved to authorize the Mayor to sign documents designating DAEOC to be assigned procurement responsibilities for CDBG Project 2020-PF-CV01 regarding the construction of a new homeless shelter. The motion was seconded by Councilman Self, discussed and the following roll call vote recorded:

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

Approval of Contract with Bootheel Regional Planning & Economic Development for Administration of CDBG Grant 2020-PF-CV01 – Shelter

The City of Sikeston has been awarded a \$1,991,450 CDBG Grant for DAEOC to construct a homeless shelter. CDBG provided DAEOC with a list of approved grant administrators for the grant oversight. DAEOC subsequently chose BRPC.

The maximum amount of compensation and reimbursement to the BRPC for administration of the DAEOC Homeless Shelter Grant is fifty thousand dollars (\$50,000). These funds are included in the grant award.

Councilman Self moved to approve the contract with Bootheel Regional Planning & Economic Development as the grant administrator for the construction of the DAEOC homeless shelter. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

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

Approval of Contract with Bootheel Regional Planning & Economic Development for Administration of CDBG Grant 2021-G1-30 – Street Project

The City of Sikeston has been awarded a \$500,000 CDBG Grant for pavement improvements and the City has pledged an additional \$195,600 to the project, bringing the total to \$695,600.

Since the City has been a member of the BRPC for the past two (2) years, we were allowed to choose BRPC for grant administration without going through the RFP process. Staff selected the Bootheel Regional Planning Commission for grant administration.

The maximum amount of compensation and reimbursement to the BRPC for administration of the pavement improvement is thirty-three thousand dollars (\$33,000). These funds are included in the grant award.

Councilman Robison moved to award the contract for administration of CDBG Grant 2021-G1-30 – Street Project to Bootheel Regional Planning & Economic Development. The motion was seconded by Councilman Teachout, discussed and the following roll call vote recorded:

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

Authorize Engineering Services Contract with Lambert Engineering for CDBG Streets Project

The City of Sikeston was awarded a CDBG project for additional street repairs. This is for the approval of the engineering contract with Lambert Engineering. Lambert Engineering was already selected by the council with the assistance of the professional services committee months prior. This authorization will allow design work to begin.

Councilman Teachout motioned to authorize Public Works Director Jay Lancaster to execute agreement for design and construction inspection services with Lambert Engineering for the CDBG Streets Project. The motion was seconded by Councilman Robison, discussed and the following roll call vote recorded:

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

ADJOURNMENT

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

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

APPROVED:

GREG TURNBOW, MAYOR

ATTEST:

RHONDA COUNCIL, CITY CLERK

SEAL:

Council Letter

Date of Meeting: 22-11-07

Originating Department: Community Development Department

To the Mayor and City Council:

Subject: Conditional Use Variance for Adult Novelty Retail Store to be located at 1000 Linn

Attachment(s):

1. Zoning and Municipal Codes regarding Adult Entertainment/Adult Use Establishments
2. Citizen Letter to P&Z
3. Owner Letter to Council

Action Options:

1. Approve/Disapprove Conditional Use Variance
2. Other action Council may deem appropriate

Background:

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.

Chapter 405. Zoning Regulations

Article VII. District Regulations

Division 9.. Adult Entertainment Establishments Conditional Use

Section 405.800. (Reserved)

[1] *Editor's Note: Former Section 405.800, Adult Entertainment As A Conditional Use, was repealed 4-26-2021 by Ord. No. 6220.*

Section 405.810. Definitions.

[R.O. 2009 § 17.24.510; Ord. No. 6220, 4-26-2021]

As used in this Division, the following terms shall have these prescribed meanings:

ADULT BOOKSTORE

An establishment having as a ten percent (10%) portion of its stock in trade books, photographs, magazines or films for sale or viewing on the premises by use of motion picture devices or other coin-operated mechanism or any other periodicals which are distinguished or characterized by their principal emphasis on matters depicting, describing or relating to specified sexual activities as said term is defined herein.

ADULT ENTERTAINMENT ESTABLISHMENTS

Any of the establishments, businesses, buildings, structures or facilities defined in this Section.

ADULT ENTERTAINMENT FACILITY

Any building, structure or facility which contains or is used entirely or partially as commercial entertainment, including theaters used for presenting live presentations, video tapes or films predominantly distinguished or characterized by their principal emphasis on matters depicting, describing or relating to specified sexual activities and exotic dance facilities (regardless of whether the theater or facility provides a live presentation or video tape or film presentation), where the patrons either:

1. Engage in personal physical or visual contact with employees, devices, equipment or personnel provided by the establishment which appeals to the prurient interest of the patrons;
2. Observe any live presentation, video tape or film presentation of persons wholly or partially nude or with their genital or pubic regions exposed or covered only with transparent or opaque covering or in the case of female persons with the areola and nipple of the breast exposed or covered only with transparent or opaque covering; or
3. Are enabled to observe specified sexual activities.

BATHHOUSE

An establishment or business which provides the services of baths of all kinds, including all forms and methods of hydrotherapy, unless operated or supervised by a medical or chiropractic practitioner or professional physical therapist licensed by the State.

MASSAGE SHOP

An establishment which has a fixed place of business having a source of income or compensation sixty percent (60%) or more of which is derived from the practice of any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating or the stimulation of external parts of the human body with the hands or with the aid of any mechanical or electrical apparatus or appliance with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotion, ointment or other similar preparations commonly used in the practice of massage under such circumstances that it is reasonably expected that the person to whom the treatment or service is provided or some third person on his/her behalf will pay money or give any other consideration or gratuity, provided that this term shall not include any establishment operated or supervised by a medical or chiropractic practitioner or professional physical therapist licensed by the State of Missouri.

MODELING STUDIO

An establishment or business which provides for a fee or compensation the services of models on the premises for the purpose of reproducing the human body wholly or partially in the nude by means of photography, painting, sketching, drawing or otherwise. This does not apply to certified State licensed (by the State of Missouri) public or private schools where persons are enrolled in classes.

SPECIFIED SEXUAL ACTIVITIES

1. **SEXUAL CONDUCT**

Acts of masturbation, homosexuality, sodomy, sexual intercourse or having physical contact with a person's unclothed genitals, pubic area, buttocks or, if such person be a female, her breast;

2. **SEXUAL EXCITEMENT**

The condition of human male or female genitals when in a state of sexual stimulation or arousal; or

3. **SADOMASOCHISTIC ABUSE**

Flagellation or torture by or upon a person or the condition of being fettered, bound or otherwise physically restrained.

Section 405.820. (Reserved)

[1] *Editor's Note: Former Section 405.820, Conditional Use Permit Required, was repealed 4-26-2021 by Ord. No. 6220.*

Section 405.830. Special Conditions.

[R.O. 2009 § 17.24.530; Ord. No. 6220, 4-26-2021]

- A. The property on which such use is located shall have a minimum of one hundred (100) feet of street frontage.
- B. All off-street parking requirements shall conform to other ordinances contained within the City Code of Sikeston, Missouri.
- C. The facility in which the use is located shall be designed in such a fashion that all openings, entries and windows prevent view into such facilities by any pedestrian and from any sidewalk, walkway,

street or other public area. No adult entertainment activity shall take place partially or totally outside the structure of the adult entertainment establishment for which it is licensed.

- D. Further, no merchandise or pictures or products, services or entertainment offered or provided on the premises shall be displayed on the exterior of the building. No flashing lights and/or lighting which leaves the impression of motion or movement shall be permitted.
- E. Lighting of the parking area must be maintained and provided a minimum light level of twenty-five hundredths (0.25) foot-candles over the entire parking area; but in no point shall the light level exceed three (3.0) foot-candles, nor shall any increase in light levels or visible glare be permitted beyond the lot line.

Section 405.840. Site/Floor Plan Required.

[R.O. 2009 § 17.24.540; Ord. No. 6220, 4-26-2021^[1]]

- A. Each application for a conditional use permit shall require the submission of an accompanying site plan. The site/floor plan shall include, as a minimum, the following information:
 - 1. The site plan shall delineate the property lines of the proposed project and shall indicate the zoning and present use of abutting properties.
 - 2. The site plan shall delineate existing rights-of-way and easements.
 - 3. The site plan shall delineate the general locations and width of all adjoining streets and public rights-of-way, such as alleys, pedestrian ways and easements.
 - 4. The site plan shall delineate the proposed building layout with the front, side and rear building setbacks.
 - 5. The site plan shall characterize the proposed usage of the building.
 - 6. The site plan shall delineate the location, number of parking spaces and the proposed parking and loading ratio and its location.
 - 7. The floor plan shall delineate all points of access and egress.
 - 8. The floor plan shall delineate the gross floor area of the building or structure.
 - 9. The site plan shall describe the landscaping to be provided.
 - 10. The site plan shall delineate the proposed exterior lighting in accordance with Subsection 405.830(J) above.
 - 11. The site plan shall indicate the signage.
 - 12. The site/floor plan shall set forth any other information necessary for determination of the suitability of the proposed use for the site.
 - 13. The site plan shall show that the measurements from the building to surrounding structures and property lines comply with this Division.

[1] *Editor's Note: Ord. No. 6220 also changed the title of this Section from "Site Plan Required" to "Site/Floor Plan Required."*

Section 405.850. Penalty.

