

## TENTATIVE AGENDA

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

Monday, December 5, 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 October 31, 2022
  - B. Regular Council Minutes November 7, 2022
- VI. ACCEPTANCE OF BOARD AND COMMISSION MINUTES
  - A. Board of Adjustments May 9, 2022
  - B. LCRA August 15, 2022
  - C. LCRA September 19, 2022
  - D. LCRA October 17, 2022
  - E. Library Board August 1, 2022
  - F. Planning & Zoning October 11, 2022
- VII. PUBLIC HEARING – UPDATE ON TAX INCREMENTAL FINANCING DISTRICTS
- VIII. ITEMS OF BUSINESS
  - A. 2<sup>nd</sup> Reading & Consideration, Bill #6289, Calling for General Election
  - B. 2<sup>nd</sup> Reading & Consideration, Bill #6283, Establishing Chapter 655 – Food Trucks
  - C. 2<sup>nd</sup> Reading & Consideration, Bill #6284, Amending Chapter 607 – Itinerant Vendor
  - D. 1<sup>st</sup> Reading, Bill #6290, Request to Subdivide Hilltop Estates
  - E. 1<sup>st</sup> Reading, Bill #6292, Parcel Redevelopment Agreement for 60 W. TIF
  - F. 1<sup>st</sup> & 2<sup>nd</sup> Reading, Bill #6291, Change the Existing 25-foot Building Offset to 15-foot Building Offset
  - G. Authorization to Purchase New Structural Firefighting Gear
  - H. Interim Appointment to Planning & Zoning
  - I. Renew City Prosecuting Attorney Contract
  - J. Authorization to Apply for Airport CARES Act Grant
  - K. Authorization to Apply for CRRSA Grant
  - L. Authorization to Apply for ARPA Funds
  - M. Award S. Ingram Overpass Bid
  - N. Capital Improvement Plan 2024-2028
  - O. Stormwater Management Plan Annual Summary
  - P. Request for Conditional Use Variance for Nursing Home to be Located in an IL (Light Industrial) Zone at 302 Stallcup Dr.
  - Q. Discussion: Options for Closing Alley Behind Sallcup Building
  - R. Other Items as May Be Determined During the Course of the Meeting

IX. ADJOURNMENT

Dated this 29<sup>th</sup> day of November 2022

*Rhonda Council*

Rhonda Council, City Clerk

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

**REGULAR CITY COUNCIL MEETING**  
**OCTOBER 31, 2022**

The regular Sikeston City Council meeting of October 31, 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, Vest Baker, John Leible, Tom Robison and David Teachout. Staff in attendance were: City Manager Jonathan Douglass, City Clerk Rhonda Council, Finance Director Karen Bailey, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Parks Director Dustin Care, Community Development Director Barry Blevins, and Public Safety Captain Derick Wheetley. City Counselor Tabatha Thurman was absent.

**ITEMS OF BUSINESS**

**1<sup>st</sup> Reading, Bill #6285, TAP-5800 (15) Grant Agreement for the Construction of Sidewalks along US 61 between Linn St. and US 62**

Councilman Self moved for the first reading of Bill Number 6285. The motion was seconded by Councilman Robison and the following vote recorded:

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

City Clerk Rhonda Council presented the bill for reading. This bill as approved shall become Ordinance Number 6285 and shall authorize the Mayor and City Clerk to execute an agreement with the Missouri Highways and Transportation Commission for Transportation Alternatives program (TAP) Funds on behalf of the City of Sikeston, Missouri.

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.

**1<sup>st</sup> Reading, Bill #6286, TAP-5800 (16) Grant Agreement for the Construction of Sidewalks beginning at Wakefield Ave. and heading Southernly along North West St. until just north of Route 114 (Malone Ave.)**

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

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

City Clerk Rhonda Council presented the bill for reading. 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.

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.

1<sup>st</sup> Reading, Bill #6287, Approve Chapter 100 Bonds for Unilever

Councilman Baker moved for the first reading of Bill Number 6287. The motion was seconded by Councilman Self and the following vote recorded:

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

City Clerk Rhonda Council presented the bill for reading. This bill as approved shall become Ordinance Number 6287 authorizing the City of Sikeston, Missouri to issue its Taxable Industrial Revenue Bonds (Unilever Project), Series 2022, in a principal amount of not to exceed \$22,000,000 for the purpose of providing funds to pay the costs of acquiring, constructing and equipping a facility for an Industrial Development Project in the City; approving a plan for the project; and authorizing the City to enter into certain agreements and take certain other.

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.

1<sup>st</sup> Reading, Bill #6288, Approve Chapter 100 Bonds for Carlisle

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

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

City Clerk Rhonda Council presented the bill for reading. This bill as approved shall become Ordinance Number 6288 approving an amended and restated plan for an Industrial Development Project and Cost/Benefit Analysis and authorizing the City of Sikeston, Missouri to enter into an Omnibus Amendment to Bond Documents in connection with a project by Carlisle Construction Materials, LLC.

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.



Resolution 22-10-04, Delta Regional Authority Federal Award Program

## RESOLUTION 22-10-04

A RESOLUTION OF THE CITY OF SKESTON, MISSOURI STATING THE DELTA REGIONAL AUTHORITY (hereinafter "DRA") was created by Congress by the Delta Regional Authority Act of 2000, as amended, as a federal/state partnership now comprised of 252 counties and parishes within the eight states of Alabama, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri and Tennessee in order to remedy severe and chronic economic distress by stimulating economic development and fostering partnerships that will have a positive impact on the Delta Region's economy.

WHEREAS, The City of Skeston, acting by and through its City Council, proposes to apply for a award with DRA for the Fiscal Year 2022 federal award program cycle; and

WHEREAS, DRA requires that a person be designated, appointed, and given the authority to perform certain duties and administration of said award for and on behalf of the Awardee; and

WHEREAS, The Skeston City Council met in a regular session on October 31, 2022 whereby \_\_\_\_\_ were \_\_\_\_\_ present, constituting a quorum; and

WHEREAS, A motion was made by \_\_\_\_\_, was seconded by \_\_\_\_\_ to designate and appoint Jay Lancaster to perform all duties and administration of said award, which carried unanimously by voice vote and was recorded on the minutes; and

WHEREAS, A motion was made by \_\_\_\_\_, was seconded by \_\_\_\_\_ to provide additional funds in the amount of \$8,400,000 to said award which carried unanimously by voice vote and was recorded on the minutes; and

WHEREAS, A motion was made by \_\_\_\_\_, was seconded by \_\_\_\_\_, that in the event of an administration change, the new Public Works Director shall continue to have such authority under this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Skeston, Missouri, as follows:

THEREFORE, BE IT FURTHER RESOLVED that Jay Lancaster be and is hereby designated and appointed to perform on the behalf of City of Skeston and has the authority to make those acts and assume any and all duties in dealing with the award with DRA for the Fiscal Year – 2022 federal award program cycle.

THEREFORE, BE IT FURTHER RESOLVED that Jay Lancaster is hereby authorized to execute and submit any and all documents including, but not limited to, applications, award closing documents, request for funds, status reports to DRA for the Fiscal Year – 2022 federal award program cycle.

THEREFORE, BE IT FURTHER RESOLVED that the Awardee agrees to provide additional funds in the amount of \$8,400,000 to said award.

THEREFORE, BE IT FURTHER RESOLVED that in the event of an administration change, the new Public Works Director shall continue to have such authority under this Resolution.

Councilman Baker moved to approve Resolution 22-10-04, authorizing Jay Lancaster of the City of Sikeston to sign required documents related to the Delta Regional Authority (DRA) Federal Award Program grant that was awarded to Board of Municipal Utilities (BMU) in the amount of \$1,013,860 for improvements to their wastewater treatment system. The grant is a pass through from DRA to the City to BMU, with BMU providing all matching funds. The motion was seconded by Councilman Leible, discussed and the following roll call vote recorded:

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

### **ADJOURNMENT**

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

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

APPROVED:

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GREG TURNBOW, MAYOR

ATTEST:

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RHONDA COUNCIL, CITY CLERK

SEAL:

**REGULAR CITY COUNCIL MEETING**  
**NOVEMBER 7, 2022**

The regular Sikeston City Council meeting of November 7, 2022 was called to order at 5:00 p.m. at City Hall located at 105 E. Center St., Sikeston. Present at the meeting were: Mayor Greg Turnbow, David Teachout, Onethia Williams, John Leible and Tom Robison. Councilmember Brian Self was absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha J. Graham, City Clerk Rhonda Council, Finance Director Karen Bailey, HR Director Amanda Groves, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Parks Director Dustin Care, Community Development Director Barry Blevins, Public Safety Captain Ryan Smith.

**APPROVAL OF CITY COUNCIL MINUTES**

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

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

**OATH OF OFFICE CEREMONY**

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

**ITEMS OF BUSINESS**

**Conditional Use Variance for Adult Novelty Retail Store at 1000 Linn**

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

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

The conditional use request for the business, Priceless Pleasures, was presented to the Planning and Zoning Commission at the October 11<sup>th</sup>, 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 17<sup>th</sup>, several senior staff and myself went to visit the property. We looked at what the business looked like inside and out. We noticed that you could not view anything inside the store from outside. We were greeted by Mrs. Price who showed us into the store. From there we noticed small displays and a counter for sales with items behind the glass. There are two other rooms and a bathroom. The other rooms, one is for an office and the other one is for storage of merchandise. Between the displays of products and overall appearance of items, the store had a few items that could be seen at our Walmart or retail pharmacy. The business owners have stated they would regulate the hours of operation and have an age restriction for entrance.

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

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

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

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

RESOLUTION 22-11-03

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

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

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

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

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

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

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

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

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

RESOLUTION 22-11-01

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

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

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

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

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

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

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

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

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

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

RESOLUTION 22-11-02

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

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

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

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

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

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

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

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

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

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

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

1<sup>st</sup> Reading, Bill #6283, Establishing Chapter 655 – Food Trucks

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

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

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

1<sup>st</sup> Reading, Bill #6284, Amending Chapter 607 – Itinerant Vendor

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

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

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

2<sup>nd</sup> Reading & Consideration, Bill #6287, Approve Chapter 100 Bonds for Unilever

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

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

City Counselor Graham presented the bill for reading.

BILL NO. 6287

ORDINANCE NO. 6287

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

Record of Passage:

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

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

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

2<sup>nd</sup> Reading & Consideration, Bill #6288, Approve Chapter 100 Bonds for Carlisle

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

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

City Counselor Graham presented the bill for reading.

BILL NO. 6288

ORDINANCE NO. 6288

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

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

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

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

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

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

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

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

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

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

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

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

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

Record of Passage:

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

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

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

1<sup>st</sup> Reading, Bill #6289, Calling for General Election

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

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

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

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

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

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

City Counselor Graham presented the bill for reading.

BILL Number 6285

ORDINANCE Number 6285

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6285 AND SHALL AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS ON BEHALF OF THE CITY OF SIKESTON, MISSOURI.

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

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

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

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

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

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

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

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

SECTION VII: Record of Passage:

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

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

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

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

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

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

City Counselor Graham presented the bill for reading.

BILL Number 6286

ORDINANCE Number 6286

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6286 AND SHALL AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDS ON BEHALF OF THE CITY OF SIKESTON, MISSOURI.

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

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

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

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

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

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

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

SECTION VII: Record of Passage:

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

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

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

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

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

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

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

Revision of Adopt-A-Road Application

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

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

#### LCRA Update on Lot Clean-Ups

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

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

##### RESOLUTION 22-11-04

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

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

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

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

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

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

#### **ADJOURNMENT INTO EXECUTIVE SESSION**

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

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

#### **ADJOURNMENT INTO EXECUTIVE SESSION**

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

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

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

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

#### **ADJOURNMENT OUT OF EXECUTIVE SESSION**

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

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

#### **ADJOURNMENT**

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

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



APPROVED:

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GREG TURNBOW, MAYOR

ATTEST:

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RHONDA COUNCIL, CITY CLERK

SEAL:

## **Board of Adjustments**

**May 9, 2022**

**4:00 p.m.**

**Sikeston City Hall**

**C.D. Matthews**

**Members Present:** Roberson, Nace, Galemore, Wheatley, Miller

**Members Absent:** Redd, Murphy, Glidewell

**Staff Present:** Bruce Copeland, Code Enforcement  
Barry Blevins, Community Development Director  
Victoria Williams, Community Development Secretary

**Guests:** McClane Barber, Ashley Johnson, TJ Feeler, Lynn Feeler

### **Approval of Minutes:**

Minutes of March 14, 2022 were presented for approval. A motion was made by Miler to approve the minutes. Galemore seconded the motion. Roll call vote was as follows:

Ayes: Nace, Galemore, Wheatley, Miller, Roberson

Nays: None

Motion Passed: 5-0

### **Item(s) of Business:**

**A request, from McLane Barber, for a 10' front yard and a 20' rear yard variance for a commercial building to be located at 403 Moore Ave, Sikeston, Missouri.**

After further discussion of the request, a motion was made by Wheatley to approve the request, from McLane Barber, for a 10' front yard and a 20' rear yard variance for a commercial building to be located at 403 Moore Ave, Sikeston, Missouri. Galemore seconded the motion. Roll call vote was as follows:

Ayes: Galemore, Wheatley, Miller, Roberson, Nace

Nays: None

Motion Passed: 5-0

There being no further business items, a motion was made by Wheatley to adjourn. The vote was unanimous. The meeting adjourned.

**Board of Adjustments**

**May 9, 2022**

**4:00 p.m.**

Respectfully submitted by:

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Victoria Williams, Community Development Secretary

Attested by:

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William Nace, Chairman

**LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
CITY OF SIKESTON  
MEETING**

Monday, August 15, 2022

11:30 a.m.

Council Chambers  
105 E. Center Street  
Sikeston, MO 63801

**MEETING MINUTES**

**I. MEETING CALLED TO ORDER**

Dan Marshall called the meeting to order at 11:49 am

**II. ROLL CALL**

Members Attending: Michael Harris, Dan Marshall, and Clayton Driskill

Members Absent: Carrie Lape and Brenda Robinson-Echols

Council Liaison: John Leible (absent)

Staff Attending: Barry Blevins, Amy Gosnell, Calvaneke Blair, and Martin Evans

Guest Attending: None

**III. APPROVAL OF MINUTES**

Harris made a motion to approve the minutes from the meeting of July 18, 2022. Driskill seconded the motion. Motion carried unanimously.

**IV. BILLS AND COMMUNICATIONS**

Driskill made the motion to approve the bills as follows:

A. David Crader Law Firm	- \$ 1,525.00
B. Dexter Bar-B-Que	- \$ 229.87
C. City of Sikeston-2021 mowing	-\$14,000.00

Harris seconded. Motion carried unanimously.

## **V. LCRA BUSINESS:**

### **A. Report from Crader Law Firm**

#### Sale Needing Approval

314 Dixie- We received a bid from Stephanie and Willie Pointer for \$1,000.00 (List1) Driskill made a motion to approve the offer. Harris seconded the motion. Motion carried unanimously.

404 Jaycee and 215 Adams- We received a bid from LaTonia Townsend for \$750.00, for both lots (List 2) Driskill made a motion to approve the offer. Harris seconded the motion.

### **B. Report from Barry Belvins**

#### Discussed Debris Removal

Motion was made for acceptance of best bid with split cost with City and LCRA. Driskill made motion for approval of bids. Harris second the motion.

## **VII. ADJOURNMENT**

The next LCRA meeting will be on Tuesday Sepember 19, 2022, at 11:30 am in the Council Chambers. There being no further business to come before the Committee, a motion was made to adjourn. The motion was seconded and carried unanimously. The meeting was adjourned at 12:30 pm.

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Amy Gosnell  
Code Enforcement Operations Specialist

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Dan Marshall  
LCRA Chairman

**LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
CITY OF SIKESTON  
MEETING**

Monday, September 19, 2022

11:53 a.m.

Council Chambers  
105 E. Center Street  
Sikeston, MO 63801

**MEETING MINUTES**

**I. MEETING CALLED TO ORDER**

Dan Marshall called the meeting to order at 11:53 am

**II. ROLL CALL**

Members Attending: Michael Harris, Dan Marshall, and Brenda Robinson-Echols

Members Absent: Carrie Lape and Clayton Driskill

Council Liaison: John Leible

Staff Attending: Barry Blevins, Amy Gosnell, Calvaneke Blair, and Martin Evans

Guest Attending: None

**III. APPROVAL OF MINUTES**

Harris made a motion to approve the minutes from the meeting of August 15, 2022. Robinson-Echols seconded the motion. Motion carried unanimously.

**IV. BILLS AND COMMUNICATIONS**

Harris made the motion to approve the bills as follows:

A. David Crader Law Firm (2021 Final Bill)	- \$ 3,049.00
B. David Crader Law Firm (2022)	- \$ 412.00
C. Dexter Bar-B_Que (Lunch)	-\$ 247.17

Robinson-Echols seconded. Motion carried unanimously.

## **V. LCRA BUSINESS:**

### **A. Report from Crader Law Firm**

Sunset and Smith Cemeteries Report- Crader discussed the issues that were going on with the upkeep of the lots and was explaining that the person or persons that used to keep up the maintenance on this property, didn't own it but owned a local funeral home and has since been deceased and the property isn't being upkeeped as it used to. The daughter of the deceased, stated that it was not her responsibility to keep the maintenance up on the property, Crader stated that lots across from Sunset cemeteries were owned by a Smith, later to find out that her name is Juanita Smith and stated that, someone needs to make contact with her for the time being and as well as he needs to find out the lot owners of the surrounding area to see if anyone would be willing to take on the responsibility of maintain the upkeep of the property, because it has been a growing nuisance for public as well and they are worried about safety issues.

#### Sale Needing Approval

514 Clayton- We received a bid from Tangela Williams for \$500.00 (List2) Harris made a motion to approve the offer. Robinson-Echols seconded the motion. Motion carried unanimously.

317 Scott- We received a bid from Kwaune Foster for \$897.00 (List 2) Harris made a motion to approve the offer. Robinson-Echols seconded the motion. Motion carried unanimously.

810 E. Gladys- We received a bid from Victor and Carol Marshall for \$250.00 (List2) Mr. and Mrs. Marshall own the home east of this property and have been mowing and maintaining the property for several years. Harris made a motion to approve the offer. Robinson-Echols seconded the motion. Motion carried unanimously.

210 Bynum (added)- We received a bid from Devin James for \$1,000.00 (List1) Harris made a motion to approve the offer. Robinson-Echols seconded the motion. Motion carried unanimously

### **B. Report from Barry Belvins**

#### Discussed LCRA Lot Cleanup

Motion was made for acceptance of best bid \$15,000.00 for expenditures and rental of equipment needed to clean and maintain LCRA and City lots. Robinson-Echols made motion for approval of bids. Harris second the motion. Motion carried unanimously.

## **VII. ADJOURNMENT**

The next LCRA meeting will be on Tuesday October 17, 2022, at 11:30 am in the Council Chambers. There being no further business to come before the Committee, a motion was made to adjourn. The motion was seconded and carried unanimously. The meeting was adjourned at 1:02 pm.

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Amy Gosnell  
Code Enforcement Operations Specialist

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Dan Marshall  
LCRA Chairman



**LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY  
CITY OF SIKESTON  
MEETING**

Monday, October 17, 2022  
11:30 a.m.

Council Chambers  
105 E. Center Street  
Sikeston, MO 63801

**MEETING MINUTES**

**I. MEETING CALLED TO ORDER**

Dan Marshall called the meeting to order at 11:48 am

**II. ROLL CALL**

Members Attending: Clayton Driskill, Dan Marshall, Brenda Robinson-Echols

Members Absent: Carrie Lape, Michael Harris

Council Liaison: John Leible

Staff Attending: Barry Blevins, Jon Douglas, Martin Evans, Amy Gosnell and  
Victoria Williams

Guest Attending: None

**III. APPROVAL OF MINUTES**

Driskill made a motion to approve the minutes from the meeting of September 19, 2022.  
Echols seconded the motion. Motion carried unanimously.

**IV. BILLS AND COMMUNICATIONS**

Driskill made the motion to approve the bills as follows:

A. David Crader Law Firm	- \$ 2,461.55
B. Dexter Bar-B-Que	- \$ 204.53
C. Mitchell Insurance (General Liability & Umbrella)	- \$ 1,682.75
D. Mitchell Insurance (Directors & Officers)	- \$ 1,861.00

Echols seconded the motion. Motion carried unanimously.

## **V. LCRA BUSINESS:**

### **A. A Report from Crader Law Firm**

- David Crader received a phone call from Wanda Stinson, she has a recorded beneficiary title and wants to try to sell the lot at 209 Handy to the city.

### **SALES NEEDING APPROVAL**

1120 Ruth- We received a bid from Robert Chatman of \$125.00. Mr. Chatman owns the house east of this property and has been mowing this property for several years. (List 1) Driskill made a motion to approve. Echols seconded the motion. The motion was carried unanimously.

807 Delmar- We received a bid from Timothy Townes of \$500.00. (List 2) Echols made a motion to approve. Driskill seconded the motion. The motion was carried unanimously.

### **B. A Report from Barry Blevins**

- Barry Blevins presented the board with a video showing the progress made cleaning the lots. He stated he hadn't gotten the bill for the equipment yet, but it was very much needed to speed up the process. He has two or three truck loads left before he is done. People in the community spoke very highly about the city for helping clean the lots.

## **VII. ADJOURNMENT**

The next LCRA meeting will be on Monday November 11, 2022 at 11:30 am in the Council Chambers. There being no further business to come before the Committee, a motion was made to adjourn. The motion was seconded and carried unanimously. The meeting was adjourned at 12:25 pm.

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Victoria Williams  
Community Development Secretary

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Dan Marshall  
LCRA Chairman

**Sikeston Public Library  
Board of Trustees Meeting  
Monday, August 1, 2022  
4:30pm**

The Board of Trustees of Sikeston Public Library met at 4:30 p.m. on Monday, August 1, 2021, in the McAmis Community Room of the Sikeston Public Library. Present were board members Libby Caskey, Greg Colwick, Karen Evans, Colleen Flaker, Trevor Miller, and Laura Tongate; and Ron Eifert, Director. Melissa Kelley, Carolyn Harris, and Connie Thompson were absent.

The meeting was called to order at 4:30 p.m. by president Greg Colwick.

**MINUTES**

Mrs. Flaker made the motion to approve the minutes of the July 11, 2022. Mr. Miller seconded the motion, which passed unanimously.

**PETTY CASH**

Mrs. Tongate made a motion to accept the Petty Cash Report for July 2022. Mrs. Caskey seconded and the motion carried.

**BILLS**

Mrs. Caskey made a motion to accept the bills for July 2022 as presented. Mrs. Tongate seconded and the motion carried.

**CITY FINANCIAL STATEMENT**

The city financial statement for June 2022/end of FY 2022 was reviewed and discussed.

**COMMITTEES**

**FINANCE**—Mrs. Flaker made a motion to close the money market account at Focus Bank and deposit the funds into the library's account with the city. Mr. Miller seconded the motion, which passed unanimously.

Mr. Eifert completed the purchase of the \$150,000 certificate of deposit with Southern Bank. The bank gave us the rate of 1.5 percent for 12 months; this was higher than the rate originally quoted.

**PERSONNEL**—Health insurance rates will be going down 11 percent overall this year.

Circulation clerk Jaclyn Elsey has given notice that she will be leaving the library. She has been employed here for 12 years.

**OPERATIONS**—Dutch Enterprises visited the library in July to assess the situation with the public restrooms. They will return on August 4 for further investigation.

The tables for the McAmis Community Room are on order with Mid-South Office. We are purchasing 12 tables measuring 30" x 6' long.

Mr. Colwick presented a proposal from Gipson Construction to repair the bases of the columns on the front porch. Board members raised questions about preventing future deterioration. Mr. Colwick will pass along the questions and report at the September board meeting.

#### **LIBRARIAN'S REPORT**

- Mr. Eifert reported that he will begin the process of publicizing the elimination of Sunday hours of operation.
- Mr. Eifert reported on attendance numbers at the recently-completed Summer Reading Program.
- The issue of correcting the library's boundaries for the purpose of tax collection is with County Assessor Carla Essner. Mr. Eifert has forwarded all the pertinent materials to her.

Due to the Labor Day holiday, the next meeting of the board will be held at 4:30 p.m. on Tuesday, September 6.

#### **ADJOURNMENT**

Mrs. Caskey made a motion to adjourn. Mr. Miller seconded and the motion carried. The meeting adjourned at 5:05 pm.

## **Planning and Zoning Minutes**

**October 11, 2022**

**Sikeston City Hall**

**4:00 p.m. - Meeting**

### **Roll Call:**

**Members Present:** Baker, Blevins, Hancock, Jones, Miller, Ozment, Robison, Thornton

**Absent Members:** Marshall, Murphy, Teachout

**Other Staff Members Present:** Amy Gosnell – Code Enforcement Operations Specialist  
Bruce Copeland – Code Enforcement  
Victoria Williams- Administrative Assistant  
Calvaneke Blair- Administrative Assistant  
JD Douglas- City Manager  
Rhonda Council- City Clerk

**Guests:** LaQuita Price, Tera Sherrod, Michael Bolen, Glenna Merrell, Adrian Price, Jim Gooch, Mike Moll, Janet Guethle

### **APPROVAL OF MINUTES:**

Minutes of the August 9, 2022 and August 25, 2022 meeting were presented for approval. A motion was made by Jones to approve the minutes. Miller seconded the motion. Roll call vote was as follows:

Ayes: Blevins, Hancock, Jones, Miler, Ozment, Robison, Thornton, Baker

Nays: None

Motion Passed 8 - 0

### **ITEMS OF BUSINESS:**

1. A request from LaQuita Price for conditional variance use for an adult entertainment retail store, located at 1000 Linn Street in the City of Sikeston, Missouri. After discussion, a motion was made by Jones to approve as presented. Miller seconded the motion. Ozment opened the floor to anyone that had something to say.
  - LaQuita Price and Tera Sherrod the business owners spoke positively about their business. She stated that they do not provide entertainment, business hours will be Tuesday-Saturday 5:30pm-10:30 or 11pm and will not be 24 hours, the business will be very discrete and cannot see indoors, they will also have health and wellness items. They went door to door for approval and signatures to the houses around the business. They did not want to portray Sikeston in a negative light because they too have lived in Sikeston for many years.
  - Michael Bolen business, owner of Bolen Brothers Nursery, was against the request. His reason was because there are children that come down the street and he don't want that exposed to the kids and the high school is across the street.