[R.O. 2009 § 17.24.550; Ord. No. 5046 §II, 2-24-1995; Ord. No. 6220, 4-26-2021]

Any person, who violates any provision of this Division shall be subject to the general penalty provided of the Sikeston Municipal Code.

- (1) All servicing of vehicles carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building.
- (2) Driveways used for ingress and egress shall be a minimum of twenty-five (25) feet in width, exclusive of curb returns.
- (3) Outdoor lighting, when provided, shall have an arrangement of reflectors and an intensity of lighting which will not interfere with adjacent land uses or the use of adjacent streets and shall not be of the flashing or intermittent type.
- (e) Subject to regulations and laws of the State of Missouri and the City of Sikeston.
- (f) Shall not be allowed (1) within one thousand (1,000) feet of another existing adult use, or (2) within three hundred (300) feet of a pre-existing school, public park, church or tavern.
- (g) Drug and alcohol residential or outpatient treatment facilities may be permitted in "C-2" and "C-3" Commercial Districts as a conditional use subject to the following conditions and success:
 - (1) An application must be submitted to the City Manager specifying the location of intended use, number of occupants (not to exceed (4)), number of staff (sufficient to provide adequate supervision), proposed design of structure must reasonably conform to the exterior appearance of dwellings in the vicinity and compliance with Missouri State Statute governing the operations of such facility.
 - (2) The proposed facility, either new or existing structure, must conform to current building codes of the City of Sikeston. Plans prepared by a Missouri certified architect will be required.
 - (3) Adequate off-street parking must be provided.
 - (4) Such facility shall not be located closer than one thousand (1,000) feet to any other similar substance abuse treatment facility.
 - (5) After review of above-stated requirements, the City Manager will refer such application for public hearing to the City Planning and Zoning Commission for their consideration, review and recommendations.
 - (6) The Planning Commission will forward a recommendation to the City Council on the application for their action.
 - (7) The City Planner will issue or deny building permit for the application dependent upon Council action.
- (h) As to regulations regarding Medical Marijuana Dispensaries, see Section **405.1490** of this Chapter.

- B. Yard Setback Requirements. All buildings and structures in the "C-1" Neighborhood Shopping District, the "C-2" General Commercial and the "C-3" Highway Commercial Districts shall be set back from the centerline of State and Federal highways and lot lines to comply with the following yard requirements. (See Article VIII, Height and Area Exceptions.)

Table II. Yard Setback Requirements			
Minimum Yards	"C-1" Neighborhood	"C-2" General	"C-3" Highway
Front yard depth			
Major road (a)	25 feet		The greater of 75 feet from centerline or 25 feet from lot line
Minor road (b)	25 feet		25 feet
Side yard (c)	10 feet		
Rear yard	25 feet		

- (a) State or Federal highway.

matter of right. Where the letters "CU" appears on the line of a use and in the column of a district, the listed use may be permitted by the Board of Adjustment as provided in Article V of this Chapter. In both cases, all uses shall be in compliance with all applicable provisions of this zoning ordinance and the Code of the City of Sikeston. Also See Reference Table 450.1, set out as Exhibit A to this Ch. 405.

Table I. Permitted Uses				
A	B			
CATEGORY USE	Zoning District — Conditional Or Permitted Use "C-1," "C-2," "C-3," "DT"			
P = Permitted as a matter of right CU = May be permitted by the Board of Adjustment	"C-1" Neighborhood	"C-2" General	"C-3" Highway	"DT" Downtown District
Residential				
Any use permitted in any residential district	P	P	P	P
Any use permitted on review in any residential district (a)	P	P	P	P
Commercial, miscellaneous (b)(c)				
Adult use, by license only (f)		CU		
Alcohol sales	CU	P	P	P
Antique shop	P	P	P	P
Appliance shop		P	P	P
Arts school, gallery or museum	P	P	P	P
Artists materials, supply studio	P	P	P	P
Automobile parking lot	P	P	P	P
Automobile service station	CU	P	P	
Automobile repair, minor in conjunction with a service station	CU	P	P	
Baby shop	P	P	P	P
Bakery goods store	P	P	P	P
Bank	P	P	P	P
Barbershop	P	P	P	P
Beauty shop	P	P	P	P

- (b) All public streets and roads other than a State or Federal highway.
- (c) Ten (10) feet or twelve and one-half percent (12 1/2%) of the width of the lot, whichever is less.

C. Intensity Of Use, Lot Width, Coverage And Height Regulations. Uses and lots in the "C-1" Neighborhood Shopping, "C-2" General Commercial and "C-3" Highway Commercial Districts, other than those uses and lots regulated by reference to the mandated requirements of the Residential District, shall comply with the following requirements:

Table III. Intensity of Use, Lot Width, Coverage and Height Regulations			
Item	"C-1" Neighborhood	"C-2" General	"C-3" Highway
Area minimum	Adequate to provide yards and parking as required (a)		
Lot width, minimum			
Coverage, Maximum (b)			
Stories	2 1/2		
Feet	35	45	45

- (a) See Article **X**, Off-Street Parking, for off-street parking requirements.
- (b) See Article **VIII**, Height and Area Exceptions, for exceptions to those height limitations.

Chapter 405. Zoning Regulations

Article VII. District Regulations

Division 11.. "C-1," "C-2" and "C-3" Commercial Districts

Section 405.910. "C-3" Highway Commercial.

[R.O. 2009 § 17.26.030; Ord. No. 4888 § 2, 2-3-1992; Ord. No. 6220, 4-26-2021]

- A. General Description. This commercial district is for the conduct of commercial enterprises catering to the traveling public, for personal and business services, for general retail trade and for a limited number of other uses that are compatible with commercial activity. Because of the relationship of these uses to the adjacent highway and residential districts, appropriate considerations are necessary to protect the integrity of the function of the highway and to reduce the adverse impact on adjacent residential districts.
- B. Uses Permitted. See the Tables in Section **405.920** of this Chapter.
 - 1. Any downtown district, as may be designated by ordinance of the Sikeston City Council and located in whole or in part within a Highway Commercial "C-3" District, shall be subject to additional restrictions as set forth in Table I Table of Uses and shall be designated on City Zoning Maps as "C-3^{DT}."
- C. Area Regulations. Also See Reference Table 450.1, set out as Exhibit A to this Ch. **405**.
 - 1. The area requirements for dwellings shall be the same as the requirements of the "R-4" Residential District.
 - 2. See the Tables in Section **405.920** of this Chapter for the area regulations for all other uses permitted in this district.
- D. Height Regulations. Also See Reference Table 450.1, set out as Exhibit A to this Ch. **405**.
 - 1. The height regulations for dwellings and buildings accessory to dwellings shall be the same as those for the "R-5" Residential District.
 - 2. For uses other than dwellings and buildings accessory to dwellings, see the Tables in Section **405.920** of the Chapter.

Section 405.920. Tables — Use, Height and Area Regulations.

[R.O. 2009 § 17.26.040; Ord. No. 5961 §§I, XX, 8-25-2014; Ord. No. 6158, 7-29-2019; Ord. No. 6187, 5-4-2020; Ord. No. 6195, 5-4-2020; Ord. No. 6220, 4-26-2021]

- A. Table I — Uses. The uses provided for in the "C-1" Neighborhood Shopping, the "C-2" General Commercial and the "C-3" Highway Commercial Districts are set forth in the table below. Where the letter "P" appears on the line of a use and in the column of a district, the listed use is permitted as a

matter of right. Where the letters "CU" appears on the line of a use and in the column of a district, the listed use may be permitted by the Board of Adjustment as provided in Article V of this Chapter. In both cases, all uses shall be in compliance with all applicable provisions of this zoning ordinance and the Code of the City of Sikeston. Also See Reference Table 450.1, set out as Exhibit A to this Ch. 405.

Table I. Permitted Uses

A	B			
CATEGORY USE P = Permitted as a matter of right CU = May be permitted by the Board of Adjustment	Zoning District — Conditional Or Permitted Use "C-1," "C-2," "C-3," "DT"			
Residential	"C-1" Neighborhood	"C-2" General	"C-3" Highway	"DT" Downtown District
Any use permitted in any residential district	P	P	P	P
Any use permitted on review in any residential district (a)	P	P	P	P
Commercial, miscellaneous (b)(c)				
Adult use, by license only (f)		CU		
Alcohol sales	CU	P	P	P
Antique shop	P	P	P	P
Appliance shop		P	P	P
Arts school, gallery or museum	P	P	P	P
Artists materials, supply studio	P	P	P	P
Automobile parking lot	P	P	P	P
Automobile service station	CU	P	P	
Automobile repair, minor in conjunction with a service station	CU	P	P	
Baby shop	P	P	P	P
Bakery goods store	P	P	P	P
Bank	P	P	P	P
Barbershop	P	P	P	P
Beauty shop	P	P	P	P

- (1) All servicing of vehicles carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building.
- (2) Driveways used for ingress and egress shall be a minimum of twenty-five (25) feet in width, exclusive of curb returns.
- (3) Outdoor lighting, when provided, shall have an arrangement of reflectors and an intensity of lighting which will not interfere with adjacent land uses or the use of adjacent streets and shall not be of the flashing or intermittent type.
- (e) Subject to regulations and laws of the State of Missouri and the City of Sikeston.
- (f) Shall not be allowed (1) within one thousand (1,000) feet of another existing adult use, or (2) within three hundred (300) feet of a pre-existing school, public park, church or tavern.
- (g) Drug and alcohol residential or outpatient treatment facilities may be permitted in "C-2" and "C-3" Commercial Districts as a conditional use subject to the following conditions and success:
 - (1) An application must be submitted to the City Manager specifying the location of intended use, number of occupants (not to exceed (4)), number of staff (sufficient to provide adequate supervision), proposed design of structure must reasonably conform to the exterior appearance of dwellings in the vicinity and compliance with Missouri State Statute governing the operations of such facility.
 - (2) The proposed facility, either new or existing structure, must conform to current building codes of the City of Sikeston. Plans prepared by a Missouri certified architect will be required.
 - (3) Adequate off-street parking must be provided.
 - (4) Such facility shall not be located closer than one thousand (1,000) feet to any other similar substance abuse treatment facility.
 - (5) After review of above-stated requirements, the City Manager will refer such application for public hearing to the City Planning and Zoning Commission for their consideration, review and recommendations.
 - (6) The Planning Commission will forward a recommendation to the City Council on the application for their action.
 - (7) The City Planner will issue or deny building permit for the application dependent upon Council action.
- (h) As to regulations regarding Medical Marijuana Dispensaries, see Section **405.1490** of this Chapter.