**Planning and Zoning Minutes**

**October 11, 2022**

**Sikeston City Hall**

**4:00 p.m. - Meeting**

- Glenna Merrell lives at 207 Lillian was against the request. Stated the high school was across the street, there were kids all over the place, want to keep Sikeston a quiet town, and have been living in Sikeston for 89+ years.
- Adrian Price was for the business. He said that the business was very private, for 18 and older, no pornography, he thinks its no different than the other businesses that's right by the school that sells liquor and CDB oils, shows entrepreneurship, and will also have health and wellness.
- Jim Gooch, business owner of Feeders, is against the request. Mr. Gooch thinks that this business is not the type of business that'll be conducive and have a positive effect on the city. Also states he has a lot of children that comes into his business.
- Mike Moll, business owner of Moll Printing Co., is opposed the request. Reason being, school, children, and school buses are around the business, the business might sway an economic project in the city, may tarnish the image of the city, may hamper sales tax, and would affect his building.
- Janet Guethle speaking for the Dr. Williams at Animal Health Center at 508 N Main. Thinks it will not benefit the community or the businesses surrounding it.

Roll Call vote was as follows:

Ayes: 0

Nays: Hancock, Jones, Miler, Ozment, Robison, Thornton, Baker, Blevins

Motion Denied: 0 – 8

**Adjournment:** There being no further business, a motion was made by Thornton to close the public hearing and adjourn. The motion was carried by unanimous vote. The meeting adjourned.

Respectfully submitted by:

Attested by:

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Victoria Williams  
Community Development Secretary

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Gary Ozment  
Chairman

## Council Letter

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Date of Meeting: 22-12-5

Originating Department: Finance Department

To the Mayor and City Council:

Subject: 5 Year Public Hearing, 60/61 TIF

Attachment(s):

1. None

Action Options:

1. Open and Close Public Hearing
2. Other action Council may deem appropriate

Background:

RSMo. 99.865 requires a public hearing every 5 years after the adoption of a TIF Redevelopment Plan to determine if the project is making satisfactory progress. This public hearing satisfies the statutory requirement.

Local Tax Increment Financing (Local TIF) permits the use of a portion of local property and sales taxes to assist funding the redevelopment of certain designated areas within a community. Areas eligible for Local TIF must contain property classified as a "Blighted", "Conservation" or an "Economic Development" area, or any combination thereof, as defined by Missouri Statutes. A TIF district is authorized for a period of up to 23 years. TIF reimbursable costs are paid from economic activity taxes (EATS) and payments in lieu of taxes (PILOT).

TIF may be used to pay certain costs incurred with a redevelopment project. Such costs may include, but are not limited to:

- Professional services such as studies, surveys, plans, financial management, legal counsel;
- Land acquisition and demolition of structures;
- Rehabilitating, repairing existing buildings on site;
- Building necessary new infrastructure in the project area such as streets, sewers, parking, lighting; and
- Relocation of resident and business occupants located in the project area.

The City has six (6) TIF Redevelopment Agreements, in 3 TIF designated areas. The City Council approved the 60/61 Project, located on the northeast corner of the intersection of Highways 60 and 61. It resulted in the construction of both commercial (Lowe's) and residential development. All debt was satisfied in 2011.

The North Main & Malone Development Area at the northwest corner Highway 61 and Route 114, was approved for redevelopment in September 2004. This is also referred to as the Main & Malone TDD as funds were also used to put a traffic light at Lake Street and Highway 61. The project consisted of site

demolition of the old MODOT District Office and construction of commercial and retail businesses. The retail businesses include the Shoppes at Lake Crossing but not the Walgreens property. This project is authorized through September 2027 but will most likely be paid in full in the Spring of 2023.

Colton's Steakhouse and Grill TIF was approved in October 2012. The project consisted of a franchise steakhouse & grill. The restaurant provides a restaurant (Colton's Steakhouse and Grill) along the Hwy 60 corridor. All debt has been paid.

Council also approved the Holliday Inn Express TIF in October of 2012. It was for the construction of a Holiday Inn Express with 73 rooms. Only PILOT funds can be used to satisfy TIF debt. This TIF (part of the original 60/61 TIF) expires in June of 2023. Based on prior PILOTs, I believe all debt will be satisfied in February of 2023.

The 60 West Malco (RPA-1) was approved in January 2015. It provided for the construction of an 8-plex movie theater and infrastructure for further commercial development. Watami's was later added to the project. 60 West RPA-2 was approved in May 2016 for the construction of a 100-room hotel. These projects will reach maturity in May of 2039. They continue to make steady progress.



# **Council Letter**

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Date of Meeting: 22-12-05

Originating Department: Governmental Services

To the Mayor and City Council:

Subject: 2<sup>nd</sup> Reading & Consideration, Bill # 6289, Calling for April 4, 2023, General Election

Attachments:

1. Bill # 6289
2. Legal Notice

Action Options:

1. Approve 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 seeks approval of this bill.

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 5th day of December 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 January 4, 2023.

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 A. 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 A. 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 A. 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 A. 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 A. Caldwell
- ☐

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

# **Council Letter**

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Date of Meeting: December 5, 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. Approve Bill #6283
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.

Staff seeks approval of this bill.



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 7<sup>th</sup> day of November, 2022.
- B. Bill Number 6283 was read the second time and discussed this 5h day of December, 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 January 4, 2023.

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

\_\_\_\_\_  
Approved as to form  
Tabatha J. Graham, City Counselor

Seal / Attest:

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

## Council Letter

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Date of Meeting: December 5, 2022

Originating Department: Finance

To the Mayor and City Council:

Subject: 2<sup>nd</sup> Reading, Bill #6284, Amending Chapter 607 Itinerant Vendor

Attachments:

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

Action Options:

1. Approval 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 7<sup>th</sup> day of November 2022.
- B. Bill Number 6284 was read the second time and discussed this 5<sup>th</sup> day of December 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 January 4, 2023.

\_\_\_\_\_  
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**

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Date of Meeting: 22-12-05

Originating Department: Department of Community Development

To the Mayor and City Council:

Subject: 1<sup>st</sup> Reading, Bill # 6290, Subdivision of Hilltop Estates

Attachment(s):

1. Bill # 6290
2. Plat

Action Options:

1. 1<sup>st</sup> Reading Bill #6290
2. Other action Council may deem appropriate

Background:

Staff received a request from Devin James Properties, LLC to approve the subdivision of Hilltop Estates in Scott County, Sikeston, Missouri. Devin James will subdivide the tract of land containing in all 0.81 acres into 7 lots to build residential houses.

The Planning and Zoning committee met November 8, 2022 and passed a favorable recommendation to approve the subdivision request.

**BILL Number 6290**

**ORDINANCE Number 6290**

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6290 PROVIDING FOR THE APPROVAL OF SUBDIVIDING 0.81 ACRE, MORE OR LESS TRACT OR PARCEL OF LAND BEING KNOWN AS HILLTOP ESTATES.

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

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

SECTION II: The Planning and Zoning Commission met on November 8, 2022 and voted to approve the subdividing of a tract or parcel of land the plat of which is attached hereto, marked Exhibit "A" and incorporated by reference and legally described as follows and known as Hilltop Estates:

All of Lot 2 of CAPCO addition to the City of Sikeston Scott County, Missouri, as recorded in plat book 2018 at page 2908 in the office of the recorder deeds for Scott County, Missouri. Containing in all 0.81 acres, more or less. Subject to all easements, if any, affecting the same.

SECTION III: Said plat and subdivision is accepted and approved subject to full compliance with all applicable building and other codes and the stormwater management plan.

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

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

SECTION VII: Record of Passage

- A. Bill Number 6290 was introduced and read the first time this 5<sup>th</sup> day of December 2022.
- B. Bill Number 6290 was read the second time and discussed on this 26<sup>th</sup> day of December 2022 and was voted as follows:
- Self, \_\_\_\_\_, Baker, \_\_\_\_\_, Leible, \_\_\_\_\_, Robison, \_\_\_\_\_
- Teachout, \_\_\_\_\_, Williams, \_\_\_\_\_, and Turnbow \_\_\_\_\_,
- hereby being \_\_\_\_\_.
- C. Ordinance 6290 shall be in full force and effect from and after January 25, 2022.

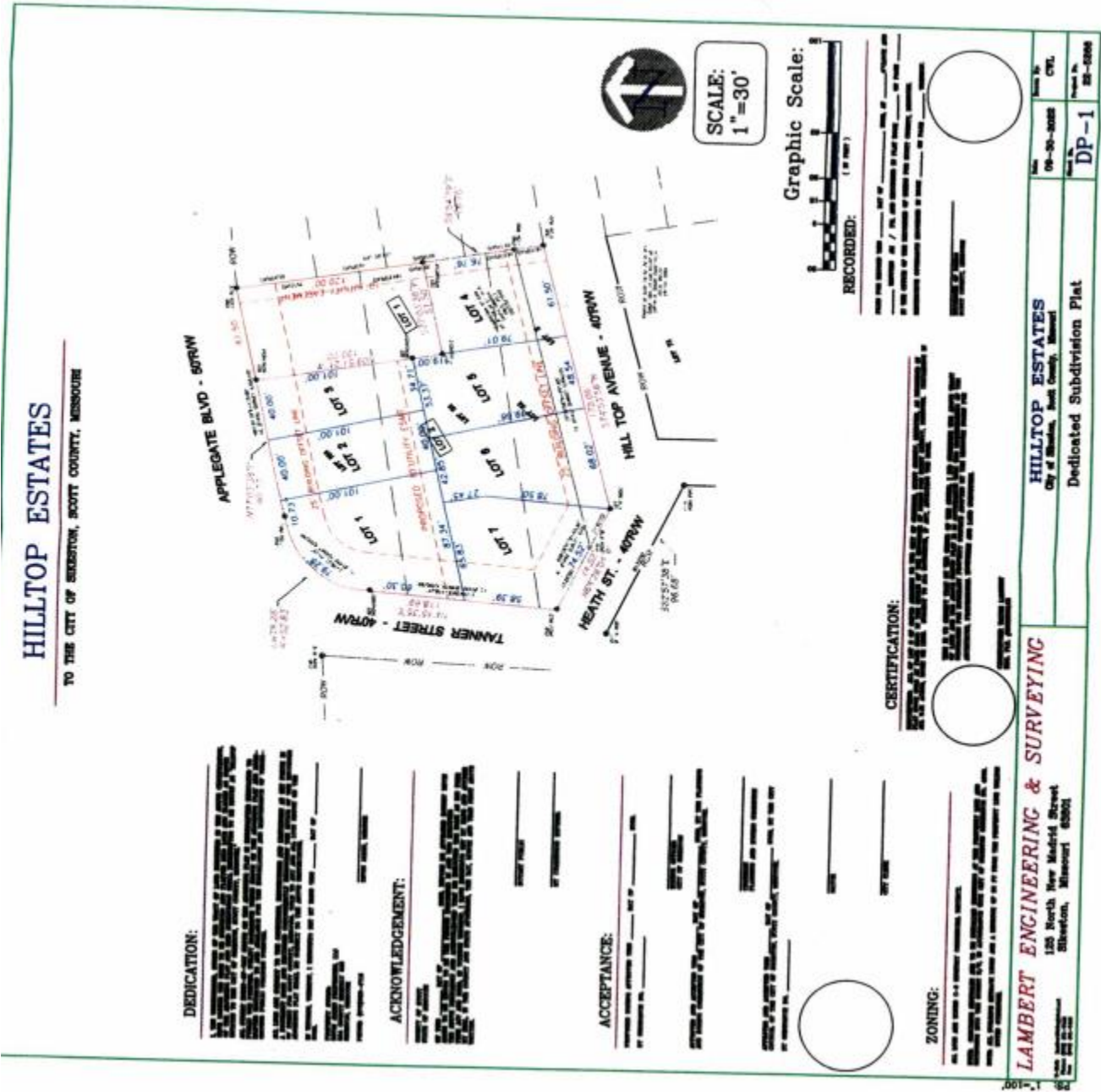
\_\_\_\_\_  
Greg Turnbow, Mayor

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

Seal / Attest:

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

Exhibit "A"





# **Council Letter**

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Date of Meeting: 22-12-05

Originating Department: Finance Department

To the Mayor and City Council:

Subject: Parcel Development Agreement for RPA 2-A

Attachment(s):

1. Ordinance Number 6292
2. Parcel Development Agreement
3. Redevelopment Area Boundary Map
4. Standard Democrat Newspaper Article from November 8, 2022

Action Options:

1. First Reading of Bill Number 6292
2. Other action Council may deem appropriate

Background:

Cotton Ridge Development LLC is selling 3.84 acres of land located in RPA 2-A of the 60 West TIF of the City of Sikeston. Plans are to construct a 102-room hotel. Bill Number 6292 authorizes the Mayor to execute a new parcel agreement to assign a \$500,000 allocation from Cotton Ridge Development LLC to the sub-developer, Sikeston Hotel Owner JV LLC. Currently there is no development on RPA 2-B or RPA 3.