B. Yard Setback Requirements. All buildings and structures in the "C-1" Neighborhood Shopping District, the "C-2" General Commercial and the "C-3" Highway Commercial Districts shall be set back from the centerline of State and Federal highways and lot lines to comply with the following yard requirements. (See Article VIII, Height and Area Exceptions.)

Table II. Yard Setback Requirements			
Minimum Yards	"C-1" Neighborhood	"C-2" General	"C-3" Highway
Front yard depth			
Major road (a)	25 feet		The greater of 75 feet from centerline or 25 feet from lot line
Minor road (b)	25 feet		25 feet
Side yard (c)	10 feet		
Rear yard	25 feet		

- (a) State or Federal highway.

- (b) All public streets and roads other than a State or Federal highway.
- (c) Ten (10) feet or twelve and one-half percent (12 1/2%) of the width of the lot, whichever is less.

C. Intensity Of Use, Lot Width, Coverage And Height Regulations. Uses and lots in the "C-1" Neighborhood Shopping, "C-2" General Commercial and "C-3" Highway Commercial Districts, other than those uses and lots regulated by reference to the mandated requirements of the Residential District, shall comply with the following requirements:

Table III. Intensity of Use, Lot Width, Coverage and Height Regulations

Item	"C-1" Neighborhood	"C-2" General	"C-3" Highway
Area minimum	Adequate to provide yards and parking as required (a)		
Lot width, minimum			
Coverage, Maximum (b)			
Stories	2 1/2		
Feet	35	45	45

- (a) See Article X, Off-Street Parking, for off-street parking requirements.
- (b) See Article VIII, Height and Area Exceptions, for exceptions to those height limitations.





September 29, 2022

Barry A. Blevins
Community Development Director
City of Sikeston

RE: Planning and Zoning Request - 1000 Linn Street

To Planning and Zoning Commission and City Council:

As a property owner near this request, and a homeowner in the neighborhood this is obviously not a good idea for the neighborhood.

The Senior High School is just across Malone Avenue off Pine St. leading to 1000 Linn Street.

A bus stop for elementary school kids has been located on Lake St. and or Lillian Dr for many continuing years and is perhaps 50 yards from 1000 Linn Street.

A storage unit business is located behind this proposed location and would be available for loitering etc. The businesses at this location are closed in evening hours.

The neighborhood is also zoned residential and as such, this is not a suitable location for this business.

This type of business should at least be located in a business only zone or other more suitable location.

Respectfully,

Glenna L. Merrell
Albert L. Merrell



Sunday, October 30, 2022

To: Sikeston City Council Members
From: LaQuita Price and Tera Sherrod

TO the City Council Members of Sikeston:

We, the owners of Priceless Pleasures would like you to please consider our business to open up in the city of Sikeston. We feel it started out wrong, considering our business was classified as "Adult Entertainment" and yet we provide no entertainment. That has since been changed to "Adult Novelty Store" but what that mishap has caused, is for the public to be concerned. We sat through a City Zoning meeting where we were publicly ridiculed because the public didn't have the accurate information! As we tried to explain at the zoning meeting that we provided "No Adult Entertainment" and that our operating hours would be in the evening after school was out, but yet, no one was trying to hear us! We don't provide any pornography, books or magazines. And we feel that this is because of how our business was categorized. Our business sells the same thing as Spencer's in the Cape Girardeau mall, and yet your kids are able to go in there freely! In our store, you have to be 18 years or older and that's posted outside and inside of the store. Our business is also discrete, you can't tell what it is from the outside!

It was also stated to us that our business was 800 feet from a park, and not stating that this is inaccurate, but from our calculations, its over 1000 feet. But in reference to the zoning, you have JB Hawks not even 500 feet from The Sikeston Senior High School. They sell CBD, Cigarettes Etc. You have a Dispensary right across the street from a Ball Park not even 500 feet from a park nor residential area. There's also a smoke shop on Malone right in front of a church!

The point that we're trying to make is that everyone may not agree with the business as everyone doesn't drink alcohol or smoke tobacco, or marijuana but yet those businesses still exists! We are trying to bring a new business in Sikeston that will not only bring out of town customers to us, but also to Sikeston! We have online customers from all surrounding areas.

Please consider us and please don't be biased based on the business.

Thank you for your time.

Priceless Pleasures

LaQuita Price

Tera Woods

Council Letter

Date of Meeting: 22-11-07

Originating Department: Public Works Department

To the Mayor and City Council:

Subject: Resolution – Application to Land Water Conservation Fund Program

Attachments:

1. Resolution 22-11-03
2. Levi's Children's Charity Revised Playground Rendering

Action Options:

1. Approve
2. Other action Council may deem appropriate

Background:

The Public Works Department is requesting that Council authorize Dustin Care, Parks & Recreation Director, to apply for federal assistance from the Land Water Conservation Fund Program for the purpose of constructing a new accessible playground at Legion Park and further authorize Mr. Care 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 other federal program.

This project will have an up to \$270,000 total project cost with a 50% match of up to \$135,000 for a new accessible playground at Legion Park.

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.

Read this 31st day of October 2022, discussed and voted as follows:

Self _____, Teachout _____, Robison _____, Williams _____,
Leible _____, Baker _____, and Turnbow _____,
thereby being _____.

Greg Turnbow, Mayor

Approved as to Form:

Tabatha J. Graham, City Counselor

ATTEST:

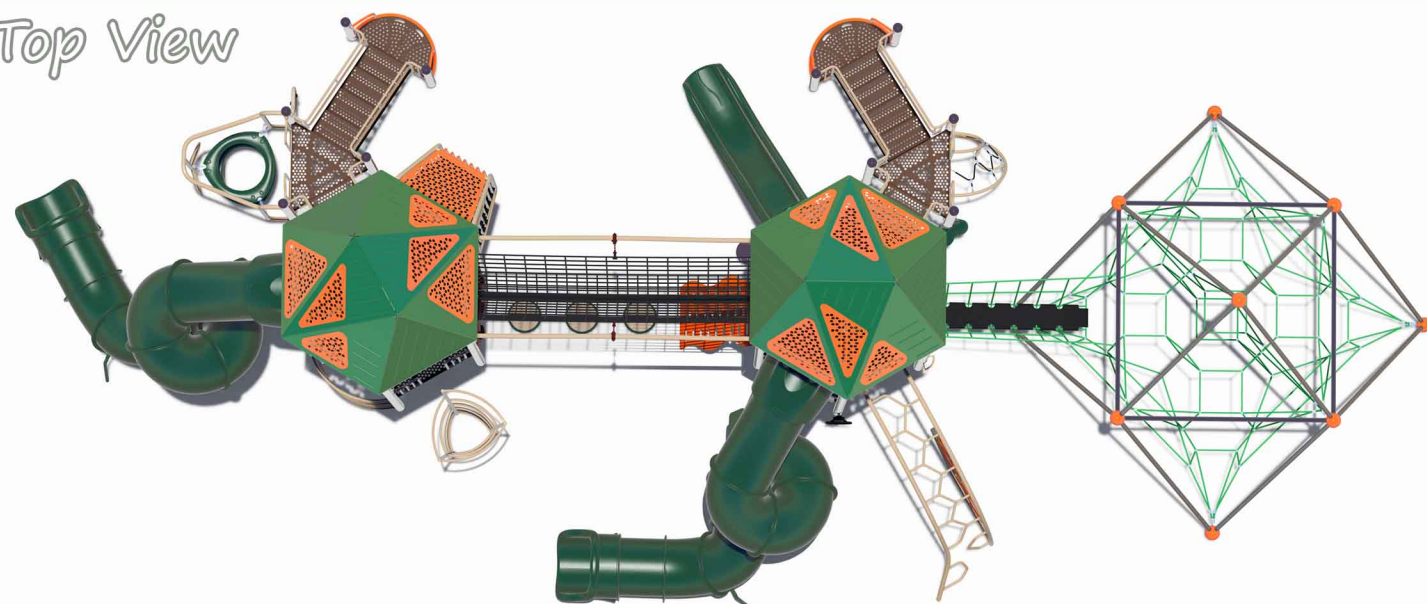
Rhonda Council, City Clerk

Levi's Children Charity Option 4 (Revised Colors)

Design • Build • PLAY!



Top View



Back View



Council Letter

Date of Meeting: November 7, 2022

Originating Department: Finance

To the Mayor and City Council:

Subject: Reading of Resolution 22-11-01, Authorizing a Building Reserve Fund Checking Account

Attachments:

1. Resolution 22-11-01

Action Options:

1. Approve Resolution 22-11-01
2. Other action Council may deem appropriate

Background:

Ordinance Number 6262 authorized creation of and budgeting for the Building Reserves Fund. The City's designated depository for all funds is Southern Bank. They require a resolution to authorize the establishment of a new checking account. Resolution 22-11-01 provides them with the documentation to proceed with the opening of the Building Reserve Fund.

Staff requests approval of Resolution 22-11-01.

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.

Read this 7th day of November 2022, discussed and voted upon as follows:

Baker _____, Leible _____, Robison _____,
Self _____, Teachout _____, Williams _____,
and Turnbow _____, thereby being approved.

Greg Turnbow, Mayor

Approved as to form
Tabatha J. Graham, City Counselor

Seal / Attest:

Rhonda Council, City Clerk

Council Letter

Date of Meeting: November 7, 2022

Originating Department: Finance

To the Mayor and City Council:

Subject: Reading of Resolution 22-11-02, Authorizing a Flexible Spending Account

Attachments:

1. Resolution 22-11-02

Action Options:

1. Approve Resolution 22-11-02
2. Other action Council may deem appropriate

Background:

For many years, the city has made a Section 125 Plan available to employees. This allows them to withhold pre-tax dollars from their payroll check and then use those funds throughout the year to reimburse themselves for qualifying medical expenses and day care costs. The flexible spending account is managed by Ameriflex. Payroll deductions are forwarded to Ameriflex and they issue all checks.

Beginning January 1, 2023, the city is transitioning to Tri-Star Systems. The City of Sikeston will hold all funds, but Tri-Star Systems will be responsible for administering and paying all claims. Emails from Tri-Star documenting authorized expenditures will be received weekly on Friday and paid on the following Tuesday.

Resolution 22-11-02 authorizes the establishment of the bank account at Southern Bank. Signatories will be the mayor and city treasurer, Tri-Star will be allowed to withdraw funds electronically as needed. Staff requests approval of Resolution 22-11-02.

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.

Read this 7th day of November 2022, discussed and voted upon as follows:

Baker_____, Leible _____, Robison _____,
Self _____, Teachout _____, Williams _____,
and Turnbow _____, thereby being approved.

Greg Turnbow, Mayor

Approved as to form
Tabatha J. Graham, City Counselor

Seal / Attest:

Rhonda Council, City Clerk

Council Letter

Date of Meeting: November 7, 2022

Originating Department: City Manager

To the Mayor and City Council:

Subject: Food Truck Bill No. 6283

Attachment(s):

1. Bill No. 6283

Action Options:

1. Conduct First Reading of Bill No. 6283 Regarding Food Trucks
2. Other Action Council May Deem Necessary

Background:

From time to time we have received complaints that our food truck regulations are overly restrictive. These complaints have come from local food truck operators, out of town food truck operators, and event organizers who want to invite food trucks to participate in their events. City staff agrees with many of these complaints.

Currently, food trucks are licensed as “itinerant merchants.” Aspects of that license application which have been identified as particularly onerous include requirements to obtain a surety bond, a criminal background check and fingerprinting, which increase costs and can slow down the application process significantly. Since we don’t require those items from other food service workers in the city, we have eliminated those from the new food truck regulations contained in the attached Bill No. 6283.

Under the current regulations, there has also been some confusion as to where food trucks may operate. Generally they have not been allowed to sell from the public streets (except for traditional ice cream trucks) or in city parks without prior permission. Food trucks have been allowed to sell from private property as long as they have property owner permission.

The new food truck bill allows them to operate on private property in non-residential zones with property owner permission, and in certain city parks (with conditions). Food trucks will not normally be allowed to operate in Legion Park, Veterans Park, or the Clinton Building parking lots except

during approved events and with the permission of the Parks Department. They also cannot operate at VFW ballfield or the Complex during high school, league, or tournament games of any sport when the concession stands are operating, except with special permission.

Traditional ice cream trucks (those which travel on the streets and stop to sell to pedestrians) will continue to be licensed as itinerant vendors instead of food trucks. We believe the additional level of scrutiny (background checks, etc.) is appropriate since these vendors travel residential streets specifically targeting children as customers.

BILL Number 6283

ORDINANCE Number 6283

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.

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: Section 605.025. Street Vending – Restriction shall be amended to read as follows:

Section 605.025 Street Vending — Restriction.

A. It shall hereafter be unlawful for any person to vend or sell from a vehicle any goods, wares or merchandise of any type or kind on and along the streets of the City within one hundred (100) feet from the front door or main entrance of any licensed business establishment in any part of the City except the zone which sells or vends any goods, wares or merchandise which is similar to or like the particular goods, wares and merchandise sold by the particular street vendor.

B. Nothing in this Section contained shall relieve any street vendor from being licensed as required by Title VI.

C. This Section shall not apply to the operation of Food Trucks, which are separately governed by Chapter 655.

SECTION III: Section 607.130. Itinerant Vendors - Use of Streets, shall be amended to read as follows:

Section 607.130. Use of Streets.

No licensee shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location, nor shall he/she be permitted to operate in any congested area where his/her operations might impede or inconvenience the public. For the purposes of this Chapter, the judgment of the Public Safety Officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced. This Section shall not apply to the operation of Food Trucks, which are separately governed by Chapter 655.

SECTION IV: Chapter 655. Food Trucks shall be established to read as follows:

Chapter 655. Food Trucks

Section 655.010. Permit and License Required.

It shall be unlawful for any individual, vendor, corporation, business, or other organization to operate a Food Truck as defined in Section 655.030 within the corporate limits of the City of Sikeston, Missouri, without first obtaining a permit and license therefore in compliance with the provisions of this Chapter.

Section 655.020. Exceptions

A. The provisions of this Chapter shall not apply to the following:

1. Tax exempt not-for-profit persons, associations or corporations (i.e., Kiwanis, Lions, Elks, churches, Scouts BSA and like organizations).
2. Trucks which drive around neighborhoods or public areas selling ice cream or frozen treats while

stopped on the public right-of-way, more commonly known as ice cream trucks, shall be licensed under Chapter 607, Itinerant Vendor.

3. Vendors who are operating within an established farmers' or flea market or are sellers of fresh fruits and vegetables.

4. Neighborhood refreshment stands operated by children (e.g. lemonade stands).

Section 655.030. Definition – Food Truck.

A Food Truck shall be defined as any vehicle, trailer, cart, or other conveyance (whether under its own power or towed, pushed, or pulled by another vehicle, person, animal or device) from which ready to eat food or beverages are sold.

Section 655.040. Application.

A. Applicants for license under this Chapter, whether a person, firm, corporation, or other entity, shall file a written sworn application signed by the applicant, on a form supplied by the City, showing:

1. The name or names of the person or persons having the management or supervision of applicant's business during the license period.
2. The permanent address or addresses of such person or persons while engaged in such business.
3. The capacity in which such person or persons will act (that is, whether as proprietor, agent or otherwise); the name and address of the person, firm or corporation for whose account the business will be carried on, if any; and if a corporation, under the laws of what State the same is incorporated.
4. A brief description of the nature of the business and the goods to be sold.
5. If a vehicle is to be used, a description of same, together with license number or other means of identification.
6. Proof of a valid and current New Madrid County or Scott County health inspection certificate.
7. Proof of financial responsibility on each vehicle in the amounts required by City and State laws.

Section 655.045. City Inspection.

Food trucks must pass an annual City inspection per current applicable municipal codes and fire codes prior to issuance of license.

Section 655.050. Fees.

- A. A license fee, which shall be charged by the City of Sikeston for such license, shall be twenty-five dollars (\$25.00) per year per vehicle, trailer, cart or conveyance.
- B. An inspection fee, which shall be charged by the City of Sikeston for such license, shall be twenty-five dollars (\$25.00) per year per vehicle, trailer, cart or conveyance.

Section 655.060. Exhibition of License.

Licensees shall post conspicuously in or on the licensed vehicle, trailer, cart, or other conveyance a copy of their license.

Section 655.070. Permitted Locations.

A. Food trucks are permitted to operate only in the following locations:

1. On private property, with property owner permission, in non-residential zoning districts.
2. In City-designated food truck parking stalls during posted times.
3. In City parks, with the following conditions:
 - a) Food trucks may only locate in parking lots, not on streets, within the park.
 - b) Any use of a park by a food truck operator shall be a non-exclusive use, and use of any particular location shall be on a first come, first served basis.
 - c) A food truck may only operate in a particular park up to 4 hours per day and no more than 4 days per week, and food trucks may not be parked overnight in a city park unless part of an approved event.
 - d) Food trucks may not operate in the following parks except during approved events with permission from the Parks and Recreation Department:
 - i) Legion Park,
 - ii) Veterans Park,
 - iii) Clinton Building parking lots.
 - e) Food trucks may not operate in the following parks during the following events, unless granted written permission from the Parks and Recreation Department:
 - i) VFW Field during any baseball games.
 - ii) The Sports and Recreation Complex during any high school, recreational league or tournament baseball, softball, tee ball, football or soccer games.
 - f) If event organizers have rented a specific park or area of a park for a certain time period, then food trucks are not permitted in those areas during those times without permission of the event organizers.
 - g) It is a privilege, not a right, to operate a food truck in a public park, and that privilege may be revoked by the City Manager or Parks and Recreation Director at any time, upon written notice to the food truck operator.