AN ORDINANCE APPROVING A PARCEL DEVELOPMENT AGREEMENT IN CONNECTION WITH THE SIKESTON 60 WEST TAX INCREMENT FINANCING REDEVELOPMENT PLAN.

**WHEREAS**, the City has approved “The Sikeston 60 West Tax Increment Financing Redevelopment Plan” (as amended, the “Plan”) pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri; and

**WHEREAS**, the City and Cotton Ridge Development Co., LLC (“CRD”) are parties to a certain Redevelopment Agreement dated as of May 2, 2016 with respect to the development of the RPA 2A Redevelopment Project described in the Plan (the “RPA 2A Redevelopment Agreement”); and

**WHEREAS**, the RPA 2A Redevelopment Agreement contemplates that, from time to time, the City, CRD and various sub-developers will enter into parcel development agreements, whereby sub-developers will complete portions of the “Work” described in the RPA 2A Redevelopment Agreement in exchange for a portion of the tax increment financing assistance available thereunder; and

**WHEREAS**, the City, CRD and Sikeston Hotel Owner JV LLC (the “Sub-Developer”) desire to enter into a parcel development agreement in substantially the form of **Exhibit A** attached hereto (the “Parcel Development Agreement”), whereby the Sub-Developer will construct an approximately 102-room hotel as a part of the “Work” and will receive tax increment financing assistance in connection therewith;

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

**Section 1.** The City Council finds and determines that it is necessary and desirable to enter into the Parcel Development Agreement. The Mayor is hereby authorized and directed to execute the Parcel Development Agreement on behalf of the City. The Parcel Development Agreement shall be in substantially the form attached as **Exhibit A**, which Parcel Development Agreement is hereby approved by the City Council, with such changes therein as shall be approved by the Mayor.

**Section 2.** The officers, agents and employees of the City are hereby authorized and directed to execute all documents and take such steps as they deem necessary and advisable in order to carry out and perform the purpose of this Ordinance.

**Section 3.** The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (i) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has or would have enacted the valid sections without the void ones; and (ii) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

**Record of Passage:**

- A. Bill Number 6292 was introduced and read the first time on the 5<sup>th</sup> day of November, 2022.
- B. Bill Number 6292 was read for the second and final time and discussed on this 3<sup>rd</sup> day of January, 2023, and final passage thereon was voted as follows:  

Leible \_\_\_\_\_, Self \_\_\_\_\_, Robison \_\_\_\_\_, Baker \_\_\_\_\_,  
Teachout \_\_\_\_\_, Williams \_\_\_\_\_, and Turnbow \_\_\_\_\_,  
  
thereby being approved and becoming Ordinance No. 6292.
- C. Upon passage by the City Council, this Bill shall become Ordinance Number 6292 and shall be in full force and effect 30 days after its passage.

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

SEAL/ATTEST:

\_\_\_\_\_  
Approved as to form  
Tabatha J. Graham, City Counselor

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

## PARCEL DEVELOPMENT AGREEMENT

This **PARCEL DEVELOPMENT AGREEMENT** ("Parcel Development Agreement") is entered into this \_\_\_\_ day of \_\_\_\_\_, 2023, by and among **COTTON RIDGE DEVELOPMENT CO., LLC** (the "Developer"), **SIKESTON HOTEL OWNER JV LLC** (the "Sub-Developer") and the **CITY OF SIKESTON, MISSOURI** (the "City"). *Capitalized terms used herein and not otherwise defined have the meanings set forth in the Redevelopment Agreement dated as of May 2, 2016 by and between the City and the Developer (the "Redevelopment Agreement").*

### RECITALS

A. The property legally described in **Exhibit A** attached hereto (the "Property") is part of RPA 2A described in "The Sikeston 60 West Tax Increment Financing Redevelopment Plan" (as amended, the "Redevelopment Plan") and is subject to the Redevelopment Agreement.

B. In accordance with **Section 14** of the Redevelopment Agreement, the parties hereto desire to enter into this Parcel Development Agreement to assign certain rights and responsibilities of the Developer under the Redevelopment Agreement to the Sub-Developer.

**NOW, THEREFORE**, for and in consideration of the promises and the covenants entered herein, the parties agree as follows:

1. The Sub-Developer has entered into a purchase contract with the Developer, pursuant to which the Sub-Developer will acquire the Property.

2. The Sub-Developer intends to construct an approximately 102 room hotel upon the Property (the "Sub-Developer Project").

3. The parties agree that the Sub-Developer Project constitutes part of the Work described in the Redevelopment Agreement.

4. The Sub-Developer will comply with all requirements of the Redevelopment Agreement relating to the construction of the Sub-Developer Project. For the avoidance of doubt, the parties agree that Sub-Developer Project does not include, and the Sub-Developer shall have no obligation to construct or pay for any portion of the Work except for those portions actually located on the Property. Pursuant to **Section 14(b)** of the Redevelopment Agreement, except for the rights and responsibilities expressly set forth in this Parcel Development Agreement, the Developer shall retain all rights and responsibilities described in this Redevelopment Agreement.

5. The Developer hereby assigns to Sub-Developer the following portion of its rights to receive TIF Revenues under **Section 5** of the Redevelopment Agreement:

- 40% of the TIF Revenues generated from the Property that would otherwise be paid to the Developer pursuant to **Section 5** of the Redevelopment Agreement, up to a maximum amount of \$500,000 (the "Sub-Developer TIF Assistance"). The Sub-Developer TIF Assistance shall be paid to the Sub-Developer on each Payment Date.

6. The Developer hereby directs the City to, and the City hereby agrees to pay, the TIF Revenues constituting the Sub-Developer TIF Assistance (that would otherwise be paid to the Developer pursuant to **Section 5** of the Redevelopment Agreement) directly to the Sub-Developer, to the extent such TIF Revenues are available for such payments pursuant to the Redevelopment Agreement.

7. Notwithstanding anything herein to the contrary, the City, its governing body, officials, agents, employees and independent contractors shall not be liable to the Sub-Developer for damages of any kind or nature whatsoever if any ordinance adopted by the City or transaction completed by the City in connection with this Parcel Development Agreement or the Redevelopment Agreement is declared invalid or unconstitutional in whole or in part by the final (as to which all rights of appeal have expired or have been exhausted) judgment of any court of competent jurisdiction, and by reason thereof either the City is prevented from performing any of the covenants and agreements herein or in the Redevelopment Agreement or the Sub-Developer is prevented from enjoying the rights and privileges hereof.

8. The Sub-Developer releases from and covenants and agrees that the City and its governing body, officials, agents, employees and independent contractors shall not be liable for, and agrees to indemnify and hold harmless the governing body, officials, agents, employees and independent contractors thereof against, any loss or damage to property or any injury to or death of any person occurring at or about or resulting from any defect in the construction of the Sub-Developer Project, except as such may be caused by the willful misconduct or negligence of the City, its governing body, officials, agents, employees or independent contractors.

9. The Sub-Developer agrees to indemnify, defend and hold harmless the City, its governing body, officials, agents, employees and independent contractors from and against any and all suits, claims and attorneys' fees to the extent resulting from, arising out of, or in any way connected with (i) the construction of the Sub-Developer Project, or (ii) the negligence or willful misconduct of the Sub-Developer, its managers, officials, agents, employees or independent contractors in connection with the management, development, redevelopment and construction of the Sub-Developer Project, except as such may be caused by the willful misconduct or negligence of the Developer, the City, its governing body, officials, agents, employees or independent contractors.

10. The Sub-Developer agrees to indemnify, defend, and hold harmless the City, its governing body, officials, agents, employees and independent contractors from and against any and all claims, demands, costs, liabilities, damages or expenses, including reasonable attorneys' and consultants' fees, investigation and laboratory fees, court costs and litigation expenses, to the extent arising from: (i) any now existing or hereafter arising violation, actual or alleged, or any other liability, under or in connection with, any environmental laws relating to any products or materials previously, now or hereafter located upon, delivered to or in transit to or from the Property in connection with the construction of the Sub-Developer Project, regardless of whether such violation or alleged violation or other liability is asserted or has occurred or arisen before the date hereof or hereafter is asserted or occurs or arises and regardless of whether such violation or alleged violation or other liability occurs or arises as the result of any act, omission, negligence or misconduct of the Developer, the City or any third party or otherwise; or (ii) any breach, falsity or failure of any of the representations, warranties, covenants and agreements of the like.

11. The City and its governing body, officials, agents, employees and independent contractors shall not be liable for any damage or injury to the persons or property of the Sub-Developer or its officers, agents, independent contractors or employees or any other person who may be about the Property due to any act of negligence of any person, except as such may be caused by the willful misconduct or negligence of the City, its governing body, officials, agents, employees, or independent contractors.

12. No member of the governing body, officials, agents, employees or independent contractors of the City shall be personally liable to the Sub-Developer in the event of a default or breach by any party under this Parcel Development Agreement or the Redevelopment Agreement.

13. All covenants, stipulations, promises, agreements and obligations of the City contained herein shall be deemed to be the covenants, stipulations, promises, agreements and obligations of the City and not of its governing body, officials, agents, employees or independent contractors in their individual capacities.

14. The Sub-Developer shall provide ten days' prior written notice to the Developer and City of any assignment of its interest in this Parcel Development Agreement. The Developer's interest in this Parcel Development Agreement shall be automatically assigned to all successors and assigns; provided, however, may retain the right to retain the Sub-Developer TIF Assistance payment notwithstanding such assignment.

15. Sub-Developer acknowledges that it has been provided with and/or has reviewed true and accurate copies of the Development Plan, the Development Plan Ordinance, the Agreement and all other documents associated with the Development Plan that may be necessary for Sub-Developer to make an informed decision regarding purchase of the Property with respect to the matters set forth in those documents and this Parcel Development Agreement.

16. This Parcel Development Agreement shall be governed by the laws of the State of Missouri.

17. This Parcel Development Agreement shall be deemed terminated upon the termination of the Agreement.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

**COTTON RIDGE DEVELOPMENT CO.,  
LLC**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**SIKESTON HOTEL OWNER JV LLC**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

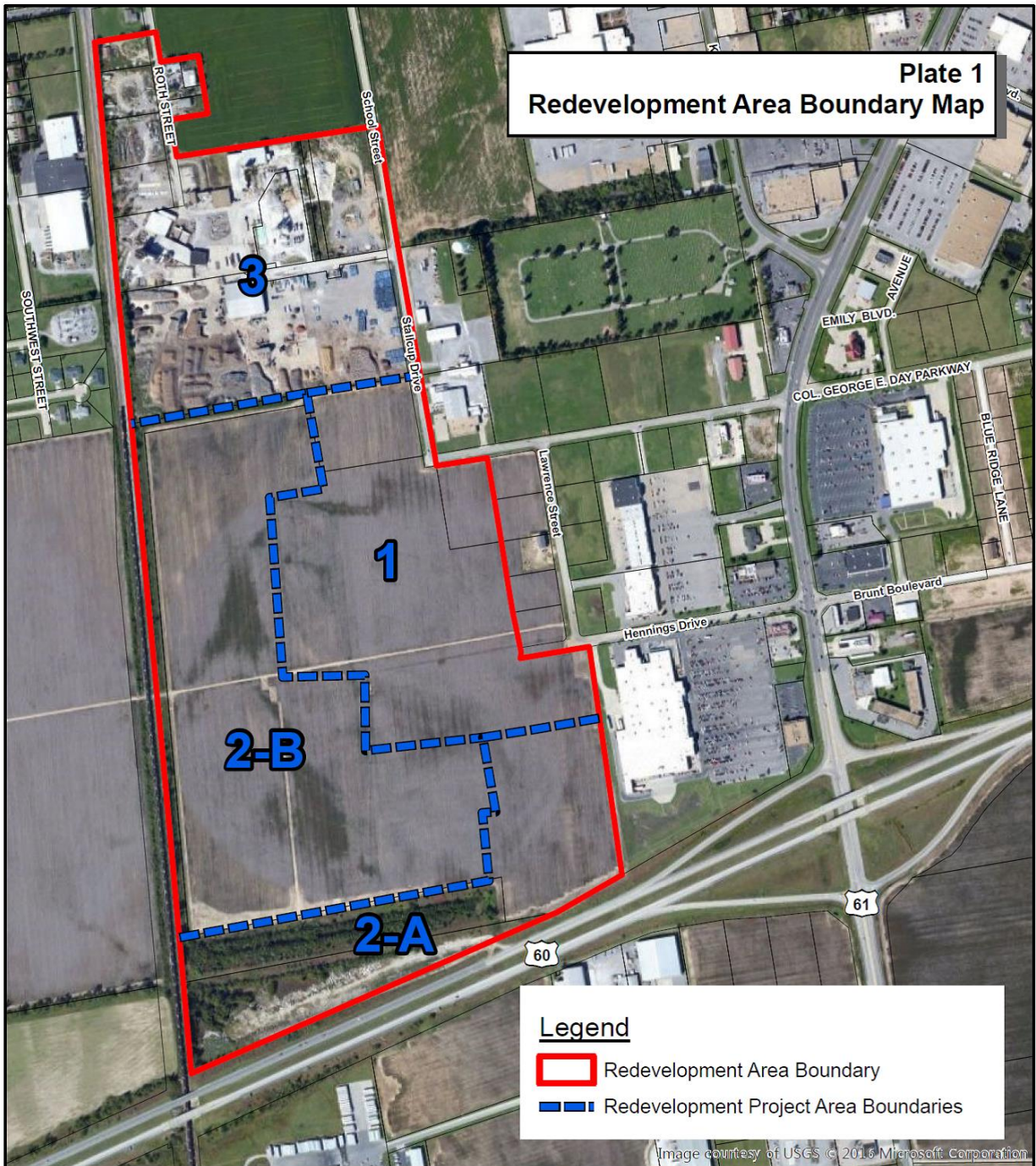
**CITY OF SIKESTON, MISSOURI**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Mayor

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PROPERTY**

Lot 1, Block 2, Cotton Ridge Development 2nd addition to the City of Sikeston.