B. Food trucks shall not sell from the following locations:

1. On public streets or rights-of-way, including sidewalks, except in the following circumstances:
 - a) Hand pushed or pulled, non-motorized carts may be operated on sidewalks in non-residential zoning districts, under the following conditions:
 - i) Carts must not be parked adjacent to any single property more than 4 hours per day, 4 days per week.
 - ii) Cart owners/operators must have permission from the adjacent property owner, unless the cart is simply moving across the right-of-way and only stops momentarily to make a sale.
 - iii) Cart location must not impact pedestrian, bicycle, or motor vehicle traffic circulation or cause other safety issues.

b) Food trucks may operate on public streets or rights-of-way when said areas have been closed to vehicular traffic as part of a special event, provided the food truck operator has permission from the event organizer.

2. In residentially zoned districts, except as part of a city-approved event.

Section 655.080. Other Operational Standards.

A. In carrying on business within the City of Sikeston, all food trucks licensees shall adhere to the following operational standards:

1. All applicable local, state and federal laws shall be obeyed, including, without limitation, building and fire codes related to their equipment and operations, and applicable health regulations. Food truck operations shall not endanger or be detrimental to the public health, safety or welfare or injurious to property or improvements in the immediate vicinity of the food truck, given the nature of the activity, its location on the site and its relationship to it.

2. A food truck shall not be parked on the street overnight. Any food truck found to be unattended shall be considered a public safety hazard and may be ticketed and impounded.

3. The customer service area for food trucks shall be on the side of the truck that faces a curb, lawn or sidewalk when parked. No food service shall be provided on the driving lane side of the truck.

4. Customers shall be provided with single service articles such as plastic utensils and paper plates and a waste container for their disposal. All food truck operators shall offer a waste container for public use which the vendor shall empty at its own expense. All trash and garbage originating from the operation of mobile food vehicles shall be collected and disposed of off-site by the operators each day. Spills of food or food by-products shall be cleaned up, and no dumping of gray water on the streets is allowed.

5. No food truck operator shall make or cause to be made any unreasonable or excessive noise. No loud music, other high-decibel sounds, horns, or amplified announcements are allowed.

6. No flashing or blinking lights, or strobe lights are allowed on mobile food vehicles or related signage when the vehicle is parked and engaged in serving customers.

Section 655.090. Revocation of License.

A. Any license issued pursuant to this Chapter may be revoked immediately by the City Manager of the City of Sikeston, Missouri, for any of the following causes:

1. Any fraud, misrepresentation or false statement contained in the application for license;

2. Any fraud, misrepresentation or false statement made in connection with the selling of goods, wares or products;

3. Any violation of this Chapter;

4. Conviction of the licensee of any felony or of a misdemeanor involving moral turpitude; or

5. Conducting the business licensed under this Chapter in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

B. The license of a Food Truck operator shall be suspended until such time as may be heard publicly and reinstated by the City Council.

C. Notice of hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed, postage prepaid, to the licensee, at his/her last known address, at least five (5) days prior to the date set for the hearing.

Section 655.100. Expiration of License.

All licenses issued under the provisions of this Chapter shall expire on June 30 of each year.

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 6283 was introduced and read the first time this 7th day of November, 2022.
- B. Bill Number 6283 was read the second time and discussed this 28th day of November, 2022, and voted as follows:

Williams _____, Teachout _____, Robison _____,

Self _____, Leible _____, Baker _____,

Turnbow _____, thereby being

_____,

becoming ordinance 6283.

- C. Ordinance 6283 shall be in full force and effect from and after December 28, 2022.

Greg Turnbow, Mayor

Approved as to form
Tabatha J. Graham, City Counselor

Seal / Attest:

Rhonda Council, City Clerk

Council Letter

Date of Meeting: November 7, 2022

Originating Department: Finance

To the Mayor and City Council:

Subject: 1st Reading of Bill Number 6284, Amending Chapter 607 Itinerant Vendor, Section A, Item 2

Attachments:

1. Ordinance Number 6284
2. Current City Code, Chapter 607 Itinerant Vendor

Action Options:

1. First Reading of Bill Number 6284
2. Other action Council may deem appropriate

Background:

When an individual seeks an Itinerant Vendor license, they are required to be fingerprinted. The applicant goes to DPS, where an officer is called in from patrol to fingerprint the individual. The fingerprints are not checked at DPS or ran through any system for criminal history or current warrants. The fingerprint card is forwarded to city hall where it is placed in a file. It is estimated the officer loses 30 minutes of patrol time.

In a recent staff meeting, the question was raised regarding the need for the fingerprints. It appears they are serving no purpose. After discussion, staff suggested deleting the requirements for fingerprinting.

BILL Number 6284

ORDINANCE Number 6284

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6284 AND SHALL AMEND CHAPTER 607. ITINERENT VENDOR, WITHIN THE CITY OF SIKESTON, MISSOURI.

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

SECTION I: This Ordinance shall be codified in Chapter 607. Purchasing Policy of the Sikeston Municipal Code.

SECTION II: Section 607.040 Application, Subsection A, Item 2 requiring the fingerprinting of the person or persons having the management or supervision of applicant and applicant's business, is deleted in its entirety.

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 6284 was introduced and read the first time this 7th day of November 2022.
- B. Bill Number 6284 was read the second time and discussed this 28th day of November 2022, and voted as follows:

Baker _____, Leible _____, Robison _____,
Self _____, Teachout _____, Williams _____,
and Turnbow _____, thereby being _____,
and becoming Ordinance 6284.

- C. Ordinance 6284 shall be in full force and effect from and after December 28, 2022.

Greg Turnbow, Mayor

Approved as to form
Tabatha J. Graham, City Counselor

Seal / Attest:

Rhonda Council, City Clerk

City of Sikeston, MO
Tuesday, October 18, 2022

Chapter 607. Itinerant Vendor

Section 607.010. Permit and License Required.

It shall be unlawful for any peddler, solicitor, itinerant merchant and vendor as defined in Section 607.030 to engage in such business within the corporate limits of the City of Sikeston, Missouri, without first obtaining a permit and license therefore in compliance with the provisions of this Chapter.

Section 607.020. Not-For-Profit Persons or Organizations.

The provisions of this Chapter shall apply only to those persons or corporations actually engaged in the business of soliciting for profit and shall not apply to any tax exempt not-for-profit persons, associations or corporations (i.e., Kiwanis, Lions, Elks, churches, boy and girl scouts and like organizations).

Section 607.030. Definitions.

As used in this Chapter, the following terms shall have these prescribed meanings:

ITINERANT VENDOR

Any person, firm or corporation, whether as owner, agent, consignee or employee, whether a resident of the City or not, who engages in a temporary business of selling and delivering goods, wares and merchandise within said City, and who, in furtherance of such purposes, hires, leases, uses or occupies any building, structure, motor vehicle, tent, railroad box car, or boat, public room in hotels, lodging houses, apartments, shops, or any street, alley, or other place within the City of Sikeston, Missouri, for the exhibition and sale of such goods, wares, and merchandise, provided that such definition shall not be construed to include any person, firm, or corporation who, while occupying such temporary location, does not sell from stock, but exhibits samples only for the purpose of securing orders for future delivery only. The person, firm, or corporation so engaged shall not be relieved from complying with the provisions of this Chapter merely by reason of associating temporarily with any local dealer, trader, merchant or auctioneer or by conducting such transient business in connection with, as a part of or in the name of any local dealer, trader, merchant or auctioneer.

PEDDLER

Shall include any person, whether a resident of the City of Sikeston, Missouri, or not, traveling by foot, wagon, automotive vehicle, or any other type of conveyance, from place to place, from house to house or from street to street, carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck farm products or provisions, offering and exposing the same for sale, or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, automotive vehicle, railroad car, or other vehicle or conveyance, and further provided that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this Chapter. The word "peddler" shall include the words "hawker" and "huckster".

PERSON

Includes the singular and the plural and shall also mean and includes any person, firm or corporation, association, club, co-partnership or society or any other organization.

SOLICITOR

Any individual, whether resident of the City of Sikeston, Missouri, or not, traveling either by foot, wagon, automobile, motor truck or any other type of conveyance from place to place, from house to house or from street to street taking or attempting to take orders for sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether he/she is collecting advance payments on such sales or not, provided that such definition shall not include any person who, for himself/herself or for another person, firm or corporation, hires, leases, uses or occupies any building, structure, tent, railroad box car, boat, hotel room, lodging house, apartment, shop or any other place within the City for the sole purpose of exhibiting samples and taking orders for future delivery.

Section 607.040. Application.

- A. Applicants for license under this Chapter, whether a person, firm or corporation, shall file a written sworn application signed by the applicant, in duplicate on a form supplied by the City Clerk if an individual, by all partners if a partnership and by the president if a corporation with the City Clerk showing:
1. The name or names of the person or persons having the management or supervision of applicant's business during the time that it is proposed that it will be carried on in the City of Sikeston, Missouri; the local address or addresses of such person or persons while engaged in such business; the permanent address or addresses of such person or person; the capacity in which such person or persons will act (that is, whether as proprietor, agent or otherwise); the name and address of the person, firm or corporation for whose account the business will be carried on, if any; and if a corporation, under the laws of what State the same is incorporated.
 2. The fingerprints of the person or persons having the management or supervision of applicant and applicant's business.
 3. The place or places in the City of Sikeston, Missouri, where it is proposed to carry on applicant's business and the length of time during which it is proposed that said business shall be conducted.
 4. The place or places, other than the permanent place of business of the applicant, where applicant within the six (6) months next preceding the date of said application conducted a transient business, stating the nature thereof and giving the post office and street address of any building or office in which such business was conducted.
 5. A brief description of the nature of the business and the goods to be sold and in the case of products of farm or orchard, whether produced or grown by the applicant.
 6. If employed, the name and address of employer, together with credentials establishing the exact relationship.
 7. If a vehicle is to be used, a description of same, together with license number or other means of identification.
 8. The place where the goods or property proposed to be sold or orders taken for the sale thereof are manufactured or produced, where such goods or products are located at the time said application is filed and the proposed method of delivery.
 9. A photograph of the applicant, taken within sixty (60) days immediately prior to the date of filing of the application, which picture shall be two (2) inches by two (2) inches showing the head and shoulders of the applicant in a clear and distinguishing manner.

10. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefore.
11. With respect to the goods listed in Subparagraph (5) above, a statement of the nature, character and quality of the goods, wares or merchandise to be sold or offered for sale by applicant in the City of Sikeston, Missouri, the invoice value and quality of such goods, wares and merchandise, whether the same are proposed to be sold from stock in possession or from stock in possession and by sample; at auction, by direct sale or by direct sale and taking orders for future delivery; where the goods or property proposed to be sold are manufactured or produced and where such goods or products are located at the time said application is filed.
12. A brief statement of the nature and character of advertising done or proposed to be done in order to attract customers and, if required by the City Clerk, copies of all said advertising, whether by handbills, circular, newspaper advertising or otherwise, shall be attached to said application as exhibits thereto.
13. Whether or not the person or persons having the management or supervision of the applicant's business have been convicted of a crime, misdemeanor or the violation of any municipal ordinance, the nature of such offense and the punishment assessed therefore.
14. Credentials for the person, firm or corporation for which the applicant proposes to do business, authorizing the applicant to act as such representative.
15. Such other reasonable information as to the identity or character of the person or persons having the management or supervision of applicant's business or the method or plan of doing such business as the City Clerk may deem proper to fulfill the purpose of this Chapter in the protection of the public good.
16. At the time of the filing of the application, a fee of forty-three dollars (\$43.00) shall be paid to the City Clerk to cover the cost of investigation.
17. The application process will take, at a minimum, twenty-eight (28) days to complete.
18. At the time of the filing of the application, a Power of Attorney shall be completed and filed with City Clerk.
19. At the time of the filing of the application, a badge shall be issued with a deposit of twenty dollars (\$20.00) per badge.

Section 607.050. Investigation and Issuance.

- A. Upon receipt of such application, the original shall be referred to the Director of Public Safety who shall cause such investigation of the applicant's business and moral character to be made as he/she deems necessary for the protection of the public good.
- B. If, as a result of such investigation, the applicant character or business responsibility is found to be unsatisfactory, the Director of Public Safety shall endorse on such application his/her disapproval and his/her reasons for the same and return the said application to the City Clerk who shall notify the applicant that his/her application is disapproved and that no license will be issued.
- C. If, as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the Director of Public Safety shall endorse on the application his/her approval and return said approval, along with the application, to the City Clerk who shall, upon payment of the prescribed license fee, issue a license. Such license shall contain the signature and seal of the issuing officer and shall show the name, address and photograph of said licensee, the class of license issued and the kind of goods to be sold thereunder, the amount of fee paid, the date of issuance and the length of time the same shall be operative, as well as the license number and other identifying description of any vehicle used in the business. The Clerk shall keep a

permanent record of all licenses issued, the place where said business may be carried on under said license and the name or names of the person or persons authorized to carry on the same.

Section 607.060. Bond.

Before any license, as provided by this Chapter, shall be issued for engaging in the businesses as defined in Section **607.030** in the City of Sikeston, Missouri, such applicant shall file with the City Clerk a bond running to the City of Sikeston, Missouri, in the sum of one thousand dollars (\$1,000.00) executed by the applicant, as principal, and a surety bond upon which service of process may be made in the State of Missouri; said bond to be approved by the City Counselor, conditioned that the said applicant shall comply with all of the provisions of the ordinances of the City of Sikeston, Missouri, and the Statutes of the State of Missouri regulating and concerning the sale of goods, wares and merchandise and will pay all judgments rendered against said applicant for any violation of said ordinances or Statutes or any of them, together with all judgments and costs that may be recovered against him/her by any person or persons for damage growing out of any misrepresentation or deception practiced on any person transacting such business with said applicant, whether said misrepresentations or deceptions were made or practiced by the owners or by their servants, agents or employees, either at the time of making the sale or through any advertisement of any character whatsoever, printed or circulated with reference to the goods, wares and merchandise sold or any part thereof and guaranteeing to any citizen of the City of Sikeston, Missouri, that property purchased will be delivered according to the representations of the said applicant. Action on the bond may be brought in the name of the City to the use of the aggrieved person. Such bond must be approved by the City Counselor, both as to form and as the responsibility of the sureties thereon.

Section 607.070. Fees.

The license fee, which shall be charged by the City of Sikeston for such license, shall be two dollars (\$2.00) per day, four dollars (\$4.00) per three (3) consecutive day period, eight dollars (\$8.00) per month or twenty-five dollars (\$25.00) per year for each person defined as a solicitor, peddler, itinerant merchant or itinerant vendor. Thereof for each helper or assistant to those using vehicles, which helpers must procure the permit and license as herein provided for itinerant merchants or itinerant vendors. All solicitors and peddlers must obtain a separate license.

Section 607.080. Badges.

Each applicant for peddler or solicitor shall be issued by the City Clerk at the time of delivery of his/her license a badge which shall contain the words "Licensed Peddler or Solicitor", the period for which the license is issued and the number of the license in letters and figures easily discernible from a distance of ten (10) feet. Such badge shall, during the time such licensee is engaged in peddling, be worn constantly by the licensee on the front of his/her outer garment in such a way as to be conspicuous. Each licensee shall deposit twenty dollars (\$20.00) per badge, fifteen dollars (\$15.00) will be returned upon receipt of the badge by the City Clerk. Licensee shall have fourteen (14) days after license expires to claim deposit.

Section 607.090. Service of Process.

Before any license as herein provided shall be issued for engaging in the businesses defined herein in the City of Sikeston, Missouri, such applicant shall file with the City Clerk or the person performing the duties of such position, his/her true and lawful agent with full power and authority to acknowledge service of notice of process for and on behalf of said applicant in respect to any matters connected with or arising out of the business transacted under said license and the bond given as required by Section **607.060** or for the performance of the conditions of said bond or for any breach thereof, which said

instrument shall also contain recitals to the effect that said applicant for said license consents and agrees that service of a notice of process may be made upon said agent and when so made shall be taken and held to be as valid as if personally served upon the person or persons applying for the said license under this Chapter, according to the law of this or any other State and waiving all claim or right of error by reason of such acknowledgment of service or manner of service. Immediately upon service of process upon the City Clerk as herein provided, the City Clerk shall send to the licensee at his/her last known address, by registered mail, a copy of said process.

Section 607.100. Exhibition of License.

Peddlers and solicitors are required to exhibit their licenses at the request of any citizen and itinerant merchants or vendors shall post conspicuously in the place of business named their license, the original of their said license. In the event that such person or persons applying for said license shall desire to do business in more than one (1) place within the City, separate licenses shall be issued for each place of business and shall be posted conspicuously in each place of business.

Section 607.110. Transfer.

No license or badge issued under the provisions of this Chapter shall be used or worn at any time by any person other than the one to whom it was issued.

Section 607.120. Loud Noises and Speaking Devices.

No licensee under this Chapter nor anyone in his/her behalf shall shout, make any outcry, blow a horn, ring a bell or use any other sound device including any loud speaking radio or amplifying system upon any of the streets, alleys, parks or other public places of the City of Sikeston, Missouri, or upon any private premises in the City where sound of sufficient volume heard upon the streets, avenues, alleys or parks or other public places, for the purposes of attracting attention to any goods, wares or merchandise which such licensee purposes to sell.

Section 607.130. Use of Streets.

No licensee shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location, nor shall he/she be permitted to operate in any congested area where his/her operations might impede or inconvenience the public. For the purposes of this Chapter, the judgment of the Public Safety Officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

Section 607.140. Duty of Public Safety Officers To Enforce.

It shall be the duty of the public safety officers of the City of Sikeston, Missouri, to require any person seen soliciting or peddling, who is not known to such officer as to be duly licensed, to produce his/her solicitor's license or peddler's license and to enforce the provisions of this Chapter against any person found to be violating same and to determine all places of business and persons in their respective territories and to examine all places of business and persons in their respective territories subject to the provisions of this Chapter to determine if this Chapter has been complied with.

Section 607.150. Records.

The Director of Public Safety shall report to the City Clerk all convictions for violation of this Chapter and the City Clerk shall maintain a record for each license issued and record the reports of violation therein.

Section 607.160. Revocation of License.