# STANDARD DEMOCRAT

## New dual brand hotel coming to Sikeston

Tuesday, November 8, 2022

By David Jenkins/Standard Democrat



A rendition of the new Fairfield by Marriott and TownePlace Suites dual brand 102 room hotel that will be built in Cotton Ridge Development with an address of 1239 Commerce Drive, an area that is home to Malco Theatres, Watami and the Hampton Inn.

Submitted photo

**SIKESTON** — A new hotel is coming to Sikeston.

W and B Hospitality announced Monday that it has signed an agreement with Marriott International to debut the company's Fairfield by Marriott and TownePlace Suites brands in Sikeston with a dual-brand 102 room hotel. The property is slated to debut in Cotton Ridge Development with an address of 1239 Commerce Drive, an area that is home to Malco Theatres, Watami and the Hampton Inn.

As one of Marriott's fastest growing brands, it is ideal for the longer stay traveler who seeks a reliable experience to stay productive and upbeat. All guest suites are outfitted with Elfa closets by The Container Store to help guests settle in and feel right at home.

TownePlace Suites has also teamed up with Weber to bring quality grilling amenities to its outdoor spaces including grills, tools, seasonings and recipes.

The brand's Something Borrowed program invites guests to get the most out of their stays with items they might use at home, but cannot bring with them — such as blenders, crockpots, rice cookers, cookbooks and board games.

## Council Letter

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Date of Meeting: 22-12-05

Originating Department: Department of Community Development

To the Mayor and City Council:

Subject: 1<sup>st</sup> and 2<sup>nd</sup> Reading and Consideration, Emergency Bill #6291, variance to change existing 25' building offset to 15' building offset on Brunt Blvd for lots 1201 and 1202 Valley Forge Dr

Attachment(s):

1. Ordinance 6291
2. Exhibit A - Plat
3. Letter of Request

Action Options:

1. Conduct 1<sup>st</sup> and 2<sup>nd</sup> Reading Emergency Bill 6291
2. Other action Council may deem appropriate

Background:

Staff received a request from Waters Engineering, Inc. on behalf of Robert Scott Matthews Jr., for a variance to change the existing 25-foot building offset to 15-foot building offset on Brunt Blvd on lots at 1201 and 1202 Valley Forge Dr, Hospitality Subdivision, 3<sup>rd</sup> Addition, Sikeston, Missouri. Robert Scott Matthews is planning on selling the two lots, but the duplexes his buyer is trying to build on the lots will not be in compliance with the existing 25 foot setback requirement.

The Planning and Zoning committee met November 8, 2022 and passed a favorable recommendation to approve the building offset request. The request also went through the Board of Adjustments on November 14, 2022 and the request was approved by all voting members.





# Waters Engineering, Inc.

## Civil Engineering and Land Surveying

Post Office Box 567  
908 S. Kingshighway  
Sikeston, Missouri 63801

Web Site: [www.waterseng.com](http://www.waterseng.com)

E-mail: [dhirtz@waterseng.com](mailto:dhirtz@waterseng.com)

Phone: (573) 471-5680

Fax: (573) 471-5689

October 10, 2022

Mr. Amy Gosnell  
Planning & Zoning  
105 East Center  
Sikeston, MO 63801

Re: Hospitality Subdivision, 3<sup>rd</sup> Addition Variance

Dear Mrs. Gosnell:

On behalf of Mr. Robert Scott Matthews, Jr. attached is an "Application for Relief" to the Board of Adjustments and a scaled plat noting his request for a variance.

During the development of Mr. Matthew's subdivisions he always presents a copy of a preliminary layout to developers who purchase lots from him to build duplexes. If they approve of the layout they will make a request on which lots they wish to purchase when the subdivision has been accepted and all utilities and streets have been constructed.

A developer chose Lots 1 and 9 but during early building layout realized these 2 lots weren't long enough for his duplexes and backed out on purchasing them. All the other lots have been sold and development has taken place on most of them, except these 2 lots.

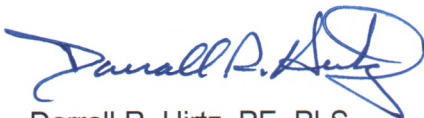
Recently another developer came to Mr. Matthews and stated that if he could obtain a variance on the building offset along Brunt where the developer's duplexes would fit he would purchase these last two lots.

Mr. Matthews is in need of a variance change to the existing 25 foot building offset from Brunt Boulevard to 15 feet. If the City would grant his request then these last 2 lots could be developed and would complete his subdivision.

Please call if you would like further assistance or information on this matter.

Sincerely,

WATERS ENGINEERING, INC.



Darrall R. Hirtz, PE, PLS  
Senior Engineer

## Council Letter

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Date of Meeting: 22-12-05

Originating Department: Department of Public Safety

To the Mayor and City Council:

Subject:

Purchase of structural firefighting gear.

Attachments:

1. Quote from Danko Emergency Equipment

Action Options:

1. Request approval to proceed with quoted project.

Background:

Sikeston DPS is requesting we enter a purchase agreement with Danko Emergency Equipment to purchase seven new sets of structural firefighting gear. Sikeston DPS selected Danko Emergency Equipment because they are the only vendor that sells Fire Dex gear for this area since it's split up in territories. This is new gear that is lighter but still provides the same safety factors as the gear we usually buy. This purchase is to update older gear that is reaching its ending year of service life.

Sikeston DPS would like to select Danko/Fire Dex as our gear vendor. The Quote for the gear is \$28,703.50. Sikeston DPS has budgeted for this purchase and currently has \$33,000 for FY-22 for new Structural firefighting gear.

Sub Total	<b>\$28,703.50</b>
Tax	<b>\$0.00</b>
Total Price	<b>\$28,703.50</b>

## Council Letter

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Council Letter: 22-12-05

Originating Department: Department of Governmental Services

To the Mayor and City Council:

Subject: Appointments to Planning & Zoning Commission

Attachments:

1. None

Action Options:

1. Make one (1) interim appointment to Planning & Zoning Commission
2. Other action as Council may deem appropriate

Background:

Commission member Kathy Teachout notified staff of her resignation from the Planning & Zoning Commission effective November 7, 2022. Kathy's term is set to expire October 2023 so an interim appointment will need to be made to fill her unexpired term. In our Resource Bank, we have the following applications:

Lori Caldwell  
Wanda Harrington  
Jodi Glidewell  
Derrick Pullen  
Jim Beaird  
Pershard Owens  
Austin Curtis  
Ben Ross  
William Watson II  
Barbara Collins  
Paul Cohen  
Jay Teague

Staff is requesting Council to make an interim appointment to fill the unexpired term of Kathy Teachout.



# **Council Letter**

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Date of Meeting: 22-12-05

Originating Department: Finance Department

To the Mayor and City Council:

Subject: Renewal of City Prosecuting Attorney Contract

Attachment(s):  
Proposed Contract with Prosecuting Attorney

Action Options:

1. Approval of City Prosecutor Contract
2. Other action Council may deem appropriate

Background:  
City Prosecutor Kye Lawrence has resigned effective the end of this year. City Counselor Tabatha J. Graham has agreed to assume the prosecutorial duties effective January 1, 2023.

Staff has prepared an 18-month contract, to keep the renewal tied to the fiscal year. There is no monetary increase in the contract, therefore there is no budgetary impact. The proposed contract is for an annual fee of Thirty-Two Thousand Dollars (\$32,000.00) for her services. In addition, she shall be compensated an additional Sixteen Thousand Eight Hundred Dollars (\$16,800) for her costs in providing prosecutorial assistance. Staff recommends renewal of the contract as presented.

## CONTRACT FOR PROSECUTORIAL SERVICES

The undersigned, Tabatha J. Graham (herein "Prosecutor"), does hereby undertake to provide for the City of Sikeston, Missouri, (a Home Rule Charter City, of the State of Missouri) (herein "City"), all of the services and duties imposed by law upon a Municipal Prosecutor of a Charter City in the State of Missouri subject to the requirements, qualifications and limitations of Chapter 479 of the Revised Statutes of Missouri, as from time to time amended, and further subject to the Rules of Professional Conduct adopted by the Supreme Court of Missouri. For the term of January 1, 2023 through June 30, 2024. "Prosecutor" shall be paid an annual fee of Thirty-Two Thousand Dollars (\$32,000.00) for her services. In addition, she shall be compensated an additional Sixteen Thousand Eight Hundred Dollars (\$16,800) for her costs in providing prosecutorial assistance staff. Fees shall be payable monthly, unless said services are earlier terminated by reason of the Prosecutor's disqualification, resignation or removal from office.

The Prosecutor agrees:

1. To advise the City Manager of any official determination which would affect her qualifications to serve as prosecutor.
2. In the event of the Prosecutor's absence or disability to perform his duties hereunder, she shall advise the City Associate Municipal Prosecutor and the City Manager of same as early as possible before an absence or disability and shall pay from his fees hereunder, the pro-rata share thereof to the Associate Municipal Prosecutor, for her time of service.
3. The Prosecutor acknowledges that he is not an employee of the City, but that he is an independent contractor in providing the service which is the subject hereof.

The City agrees:

1. To provide funding to the municipal prosecutor for yearly prosecutorial training, also known as, continuing legal education credits, as may be required and/or requested by the municipal prosecutor.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF SIKESTON, MISSOURI

MUNICIPAL PROSECUTOR

By \_\_\_\_\_  
Jonathan M. Douglass, City Manager

\_\_\_\_\_  
Tabatha J. Graham, Attorney at Law

Circuit Clerk of Scott County Notified

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

\_\_\_\_\_  
Date

# **Council Letter**

---

Date of Meeting 22-12-05

Originating Department: Public Works

To the Mayor and City Council:

Subject: Authorization to Apply for CARES Act Aviation Grant Funds

Action Options:

1. Authorize Jay Lancaster (Director of Public Works) and/or Chris Hart (Airport Manager) to complete application for funding and execute necessary documents
2. Other action the City Council deems appropriate.

Background:

Sikeston Airport staff is seeking authorization to apply for available grant funds to be used for projects at Sikeston airport including, but not limited to replacing the Automated Weather Observation Station (AWOS) which has a project estimate of \$100,000. MoDOT Aviation has provided the appropriate grant application to staff for use in applying for Coronavirus Aid, Relief, and Economic Act (CARES) funding in the amount up to \$69,000. We are able to use operating costs since February 2020 as leverage for this application which if/when received will make funds available for project funding. This authorization is solely for application of grant funding. Once funds are secured, staff will seek authorization for the project approval from council at a later meeting.

# **Council Letter**

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Date of Meeting 22-12-05

Originating Department: Public Works

To the Mayor and City Council:

Subject: Authorization to Apply for CRSSA Aviation Grant Funds

Action Options:

1. Authorize Jay Lancaster (Director of Public Works) and/or Chris Hart (Airport Manager) to complete application for funding and execute necessary documents
2. Other action the City Council deems appropriate.

Background:

Sikeston Airport staff is seeking authorization to apply for available grant funds to be used for projects at Sikeston airport including, but not limited to replacing the Automated Weather Observation Station (AWOS) which has a project estimate of \$100,000. MoDOT Aviation has provided the appropriate grant application to staff for use in applying for Coronavirus Response and Relief Supplemental Appropriation Act of 2021 (CRSSA) funding in the amount up to \$23,000. We are able to use operating costs since February 2020 as leverage for this application which if/when received will make funds available for project funding. This authorization is solely for application of grant funding. Once funds are secured, staff will seek authorization for the project approval from council at a later meeting.

# **Council Letter**

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Date of Meeting 22-12-05

Originating Department: Public Works

To the Mayor and City Council:

Subject: Authorization to Apply for ARPA Aviation Grant Funds

Action Options:

1. Authorize Jay Lancaster (Director of Public Works) and/or Chris Hart (Airport Manager) to complete application for funding and execute necessary documents
2. Other action the City Council deems appropriate.

Background:

Sikeston Airport staff is seeking authorization to apply for available grant funds to be used for projects at Sikeston airport including, but not limited to replacing the Automated Weather Observation Station (AWOS) which has a project estimate of \$100,000. MoDOT Aviation has provided the appropriate grant application to staff for use in applying for American Rescue Plan Act funding in the amount up to \$59,000. We are able to use operating costs since February 2020 as leverage for this application which if/when received will make funds available for project funding. This authorization is solely for application of grant funding. Once funds are secured, staff will seek authorization for the project approval from council at a later meeting.