- A. The permits and licenses issued pursuant to this Chapter may be revoked immediately by the City Manager of the City of Sikeston, Missouri, for any of the following causes:
 - 1. Any fraud, misrepresentation or false statement contained in the application for license;
 - 2. Any fraud, misrepresentation or false statement made in connection with the selling of goods, wares or merchandise;
 - 3. Any violation of this Chapter;
 - 4. Conviction of the licensee of any felony or of a misdemeanor involving moral turpitude; or
 - 5. Conducting the business licensed under this Chapter in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- B. The license of an itinerant vendor shall be suspended until such time as may be heard publicly and reinstated by the City Council.
- C. Notice of hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed, postage prepaid, to the licensee, at his/her last known address, at least five (5) days prior to the date set for the hearing.

Section 607.170. Appeal.

Any person aggrieved by the decision of the City Manager in regard to the denial of application for license as provided for in this Chapter or in connection with the revocation of a license as provided for in Section **607.160** shall have the right to appeal to the City Manager of the City of Sikeston, Missouri. Such appeal shall be taken by filing with the City Manager within fourteen (14) days after notice of the decision by the City Manager has been mailed to such person's last address, a written statement setting forth the grounds for the appeal. The City Manager shall set the time and place for a hearing on such appeal and notice of such hearing shall be given to such person in the same manner as provided in Section **607.160** for notice of hearing on revocation. The order of the City Council on such appeal shall be final.

Section 607.180. Expiration of License.

All licenses issued under the provisions of this Chapter shall expire on the date of expiration displayed on license and badge.

Section 607.190. Exemptions To License Requirements.

- A. License requirements shall be excluded:
 - 1. If such vendors choose to locate within an established farmers' or flea market or is a seller of fresh fruits and vegetables, or
 - 2. In the sole opinion of the City Manager circumstances exist that warrants the exemption of said vendor from the license requirements.

B. The above-referenced license fees (Section **607.070**) will still apply.

Section 607.200. Penalty.

Any person, firm or corporation violating any of the provisions of this Chapter shall, upon conviction thereof, be punished by the fine not to exceed five hundred dollars (\$500.00) or by imprisonment not to exceed ninety (90) days, or both such fine and imprisonment.

Section 607.210. Hours of Operation.

Notwithstanding other provisions of this Chapter to the contrary, solicitors and peddlers shall be limited to the hours of solicitation and peddling from 9:00 A.M. to one-half ($\frac{1}{2}$) hour past sunset, Central Time Zone.

Council Letter

Date of Meeting: November 7, 2022

Originating Department: City Manager

To the Mayor and City Council:

Subject: Unilever Chapter 100 Bonds

Attachment(s):

1. Bill No. 6287
2. Plan (Exhibit A)
3. Special Warranty Deed (Exhibit B)
4. Lease Agreement (Exhibit C)
5. Performance Agreement (Exhibit D)
6. Trust Indenture (Exhibit E)
7. Bond Purchase Agreement (Exhibit F)

Action Options:

1. Second Reading & Consideration of Bill No. 6287
2. Other Action Council May Deem Necessary

Background:

Unilever Manufacturing is requesting City Council approval of a plan for an industrial development project and the issuance of industrial revenue bonds pursuant to Sections 100.010 to 100.200 of the Revised Statutes of Missouri for the purpose of providing tax incentives to Unilever Manufacturing (US), Inc. (the "Company") in connection with an expansion of the Company's facilities located at 2400 Rose Parkway in the City.

Staff seeks Council's approval of this bill.

AN ORDINANCE AUTHORIZING THE CITY OF SKESTON, 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 Skeston, 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 SKESTON, 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 on the 31st day of October, 2022.
- B. Bill Number 6287 was read for the second and final time and discussed on this 7th day of November, 2022, and final passage thereon was voted as follows:
- Leible _____, Self _____, Robison _____, Baker _____,
- Teachout _____, Williams _____, and Turnbow _____,
- thereby being approved and becoming Ordinance No. 6287.
- 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.

Greg Turnbow, Mayor

Approved as to form
Tabatha J. Graham, City Counselor

SEAL / ATTEST:

Rhonda Council, City Clerk

EXHIBIT A

**PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT
AND
COST/BENEFIT ANALYSIS**

[On file with the City Clerk]

EXHIBIT B

SPECIAL WARRANTY DEED (COMPANY TO CITY)

[On file with the City Clerk]

EXHIBIT C

LEASE AGREEMENT

[On file with the City Clerk]

EXHIBIT D
PERFORMANCE AGREEMENT

[On file with the City Clerk]

EXHIBIT E

TRUST INDENTURE

[On file with the City Clerk]

EXHIBIT F

BOND PURCHASE AGREEMENT

[On file with the City Clerk]

Council Letter

Date of Meeting: November 7, 2022

Originating Department: City Manager

To the Mayor and City Council:

Subject: Amended Industrial Development Plan for Carlisle Construction Materials

Attachment(s):

1. Bill No. 6288
2. Amended Plan
3. Amended Bond Documents

Action Options:

1. Second Reading & Approval of Bill No. 6288
2. Other Action Council May Deem Necessary

Background:

On June 28, 2021, the City Council approved a plan for an industrial development project relating to tax incentives for the Carlisle Construction Materials facility that is now under construction in the South Industrial Park.

Carlisle Construction Materials is requesting that the City Council consider an ordinance approving an amended and restated plan for an industrial development project. The purpose of the Amended Plan is to amend the Original Plan to reflect an increase in the Company's investment from \$85,000,000 in the Original Plan to \$123,000,000 in the Amended Plan.

Staff seeks Council's approval of Bill 6288.

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

WHEREAS, the City of Skeston, 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 SKESTON, 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 on the 31st day of October, 2022.
- B. Bill Number 6288 was read for the second and final time and discussed on this 7th day of November, 2022, and final passage thereon was voted as follows:
- Teachout _____, Leible _____, Self _____, Baker _____,
- Robison _____, Williams _____, and Turnbow _____,
- thereby being approved and becoming Ordinance No. 6288.
- C. Upon passage by a majority of the Council, this Bill shall become Ordinance No. 6288 and shall be in full force and effect from and after December 7, 2022.

Greg Turnbow, Mayor

Approved as to form
Tabatha J. Graham, City Counselor

SEAL / ATTEST:

Rhonda Council, City Clerk

EXHIBIT A
AMENDED PLAN

EXHIBIT B

OMNIBUS AMENDMENT TO BOND DOCUMENTS

Council Letter

Date of Meeting: 22-11-07

Originating Department: Governmental Services

To the Mayor and City Council:

Subject: 1st Reading, Bill # 6289, Calling for April 4, 2023, General Election

Attachments:

1. Bill # 6289
2. Legal Notice

Action Options:

1. 1st Reading, Bill # 6289
2. Other Action council may deem appropriate

Background:

Bill # 6289 calls for a general election to be held on Tuesday, April 4, 2023, for the purpose of electing Councilman At-Large for a three-year term. Staff will request approval of this bill at the November 28, 2022 Council meeting.

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.

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

SECTION I: This ordinance shall not be codified.

SECTION II: That in accordance with the Missouri Comprehensive Election Laws of the State of Missouri, applicable Missouri Revised Statutes of the State of Missouri and the ordinances of the City of Sikeston, Missouri, a General Election shall be held and the same is hereby ordered to be held on Tuesday, April 4, 2023.

SECTION III: That the polls be open for said election continuously from six o' clock in the forenoon until seven o'clock in the afternoon of that day, April 4, 2023.

SECTION IV: That said election be held in the City of Sikeston, Missouri, in the polling places and precincts designated by the County Clerks.

SECTION V: That said election is hereby called for the purpose of electing one (1) candidate for the office of Councilman At-Large.

SECTION VI: That the Judges and Clerks of said election shall be those appointed by the County Clerks.

SECTION VII: That the City Clerk shall cause notice, poll books, ballots, and all other matters necessary to the election to be requested from the County Clerks' office as required by law.

SECTION VIII: That the City Clerk of the City of Sikeston, Missouri, be and she is hereby authorized and directed to notify the County Clerks of Scott and New Madrid County, Missouri, of the adoption of this ordinance no later than January 24, 2023, and to include in said notification all the terms and provisions required by the Comprehensive Election Act of 1986, as amended, and the above cited Statutes and ordinances.

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

SECTION X: 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 XI: Record of Passage.

A. Bill Number 6289 was introduced to Council and read the first time this 7th day of November 2022.

B. Bill Number 6289 was read the second time, discussed and voted upon this 28th day of November 2022, as follows:

Self _____, Teachout _____, Leible _____, Robison _____,

Baker _____, Williams _____, and Turnbow _____,

thereby being _____,

becoming Ordinance 6289.

C. Ordinance 6289 shall be in full force and effect from and after December 28, 2022.

Bill Number 6289

Ordinance Number 6289

Greg Turnbow, Mayor

APPROVED AS TO FORM
Tabatha J. Graham, City Counselor

SEAL/ATTEST

Rhonda Council, City Clerk

Section 7: That the City Clerk of the City of Sikeston, Missouri, be and he is hereby

authorized and directed to notify the County Clerks of Scott and New Madrid County, Missouri, of the adoption of the ordinance no later than January 24, 2023, and to include in said notification of all terms and provisions required by the Comprehensive Election Act of 1986, as amended, and the above cited Statutes and ordinances.