# **Council Letter**

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Date of Meeting 22-12-05

Originating Department: Public Works

To the Mayor and City Council:

Subject: Concurrence in Award for S. Ingram Overpass Bid – MoDOT Project 221118-H02

Action Options:

1. Authorize Concurrence in Award
2. Other action the City Council deems appropriate.

Background:

MoDOT opened bids for the South Ingram Overpass project on Friday 11/18/2022. They received three bids. The lowest bid was from Penzel Construction from Jackson, MO with a low bid amount of \$4,229,868.28. This was very close to MoDOT's engineer estimate of \$4.2 Million. The original bid from several months back was for \$5,672,302.32, but had a much larger scope. The current bid has gone back to the basics of just the overpass. The connecting roads will have to be built by the city/county. This is being funded by a Governor's Cost Share grant which covers \$4,200,000 and has 50/50 funding with us responsible for \$2,100,000 and 100% of any costs over \$4,200,000.

Originally, the estimate for the bridge was \$2.8 million, however, impacts from covid and supply chain issues have obviously affected the overall cost. The remainder of the original grant was planned to be used on the outer road.

Staff recommends concurring in the award of the project with the current low bid. Staff also recommends authorizing staff to inquire to MoDOT about the possibility of seeking additional Governor Cost Share funding due to the unforeseen overages.

# **Council Letter**

---

Date of Meeting: December 5, 2022

Originating Department: City Manager

To the Mayor and City Council:

Subject: 2024-2028 Capital Improvement Plan

Attachment(s):

1. 2024-2028 Capital Improvement Plan

Action Options:

1. Receive the 2024-2028 Capital Improvement Plan
2. Other Action Council May Deem Necessary

Background:

The Capital Improvement Plan (CIP) is the city's 5 year plan for investment in capital assets. Development of the 2024-2028 CIP began in October with city staff. This plan will inform decisions made in the FY2024 budget process which will begin this spring.

The City Charter requires that the city manager submit a five year capital program to the city council at least six months prior to the start of the new fiscal year. Staff requests that Council accept the attached Capital Improvement Plan. For more information please see the introductory letter in the attached plan.

# *CITY OF SIKESTON*

## *2024-2028 Capital Improvement Plan*



### *MAYOR*

*Greg Turnbow*

### *CITY COUNCIL*

*Vest Baker*

*John Leible*

*Tom Robison*

*Brian Self*

*David Teachout*

*Onethia Williams*

### *CITY MANAGER*

*Jonathan "J.D." Douglass*





## *2024-2028 Capital Improvement Plan*

### **Introduction**

#### ***What is a Capital Improvement Plan?***

The Capital Improvement Plan (CIP) is a tool for the city's leaders – elected officials and management staff – to plan for future investments in city services. The CIP is not a budget, but it will be used to help formulate the upcoming budget. Although the CIP contains far more projects than the city will realistically be able to afford, they are all projects with value to the city and its residents. City leaders will use the CIP to weigh the value of those projects against each other, and eventually choose which ones should be funded in upcoming budgets.

Development of the CIP helps city leaders look beyond the current or upcoming budget year and think about the community's needs several years into the future. This is especially important as we contemplate large projects that require several years of planning. The CIP helps the City Council and staff to take a long-range view of the city's activities and responsibilities.

The Capital Improvement Plan is not to be confused with the Capital Improvement Fund or Capital Improvement Budget. Annually, the city adopts a budget for the upcoming fiscal year. Within that budget is a Capital Improvement Fund, which will fund some of the projects identified in the Capital Improvement Plan. Other projects contained in the Plan will be budgeted from other city funds, and many projects will not be funded at all because the resources are not available. Those projects will likely be deferred to a future year.

#### ***Capital Project Defined***

Capital projects are defined as purchases and projects of \$20,000 or more that meet one or more of the following criteria:

1. Acquisition of land for a public purpose.
2. Construction of a new facility (such as a building, ball field, picnic shelter, etc.) or expansion of a facility.
3. Repair or renovation of a building, grounds, facility or equipment with a useful life of 5 years or more.
4. Purchase of major equipment with an individual cost of \$20,000 or more. Purchase of multiple small pieces of equipment (such as radios, weapons, etc.) that together add up to \$20,000 or more are NOT considered capital projects.
5. Planning, feasibility, engineering, or design study related to a capital project.

### **Capital Improvement Plan Development Process**

#### ***Departmental Submittals***

The City Manager prepares spreadsheets upon which departments are to enter their capital improvement requests. The spreadsheets are distributed to department heads in early October,



and are due back to the City Manager in early November. The City Manager then reviews the submittals with the department heads for clarification and additional information.

### ***Capital Improvement Plan Evaluation Committee***

After the City Manager receives and reviews the initial submittals from the departments, the CIP Evaluation Committee is convened to evaluate the projects. The CIP Evaluation Committee consists of the City's Executive Team (city manager, city clerk, human resources director and all of the department heads) plus a City Council member. Mayor Turnbow served as the Council representative on the committee this year. The committee met to review the requested projects and allow the other department heads the opportunity to explain their requests and answer questions. The committee then gave numerical ratings to all of the projects requested for fiscal year 2024 (FY2024). Projects for years beyond FY2024 are included in the CIP but are not ranked at this time.

Per the City Charter, the City Council should accept the CIP by December 31, or at least 6 months prior to the beginning of the upcoming fiscal year.

### ***Evaluation Committee Results***

FY2024 projects were rated and ranked using the Evaluation Criteria List and Scoring Matrix, which may be found after this letter. **A word of caution about the ratings: A project's rating and ranking will not be an absolute determinant of funding.** The ratings and rankings will be important decision-making tools as future budgets are developed, but final funding decisions will also take into account financial realities and the professional judgment of city management and the City Council during budget deliberations.

With the above disclaimer in place, here are the rankings of the projects based on the average score of all the committee members. There is not a cut and dried answer to the "best" way to rank the projects. The rankings are a tool to inspire discussion and serious thought regarding the projects and their merit. The rankings do not include projects which show up in the CIP but have already been approved, such as fire apparatus and dump truck lease purchases. The rankings also do not include individual street and drainage projects funded through the Transportation Sales Tax, which are ranked and chosen in a separate process by the Planning and Zoning Commission and then the City Council. The rankings do, however, consider additional funding for street and drainage projects from the Capital Improvement Sales Tax.

<b>2024 Project Ranking By Average Score</b>				
<b><i>Rank</i></b>	<b><i>Dept</i></b>	<b><i>Division</i></b>	<b><i>Project</i></b>	<b><i>Estimate</i></b>
1	Public Works	Streets	ADA Sidewalk Improvements	\$50,000
2	Public Works	Streets	Additional Contracted Street & Drainage Program	\$300,000
3	Public Works	Streets	Ditch Maintenance	\$50,000
4	Public Safety	Patrol	City Wide Camera System Maintenance	\$35,000
5	Public Safety	Admin	911 Recorder - Model 400	\$90,000
6	Public Works	Parks	Rail Trail - Ingram to Veterans Park	\$600,000
7	Public Works	Parks	Downtown restroom	\$80,000
8	Public Works	Parks	Open Air Market Restroom	\$50,000

9	Public Safety	EmerMgmt	Warning Sirens, Complex and Matthews Park	\$70,000
10	Comm Dev	Code Enf	Grapple Truck for Bulk Pickup/Cleanup	\$200,000
11	Public Works	Parks	Replace playground equipment, Other Parks	\$70,000
12	Public Works	Parks	Master Plan for Parks System	\$90,000
13	Govt Services	Gen Govt	Sound/Video System for Council Chambers	\$20,000
14	Public Works	Parks	Replace playground equipment, Complex	\$110,000
15	Public Works	Parks	Various ballfield improvements	\$22,000
16	Public Works	Parks	Trail improvements for Bootheel (maintenance)	\$20,000
17	Public Safety	Fire	Turnout Gear replacement schedule	\$45,000
18	Public Works	Parks	Tennis court lights (6)	\$50,000
19	Public Works	Airport	Runway Cleaning/Painting	\$50,000
20	Public Works	Parks	Complex Parking Lots	\$80,000
21	Public Works	Airport	Apron expansion - 90/10 match	\$800,000
22	Public Works	Streets	Crawler Loader (used) for compost	\$75,000
23	Public Safety	Fire	Hose and appliances replacement schedule	\$20,000
24	Public Works	Streets	Alley Maintenance	\$25,000
25	Public Safety	Fire	Station 1 and 3 renovations	\$20,000
26	Public Works	Parks	Playground Surfacing- (Pour in Place), various	\$50,000
27	Public Works	Streets	Batwing Mower	\$25,000
28	Public Works	Parks	Fitness equipment around complex lake	\$90,000
29	Public Works	Parks	Sunshades for ballfield quads (8 per year)	\$20,000
30	Public Safety	Patrol	Portable Radio Maintenance/Replacement	\$30,000
31	Public Works	Parks	Ice Skating Rink	\$180,000
32	Public Works	Parks	Mountain bike trail at Bootheel	\$50,000
33	Public Works	Streets	1 Ton Flatbeds	\$75,000
34	Public Works	Parks	Maintenance road from Complex to Rodeo	\$100,000
35	Public Safety	Patrol	Sedans/Patrol, new (3 per year)	\$225,000
36	Public Safety	Patrol	Sedans/Patrol, refurbished (3 per year)	\$100,000

37	Public Works	Streets	Frontend Loader	\$170,000
38	Public Works	Bldg Maint	Work Truck	\$50,000
39	Public Safety	Admin	Building Renovations, HQ (general plus rooftop unit replacements)	\$70,000
40	Public Works	Airport	AWOS	\$100,000
41	Public Works	Airport	Multi-hangar roof	\$250,000
42	Public Safety	Patrol	Sedans/Admin (2 per year)	\$80,000
43	Comm Dev	Code Enf	2nd Floor Renovations	\$50,000
44	Public Works	Parks	Flat bed work truck	\$50,000
45	Public Works	Garage	Building Renovations (Heaters/Windows/Pumps)	\$20,000
46	Comm Dev	Code Enf	Scanner/copier (plotter) and server	\$20,000
47	Govt Services	Gen Govt	City Hall HVAC replacements	\$20,000
48	Comm Dev	Code Enf	Tahoe	\$50,000
49	Public Works	Airport	Tractor	\$35,000
50	Comm Dev	Code Enf	Sedan	\$25,000
51	Govt Services	Gen Govt	Paint East and South Exterior Walls, City Hall Parking Lot	\$30,000
52	Govt Services	Gen Govt	Carpeting - 2nd Floor Hallways & City Offices (3,308 Sq. Ft.)	\$20,000
<b>Total</b>				<b>\$5,007,000</b>

I hope that this Capital Improvement Plan, and the process that created it, will bring attention to the needs of the city and its operational departments, and will help city leaders effectively allocate limited resources.

Respectfully Submitted,



Jonathan M. Douglass, ICMA-CM  
City Manager

## Capital Improvement Plan Evaluation Criteria List and Scoring Matrix

Criteria	Possible Scores		
	0 Negative Impact	1 Neutral or small positive impact	2 Large positive impact
<b>Consistency with community goals and plans</b>	Project is inconsistent with, or does nothing to advance, the City Council's goals.	Project falls within a major City Council goal category, but does not address a specific goal.	Project directly and explicitly advances one or more of the City Council's goals.
<b>Public health and safety</b>	Project would have minimal impact on existing public health and/or safety.	Project would increase public health and/or safety but is not an urgent, continual need or hazard.	Project addresses an immediate, continual safety hazard or public health and/or safety need.
<b>Public infrastructure and facilities</b>	Project would not have a significant impact on existing infrastructure and/or facilities.	Project would make a minor improvement to existing infrastructure and/or facilities.	Project would make a major improvement to existing infrastructure and/or facilities.
<b>Supports economic development</b>	Project would have little to no impact on capital investment, the tax base, valuation, or job opportunities.	Project would have a minor positive impact on capital investment, the tax base, valuation, or job opportunities.	Project would have a major positive impact on capital investment, the tax base, valuation, or job opportunities.
<b>Mandates or other legal requirements</b>	Project is not mandated or otherwise required by court order, judgment, or interlocal agreements.	Project would address anticipated mandates, other legal requirements, or interlocal agreements.	Project required by federal, state, or local mandates, grants, court order and judgments; or required as part of interlocal agreements.
<b>Extent of benefit</b>	Project would benefit only a small percentage of citizens or only a particular neighborhood or area.	Project would benefit a large percentage of citizens or many neighborhoods or areas.	Project would benefit most or all citizens, neighborhoods, or areas.
<b>Social Equity</b>	Project could be perceived as favoring already advantaged citizens or neighborhoods.	Project has a neutral effect on social equity.	Project primarily serves underserved or disadvantaged citizens or neighborhoods.
<b>Public perception of need</b>	Project has no public support or established voter appeal, or the public is unaware of the need.	Project has been identified by some of the citizenry as a need in, but lacks strong or widespread support.	Project has strong political support; project was suggested by or advocated for by a large number of citizens.
<b>Efficiency of service</b>	Project would have little or no impact on the efficiency of service.	Project would eliminate obsolete or inefficient equipment/facilities.	Project would result in significant efficiency increases in terms of costs or staff time.
<b>Budget impacts</b>	Project would significantly increase debt service or on-going operating costs.	Project would not significantly impact debt service, installment payments, other operating costs, or revenues.	Project would significantly reduce on-going costs, or increase revenues.

## CAPITAL IMPROVEMENT PLAN, FISCAL YEARS 2024 - 2028

Capital Improvement Purchase, defined: Any purchase of \$20,000 or more for an asset with a useful life of 5 years or greater.

Funding Source Legend:

GF-General Fund

CI-Capital Improvement Sales Tax Fund

TS - Transportation Sales Tax

PF - Park Fund

911 - E911 Fund

Department	Division	Project Description	Est. Life	Purch. Year	Funding Source	FY24	FY25	FY26	FY27	FY28
Comm Dev	Code Enf	Scanner/copier (plotter) and server	10		CI	\$20,000				
Comm Dev	Code Enf	Tahoe	10		CI	\$50,000				
Comm Dev	Code Enf	Tahoe	10		CI		\$50,000			
Comm Dev	Code Enf	Sedan	10		CI	\$25,000				
Comm Dev	Code Enf	Copy Machine	7		CI		\$20,000			
Comm Dev	Code Enf	GPS/Locators	7		CI		\$20,000			
Comm Dev	Code Enf	2nd Floor Renovations	15		CI	\$50,000				
Comm Dev	Code Enf	Grapple Truck for Bulk Pickup/Cleanup	7		CI	\$200,000				
Govt Services	City Clerk	Laserfiche Document Solutions	5		CI			\$20,000		
Govt Services	City Clerk	DED/Council Chambers Renovations	15		CI			\$50,000		
Govt Services	Gen Govt	Sound/Video System for Council Chambers	10		ARPA	\$20,000				
Govt Services	Gen Govt	Postage Machine (lease)	5	2020	GF			\$20,000		
Govt Services	Gen Govt	Buzzer/camera system for city hall doors	5		CI		\$20,000			
Govt Services	Gen Govt	Courtroom Renovations (Move Court Offices)	10		CI			\$50,000		
Govt Services	Gen Govt	Carpeting - 2nd Floor Hallways & City Offices (3,308 Sq. Ft.)	15	2006	GF	\$20,000				
Govt Services	Gen Govt	Paint East and South Exterior Walls, City Hall Parking								
Govt Services	Gen Govt	Lot	10	2012	CI	\$30,000				
Govt Services	Gen Govt	City Hall HVAC replacements	10		CI	\$20,000	\$20,000	\$20,000		
Public Works	Bldg Maint	Work Truck			CI	\$50,000				
Public Works	Streets	Crawler Loader (used) for compost			CI	\$75,000				
Public Works	Streets	1 Ton Flatbeds			TS	\$75,000				
Public Works	Streets	Street Sweeper Lease			CI				\$50,000	\$50,000
Public Works	Streets	Frontend Loader			CI	\$170,000				
Public Works	Streets	Air Compressor			TS		\$25,000			
Public Works	Streets	Batwing Mower			CI	\$25,000				
Public Works	Streets	Additional Contracted Street & Drainage Program			CI	\$300,000	\$350,000	\$350,000	\$350,000	
Public Works	Streets	Ditch Maintenance			TS	\$50,000	\$50,000	\$50,000	\$50,000	
Public Works	Streets	Alley Maintenance			CI	\$25,000	\$25,000	\$25,000	\$25,000	
Public Works	Streets	ADA Sidewalk Improvements			CI	\$50,000	\$50,000	\$50,000	\$50,000	
Public Works	Garage	Building Renovations (Heaters/Windows/Pumps)			CI	\$20,000				
Public Works	Parks	3/4 ton work truck			CI					
Public Works	Parks	Flat bed work truck			CI	\$50,000				
Public Works	Parks	Large tractor with loader/Cab			CI			\$50,000		
Public Works	Parks	Batwing Mower for Complex			CI				\$75,000	

Department	Division	Project Description	Est. Life	Purch. Year	Funding Source	FY24	FY25	FY26	FY27	FY28
Public Works	Parks	Front mounted mowers			CI			\$25,000		
Public Works	Parks	ABI Force with Laser			CI		\$40,000			
Public Works	Parks	60' Level Best with Attachments			CI		\$35,000			
Public Works	Parks	UTV with long bed			CI		\$20,000			
Public Works	Parks	Add on parks shop at BMX			CI			\$60,000		
Public Works	Parks	New outdoor pickleball courts			CI				\$150,000	
Public Works	Parks	Downtown restroom			CI	\$80,000				
Public Works	Parks	Open Air Market Restroom			CI	\$50,000				
Public Works	Parks	Ice Skating Rink			CI	\$180,000				
Public Works	Parks	Soccer field lights (3 fields)			CI					\$350,000
Public Works	Parks	Tennis court lights (6)			CI	\$50,000				
Public Works	Parks	Replace VFW field lights			CI			\$300,000		
Public Works	Parks	Replace Rotary Park ballfield lights			CI				\$300,000	
Public Works	Parks	Restroom - RS Matthews Park			CI			\$100,000		
Public Works	Parks	Fitness equipment around complex lake			CI	\$90,000				
Public Works	Parks	Replace playground equipment, Complex			CI	\$110,000	\$110,000	\$110,000		
Public Works	Parks	Replace playground equipment, Other Parks			CI	\$70,000	\$70,000	\$70,000	\$70,000	
Public Works	Parks	Playground Surfacing- (Pour in Place), various			CI	\$50,000	\$50,000	\$50,000	\$50,000	
Public Works	Parks	Various ballfied improvements			CI	\$22,000	\$22,000	\$22,000	\$22,000	\$22,000
Public Works	Parks	Grade soccer fields			CI		\$25,000			
Public Works	Parks	Splash pad - Complex			CI			\$600,000		
Public Works	Parks	Rail Trail - Sunset to Western Terminus			CI				\$600,000	
Public Works	Parks	Rail Trail - Main to Veterans Park			CI	\$600,000				
Public Works	Parks	Rail Trail - Veteran's Park to Tetra Pak			CI					\$700,000
Public Works	Parks	Trail Project - Salcedo, Complex to Kingshighway			CI		\$300,000			
Public Works	Parks	Trail Project - South West, Malone to Murray Ln			CI			\$200,000		
Public Works	Parks	Various trail improvements			CI					\$150,000
Public Works	Parks	St John's Bayou improvements			CI			\$150,000		
Public Works	Parks	Complex Parking Lots			CI	\$80,000	\$90,000	\$110,000		
Public Works	Parks	Shelter replacements			CI			\$50,000	\$50,000	\$50,000
Public Works	Parks	Sunshades for ballfied quads (8 per year)			CI	\$20,000	\$20,000			
Public Works	Parks	New baseball/softball quad/quint at Bootheel			CI				\$5,400,000	
Public Works	Parks	2 soccer fields at Bootheel			CI				\$900,000	
Public Works	Parks	Parking for additional soccer fields			CI				\$352,000	
Public Works	Parks	Mini golf/Batting Cage area at Bootheel			CI				\$100,000	
Public Works	Parks	Rec center at Bootheel			CI				\$11,300,000	
Public Works	Parks	Parking for rec center			CI				\$512,000	
Public Works	Parks	RV camping at Bootheel			CI				\$500,000	
Public Works	Parks	Tent camping at Bootheel			CI				\$200,000	
Public Works	Parks	Mountain bike trail at Bootheel			CI	\$50,000				

Department	Division	Project Description	Est. Life	Purch. Year	Funding Source	FY24	FY25	FY26	FY27	FY28
Public Works	Parks	Maintenance road from Complex to Rodeo			CI	\$100,000				
Public Works	Parks	Public access road to Bootheel			CI		\$216,000		\$512,000	
Public Works	Parks	Trail improvements for Bootheel (maintenance)			CI	\$20,000	\$20,000			
Public Works	Parks	New parks shop (Bootheel)			CI				\$100,000	
Public Works	Parks	Miracle ballfield			CI				\$625,000	
Public Works	Parks	Complex sidewalk improvements			CI		\$425,000			
Public Works	Parks	Large gathering shelter at Complex			CI				\$86,500	
Public Works	Parks	Native grass/meadow establishment (Bootheel/Complex)			CI				\$45,000	
Public Works	Parks	Master Plan for Parks System			CI	\$90,000				
Public Works	Parks	Ampitheatre for Complex			CI				\$300,000	
Public Works	Parks	Large Digital Sign, Complex			CI		\$60,000			
Public Works	Airport	Apron expansion - 90/10 match			CI	\$800,000	\$600,000			
Public Works	Airport	New truck for AV gas fueling			CI			\$40,000		
Public Works	Airport	Runway Cleaning/Painting			CI	\$50,000				
Public Works	Airport	Zero Turn Mower			CI					
Public Works	Airport	Tractor			CI	\$35,000				
Public Works	Airport	AWOS			CI	\$100,000				
Public Works	Airport	Multi-hangar roof			CI	\$250,000				
Public Works	Airport	New PAPI Lights			CI				\$300,000	
Public Works	Airport	New Hangar (90/10)			CI			\$1,400,000		
Public Safety	Admin	911 Recorder - Model 400			911	\$90,000				
Public Safety	Admin	Mobile Data Terminals	5		CI			\$60,000		
Public Safety	Admin	Building Renovations, HQ (general plus rooftop unit re	5		CI	\$70,000	\$50,000	\$500,000	\$50,000	
Public Safety	Patrol	Sedans/Patrol, new (3 per year)	3		CI	\$225,000	\$165,000	\$165,000	\$165,000	
Public Safety	Patrol	Sedans/Patrol, refurbished (3 per year)	3		CI	\$100,000	\$100,000	\$100,000	\$100,000	
Public Safety	Patrol	Sedans/Admin (2 per year)	10		CI	\$80,000	\$80,000	\$80,000		
Public Safety	Patrol	Glock 9mm	12		CI		\$40,000			
Public Safety	Patrol	Portable Radio Maintenance/Replacement	5		CI	\$30,000	\$30,000	\$30,000	\$30,000	
Public Safety	Patrol	City Wide Camera System Maintenance	10		CI	\$35,000	\$35,000	\$35,000	\$35,000	
Public Safety	Fire	Fire Marshall Vehicle	10	2011	CI					
Public Safety	Fire	Engine 4 (1992 C933 pumper)	15	1992	CI					
Public Safety	Fire	Tower 1 (2002 E-One 95' Platform)	15	2002	CI			\$2,000,000		
Public Safety	Fire	Engine 1 (2007 E-One)	15	2007	CI				\$750,000	
Public Safety	Fire	Hose and appliances replacement schedule			CI	\$20,000	\$20,000	\$20,000	\$20,000	
Public Safety	Fire	Cascade Portable Air Trailer			CI		\$50,000			
Public Safety	Fire	Turnout Gear replacement schedule			CI	\$45,000	\$45,000	\$45,000	\$45,000	
Public Safety	Fire	Station 2 Replacement			CI		\$6,000,000			
Public Safety	Fire	Station 1 and 3 renovations			CI	\$20,000	\$20,000	\$20,000	\$20,000	
Public Safety	Fire	Extrication equipment			CI					
Public Safety	EmerMgmt	Warning Sirens, Complex and Matthews Park			CI	\$70,000				



Department	Division	Project Description	Est. Life	Purch. Year	Funding Source	FY24	FY25	FY26	FY27	FY28
		TOTALS				\$5,007,000	\$9,368,000	\$7,027,000	\$24,289,500	\$1,322,000

# **Council Letter**

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Date of Meeting: 22-05-12

Originating Department: Public Works Department/ Street Division

To the Mayor and City Council:

Subject: Storm Water Management Plan/ MS4 Permit RO40025 Update

Attachments:

1. Summary of Storm Water Management Plan

Action Options:

1. No action is required by Council
2. Other action Council may deem appropriate

Background:

In accordance with the Missouri Clean Water Law and the United States Federal Clean Water Act, the City of Sikeston must obtain a permit (Permit MOR04C) to discharge stormwater into the waters of the state. This permit covers all areas served by a Municipal Separate Storm Sewer System (MS4). Sikeston currently operates as a MS4. Unlike BMU's sanitary water treatment, a MS4 does not treat storm water before discharged into the waters of the state.

To the extent of state and local laws, a Storm Water Management Plan must be developed , implemented, and enforced to the requirements of the state permit. The city must implement Best Management Practices to achieve compliance with the standard of reducing pollutants to the waters of the state.

Under the provisions of this permit, a representative of the MS4 shall provide an update to the governing board. This shall be conducted at minimum annually with the status of the Storm Water Management Plan, and compliance with the Storm Water Management Plan.

**Summary and Highlights for the**  
**Comprehensive General Permit for Phase II MS4's &**  
**Storm Water Management Plan for the City of Sikeston**

**Summary for the Current Storm Water Management Plan**

- On October 24<sup>th</sup>, 2021, the city received its operating permit (Permit # MOR04C019) from the Missouri Department of Natural Resources to discharge stormwater into the waters of the United States. The permit is set to expire on September 30<sup>th</sup>, 2026.
- On January 1<sup>st</sup>, 2022, to the extent of state and federal regulations, an updated Storm Water Management Plan (SWMP) went into effect. The plan establishes six minimum control measures the city must implement and enforce to be in compliance with the provisions of the permit.
- The city's required annual report on the status of its Storm Water Management Plan was submitted to the Missouri's Department of Natural Resources on February 1<sup>st</sup>, 2022. To date no response has been received from the Department.