Section 8: The ballots used in the aforementioned General Election shall be in substantially the following form:

WARNING: Voting for more than the total number of candidates to be chosen for any one office will invalidate this ballot.

OFFICIAL BALLOT – WARD 1 - SCOTT COUNTY

Candidates for Councilman At-Large of Sikeston, Missouri, at the General Election (3 Year Term):

Vote for one (1) Candidate

☐ Ryan Lindsey

☐ Lori Caldwell

☐

Mark an 'X' in the box opposite the name of the candidate for whom you wish to vote.

OFFICIAL BALLOT – WARD 2 - SCOTT COUNTY

Candidates for Councilman At-Large of Sikeston, Missouri, at the General Election (3 Year Term):

Vote for one (1) Candidate

☐ Ryan Lindsey

☐ Lori Caldwell

☐

Mark an 'X' in the box opposite the name of the candidate for whom you wish to vote.

OFFICIAL BALLOT – WARD 3 - SCOTT COUNTY

Candidates for Councilman At-Large of Sikeston, Missouri, at the General Election (3 Year Term):

Vote for one (1) Candidate

☐ Ryan Lindsey

☐ Lori Caldwell

☐

Mark an 'X' in the box opposite the name of the candidate for whom you wish to vote.

OFFICIAL BALLOT – WARD 4 - SCOTT COUNTY

Candidates for Councilman At-Large of Sikeston, Missouri, at the General Election (3 Year Term):

Vote for one (1) Candidate

☐ Ryan Lindsey

☐ Lori Caldwell

☐

Mark an 'X' in the box opposite the name of the candidate for whom you wish to vote.

OFFICIAL BALLOT – WARD 3 – NEW MADRID COUNTY

Candidates for Councilman At-Large of Sikeston, Missouri, at the General Election (3 Year Term):

Vote for one (1) Candidate

☐ Ryan Lindsey

☐ Lori Caldwell

☐

Mark an 'X' in the box opposite the name of the candidate for whom you wish to vote.

Council Letter

Date of Meeting: November 7, 2022

Originating Department: Finance

To the Mayor and City Council:

Subject: Second Reading of Bill Number 6285, Authorizing the Mayor to Execute a Contract with Missouri Highways and Transportation Commission for Construction of Sidewalks along Linn Street

Attachments:

1. Ordinance Number 6285

Action Options:

1. Second Reading and Passage of Bill Number 6285
2. Other action Council may deem appropriate

Background:

The Missouri Highways and Transportation Commission has awarded the City of Sikeston a grant for the construction of a sidewalk, utilizing 2022 Transportation Alternative Program (TAP) funds. The sidewalks begin at US 61 between and along Linn Street and US 62 heading easternly until ending at South Ingram Road. The project will include construction of a new multi-use trail and ramps, new concrete ADA compliant entrances, drainage structures, striping, signing, and miscellaneous trail features. Total length of the improvement is 2,900 feet.

The TAP-5800(015) funds provide a 75% reimbursement not to exceed \$315,671.88. The total cost is estimated to be \$420,895.84. The City's cost is \$105,223.96 and was not included in the FY23 Budget. Bill Number 6285 authorizes the execution of this agreement.

A copy of the proposed contract along with Exhibits A and B is attached. Exhibit C is available for review in my office as it is a lengthy listing of the required contract provisions for federal-aid construction contracts. Bill Number 6286 authorizes the mayor and city clerk to execute the agreement with the Missouri Highway and Transportation Commission.

Staff recommends approval of Bill Number 6285.

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 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 August 2022.
- B. Bill Number 6285 was read the second time and discussed this 7th day of November 2022, and voted as follows:

Baker _____, Leible _____, Robison _____,
Self _____, Teachout _____, Williams _____,
and Turnbow _____, thereby being _____,
and becoming Ordinance 6285.

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

Greg Turnbow, Mayor

Approved as to form
Tabatha Thurman, City Counselor

Seal / Attest:

Rhonda Council, City Clerk

Council Letter

Date of Meeting: November 7, 2022

Originating Department: Finance

To the Mayor and City Council:

Subject: Second Reading of Bill Number 6286, Authorizing the Mayor to Execute a Contract with Missouri Highways and Transportation Commission for Construction of Sidewalks along North West Street

Attachments:

1. Ordinance Number 6286

Action Options:

1. Second Reading and Passage of Bill Number 6286
2. Other action Council may deem appropriate

Background:

The Missouri Highways and Transportation Commission has awarded the City of Sikeston a grant for the construction of a sidewalk, utilizing Transportation Alternative Program (TAP) funds. The sidewalks begin at Wakefield Avenue and heading southerly along North West Street until ending just north of Route 114 (Malone). The project will include construction of a new multi-use trail and ramps, new concrete ADA compliant entrances, drainage structures, striping, signing, and miscellaneous trail features. Total length of the improvement is 3,860 feet.

The TAP-5800(016) funds provide a 75% reimbursement not to exceed \$155,092.50. The total cost is estimated to be \$206,790. The City's share is \$51,697.50. This was not included in the FY23 Budget. Bill Number 6286 authorizes the execution of this agreement.

A copy of the proposed contract along with Exhibits A and B is attached. Exhibit C is available for review in my office as it is a listing of the required contract provisions for federal-aid construction contracts. Bill Number 6286 authorizes the mayor and city clerk to execute the agreement with the Missouri Highway and Transportation Commission.

Staff recommends passage of Bill 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 this 7th day of November 2022, and voted as follows:

Baker _____, Leible _____, Robison _____,
Self _____, Teachout _____, Williams _____,
and Turnbow _____, thereby being _____,
and becoming Ordinance 6286.

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

Greg Turnbow, Mayor

Approved as to form
Tabatha J. Graham, City Counselor

Seal / Attest:

Rhonda Council, City Clerk

Council Letter

Date of Meeting: November 7, 2022

Originating Department: Finance

To the Mayor and City Council:

Subject: Authorization to Negotiate a Contract for Architectural Services

Attachments:

1. None

Action Options:

1. Authorize Staff to Negotiate a Contract for Architectural Services
2. Other action Council may deem appropriate

Background:

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, however the Draw Architecture and Urban Design, LLC was a very close second.

Staff is requesting authorization to form a committee to negotiate a contract for architectural services.

Council Letter

Date of Meeting: 22-11- 07

Originating Department: Community Development / Streets

To the Mayor and City Council:

Subject: Revision of the Adopt-a-Road Application

Attachment(s):

1. Revised Adopt-a-Road Application
2. Previous Adopt-a-Road Application

Action Options:

1. Present to council for any changes

Background:

The revision of the Adopt-a-Road application was brought to the department during the council retreat.



105 E. Center Street
Sikeston, MO 63801
573-471-2512
www.Sikeston.org

APPLICATION FOR ADOPT-A-ROAD PROGRAM

_____ will pick up litter on _____ from
(Name of Adopter) (Name of Street)

_____ to _____. Each adopter is required to clean the adopted road at least two clean ups a year. During clean up, the adopter is required to state when they will clean up the area, you are required to state how many bags that you have bagged, and how many volunteered with the adopter to clean up the adopted road. If the adopter does not meet these requirements, the renewal of the contract will be voided before the expiration date. Adopter will advise the City of Sikeston Street Department at 573-475-3732. Two business days in advance of doing any work on the right-a-way.

_____ will hold a safety meeting prior to each cycle of work and advise the
(Adopter Representative)
workers of the potential hazards of working on road right-a way and ensure that all workers vehicles will be parked beyond the roadway shoulders and that volunteers wear high visibility shirts/vests.

City of Sikeston's Street Department will provide necessary trash bags and will pick up the filled trash bags. The Street Department will also provide identification signs at each end of the adopted area.

(Adopter Representative)

(Address, City, State)

(Phone Number)

(Date)

Please PRINT a message you would like
on your sign (Maximum 40 characters).

-----OFFICE USE ONLY-----

Approved by (Street Supervisor): _____

Effective Date: _____

Revised/Oct2022

APPLICATIONS ARE EFFECTIVE FOR 1 YEAR PERIOD AND REQUIRES ANNUAL RENEWAL



105 E. Center Street
Sikeston, MO 63801
573-471-2512
www.Sikeston.org

APPLICATION FOR ADOPT-A-ROAD PROGRAM

_____ will pick up litter on _____
(Name of Adopter) (Name of Street)

from _____ to _____ (intersecting streets; minimum half mile)
approximately every _____ months/weeks. Adopter will advise the City of Sikeston Street
Department at 475-3732 twenty-four (24) hours in advance of doing any work on the right-of-way.

_____ will hold a safety meeting prior to each cycle of work and advise
(Adopter Representative)
the workers of the potential hazards of working on road right-of-way and insure that all workers
vehicles will be parked beyond the roadway shoulders.

City of Sikeston's Street Department will provide necessary trash bags, and will pick up the filled
trash bags. The Street Department will also provide identification signs at each end of the adopted
area.

_____ (Adopter Representative) _____ (Address, City, State)

_____ (Phone Number) _____ (Date)

Please PRINT a message you would like
on your sign (maximum 40 characters).

-----OFFICE USE ONLY-----

Approved by (Street Supervisor): _____

Effective Date: _____

Council Letter

Date of Meeting: 22-11- 07

Originating Department: Department of Community Development

To the Mayor and City Council:

Subject: LCRA Update on Lot Clean Up

Attachment(s):

1. None

Action Options:

1. None

Background:

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 in our 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.