**Summary for Minimum Control Measure #1: Public Education & Outreach on Stormwater Impacts**

The city must implement a public education program to distribute educational materials to the community and provide outreach activities about the impacts of stormwater discharges and steps to reduce pollutants in stormwater runoff.

The public education program includes the following:

- Educational Facebook posts (currently 8,397 followers)
- Local newspaper articles
- Occasional local television station interview
- Pamphlets
- Informational website
- Sikeston Scanner, an e-mail service

The outreach activities program includes the following:

- Yard Waste Disposal Site (Compost site) events: Year to date the site has been visited 1,602 times by citizens who have disposed of 1,548 truckloads and 748 trailer loads of yard waste.
- Spring Community Clean Up event: The city's Yard Waste Collection Site was visited by 482 citizens who filled 17 dumpsters, which totaled 58 tons of trash.
- Fall Community Clean Up event: The city's Yard Waste Collection Site was visited by 391 citizens who filled 13 dumpsters, which totaled 40 tons of trash.
- Tire Collection Program: 300 tires collected at the city's Yard Waste Collection Site.
- Leaf Collection Program: This leaf season the city's Yard Waste Collection Site has been visited 67 times by citizens who disposed of 78 truckloads and 38 trailer loads of leaves. The city's new leaf vacuum truck has collected 408 yards of leaves.

- Adopt A Road program: this program is being reevaluated by staff and hopefully will be reorganized next year (2023).
- Goals for the coming year include targeting a specific group with a specific pollutant to begin an educational campaign with, improving the Adopt A Road program, and beginning an activity that involves a younger audience.

### **Summary for Minimum Control Measure #2: Public Participation**

The city must develop and implement a public participation program that provides opportunities for the public to participate in the development and oversight of the city's stormwater management plan.

The public participation program includes the following:

- Public notice is given when the Stormwater Management Plan is being discussed through the city's social media accounts, e-mail services, and website.
- The city has a Storm Water Advisory Board which convenes occasionally. The public is invited to these meetings and encouraged to voice concerns over stormwater. No meeting has been held to date this year.
- Goals for the coming year include convening more Storm Water Advisory Board meetings for public participation and soliciting a broader membership on the board that includes stakeholders in stormwater runoff.

### **Summary for Minimum Control Measure #3: Illicit Discharge & Detection Program**

The city must develop and implement a program that detects and eliminates illicit discharges (pollution) into the city's stormwater system.

The illicit discharge and detection program includes the following:

- The city's GIS (Geographic Information System) map of the city's stormwater system is constantly reviewed and updated as new infrastructure is added.
- The city's outfalls (infrastructure that discharges stormwater into the waters of the United States) have been identified and labeled. These outfalls must be inspected for pollution a minimum of once per the life of the permit. To date the city owns 94 outfalls of which 13 have been inspected. No pollution was detected at any of the inspected outfalls.
- No pollution has been detected to date in the city through the efforts of the city's DPS, DPW, or Planning Division personnel.
- The Street Division participates in the Missouri One Call (Dig-Rite) program and provides opportunities to detect pollutants. Last year city personnel responded to 820 Missouri One Call requests.
- New personnel with DPW and Planning Division have received training on how to detect illicit discharges.
- Goals for the new year include more training opportunities for DPS, DPW, and Planning Division employees as well as all city personnel.

#### **Summary for Minimum Control Measure #4: Construction Site Stormwater Runoff Control**

The city must develop, implement, and enforce a program to reduce pollutants from construction sites that may enter the city's stormwater system.

The construction site stormwater runoff control program includes the following:

- The city's construction site stormwater runoff control program is being reevaluated due to new management in the city's Planning Division.
- The city maintains an ordinance (Ordinance #5816) that addresses stormwater control on construction sites. This ordinance gives the city authority to address pollution issues such as silt runoff, paint and chemical pollution, mud in roadways, and unkept trash. The ordinance allows the city to levy fines and issue stop work orders. To date this reporting period, only one (1) contractor has been issued written warnings for non-compliance. The issues were corrected, and no fines or penalties were issued.
- Goals for the new year include evaluating city ordinances for construction site runoff, setting protocols within the Planning Division, continued employee training, and communications with Missouri's Department of Natural Resources to ensure compliance.

#### **Summary for Minimum Control Measure #5: Post-Construction Stormwater Runoff Control**

The city must develop, implement, and enforce a program that address the quality of long term stormwater runoff from new and redeveloped projects.

The post-construction stormwater runoff control program includes the following:

- The city's post-construction stormwater runoff program is being reevaluated due to new management in the city's Planning Division.
- The city maintains an ordinance (Ordinance #5816) that addresses storm water runoff on post-construction sites. The ordinance addresses issues such as establishing new turf, keeping basins clean and free of overgrowth of vegetation, and proper functioning of the infrastructure. To date this reporting period, most of the city's and privately owned post-construction facilities have been inspected and been found to be in good working order. There are two (2) privately owned storm basins that have been found to be non-functioning. They have not been addressed by city personal as of yet.
- Goals for the new year include evaluating city ordinances for post-construction site runoff, setting protocols within the Planning Division, continued employee training, and communications with Missouri's Department of Natural Resources to ensure compliance.

#### **Summary for Minimum Control Measure #6: Pollution Prevention for Municipal Operations**

The city must develop and implement a maintenance and operation program that includes a training component and has a goal of reducing pollutants from municipal operations.

The pollution prevention for municipal operations program includes the following:

- A cross section of the city's facilities have been inspected this reporting period and minor stormwater violations were observed.
- New and seasoned employees within DPW and Planning Division have received training on stormwater issues throughout the reporting period.
- All pollutants that pose a hazard to stormwater runoff are maintained undercover in city facilities.
- Approximately 450 tons of salt for deicing operations are stored under roof at the DPW complex.
- To date, the Street Division has committed 3,607 manhours to maintain the city's stormwater system. This includes grate cleaning, street sweeping, storm pipe repair and maintenance, and ditch/basin mowing. These operations provide ample opportunities to detect illicit discharges and pollutants.
- Goals for the coming year include continued education for city staff.

# **Council Letter**

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Date of Meeting: 22-12-05

Originating Department: Department of Community Development

To the Mayor and City Council:

Subject: Conditional Use Variance for a Nursing Home in an IL (Light Industrial) zone

Attachment(s):

1. Letter of Request
2. Application
3. Deed of Trust/ Legal Description
4. Site Plan
5. Zoning Map
6. Zoning Regulations

Action Options:

1. Approve/Disapprove Request for a conditional use variance to allow a nursing home to be in an IL (Light Industrial) zone at 302 Stallcup Dr, Sikeston, New Madrid County Missouri.
2. Other action Council may deem appropriate

Background:

A request from B.A. & L Holding, LLC for a conditional use variance to allow a nursing home to be in an IL (Light Industrial) zone at 302 Stallcup Dr, Sikeston, Missouri. This conditional use variance is being requested because a nursing home is not allowed or disallowed in a Light Industrial zone.

The Planning and Zoning committee met November 8,2022 and passed a favorable recommendation to approve the conditional use variance request.



October 6, 2022

Permit and Zoning Commission  
City of Sikeston  
105 E. Center Street  
Sikeston, MO 63801

RE: Annie's Garden Skilled Nursing, LLC

Dear Sir or Madam:

This letter is being submitted to City of Sikeston Permit and Zoning Commission to request a conditional use permit for the replacement of Westfield Nursing Center located at 3144 State Hwy FF, Sikeston, MO.

The site of this 75-bed replacement nursing facility will be located at 302 Stallcup Drive, Sikeston, MO 63801. This request is offered in compliance of city regulations/ordinances to receive a conditional use permit prior to beginning construction of this new structure.

This facility will have 59 private rooms and a Memory Care Unit for elderly with Dementia and/or Alzheimer's Disease. The addition of this nursing facility to the Sikeston community will provide for quality care in a state of art facility that currently is not offered in Sikeston.

Thank you for your consideration of this request and I look forward to your reply.

Sincerely,

  
Benjamin Sells  
CEO

300 N. Walnut, Ste A Dexter, MO 63841  
(573) 614-7472 (P) (833) 471 – 3364 (F)



Application to Planning and Zoning Commission  
City of Sikeston, Missouri

**Attachments needed:**

- Letter of Request to P&Z Commission detailing request for annexation, zoning, subdivision or conditional use
- 1 large scale plat and 1 small scale plat with engineer's or architect's seal (seal not required for rezoning or conditional use request) sketch plan shall detail proposed layout of streets, lots and other features in relation to existing area along with other data describing proposed development
- Legal Description must be provided in a Word Document on a flash drive

Application fees, legal notice fees and mailing fees are the responsibility of the applicant and are billed separately. Fees are due prior to the meeting date.

All requests, including application, letter of request and plats, are to be received at least 25 days prior to the meeting date. The regular meeting date is the second (2<sup>nd</sup>) Tuesday of each month.

*To be completed by the applicant*

Applicant Name(s): B.A. 3/2 Holdings, LLC

Address: 300 N Walnut St, Dexter, MO 63841

I/We apply to the Planning and Zoning Commission for the following manner:

**For Annexation:**

1. Address of Property: \_\_\_\_\_
2. Legal Description of Property: \_\_\_\_\_
3. Property Owner: \_\_\_\_\_

**For a Zoning Request:**

1. Address of property, if available: \_\_\_\_\_
2. Legal description of property: \_\_\_\_\_
3. Property owner: \_\_\_\_\_
4. Current zoning: \_\_\_\_\_
5. Type of zoning requested: \_\_\_\_\_

**For a Subdivision Request:**

1. Address of property, if available: \_\_\_\_\_
2. Legal description of property: \_\_\_\_\_
3. Property Owner: \_\_\_\_\_
4. Current number of lots: \_\_\_\_\_
5. Proposed number of lots: \_\_\_\_\_

**For a Conditional Use Variance:**

1. Address of Property: 302 Stallcup Dr. Sikeston, MO 63801
2. Legal Description of Property: Lot 9 of Stallcup Estate Resubdivision
3. Property Owner: B.A. 3/2 Holdings, LLC
4. Why is a conditional use being sought and what purpose is the conditional use to serve?

Nursing Home

Ben Sells  
Applicant Name (Please print)

  
Applicant's Signature

7pp  
\$42.00  
p44

Recorded in New Madrid County, Missouri



Recording Date/Time: 04/27/2022 at 10:24:39 AM

Instr #: 20220861

Book: 2022 Page: 861

Type: DT

Pages: 7

Fee: \$42.00 \$ 20220000862



Kim St. Mary Hall  
Recorder of Deeds

SEMO TITLE

SCANNED

(Space Above This Line For Recording Data)

LOAN NUMBER: 400796400

**COMMERCIAL REAL ESTATE DEED OF TRUST  
FUTURE ADVANCES AND FUTURE OBLIGATIONS ARE SECURED BY THIS DEED OF TRUST**

This COMMERCIAL REAL ESTATE DEED OF TRUST ("Security Instrument") is made on April 26, 2022 by the grantor(s) Nuco Distributing, LLC, a Missouri Limited Liability Company, whose address is 300 N. Walnut Ste A, Dexter, Missouri 63841 ("Grantor"). The trustee is Stephen J. Abts, whose address is 871 St. Genevieve Drive, Ste. Genevieve, MO 63670 ("Trustee"). The grantee is MRV Banks whose address is 101 S. Mount Auburn, Cape Girardeau, Missouri 63703 ("Lender"), which is organized and existing under the laws of the State of Missouri. Grantor owes Lender the principal sum of One Hundred Seventy-four Thousand Three Hundred Thirty-three and 24/100 Dollars (U.S. \$174,333.24), which is evidenced by the promissory note dated April 26, 2022. Grantor in consideration of this loan and any future loans extended by Lender up to a maximum principal amount of One Hundred Seventy-four Thousand Three Hundred Thirty-three and 24/100 Dollars (U.S. \$174,333.24) ("Maximum Principal Indebtedness"), and for other valuable consideration, the receipt of which is acknowledged, irrevocably grants, bargains, sells, conveys and confirms to Trustee, in trust, with power of sale, the following described property located in the County of New Madrid, State of Missouri:

Address: Lot 9 Stallcup Estate Resubdivision First Addition, Sikeston, Missouri 63801

Legal Description: Lot Nine (9) of Stallcup Estate Resubdivision, First Addition in the City of Sikeston, New Madrid County, Missouri.

Together with all easements, appurtenances abutting streets and alleys, improvements, buildings, fixtures, tenements, hereditaments, equipment, rents, income, profits and royalties, personal goods of whatever description and all other rights and privileges including all minerals, oil, gas, water (whether groundwater, subterranean or otherwise), water rights (whether riparian, appropriate or otherwise, and whether or not appurtenant to the above-described real property), wells, well permits, ditches, ditch rights, reservoirs, reservoir rights, reservoir sites, storage rights, dams and water stock that may now, or at any time in the future, be located on and/or used in connection with the above-described real property, payment awards, amounts received from eminent domain, amounts received from any and all insurance payments, and timber which may now or later be located, situated, or affixed on and used in connection therewith (hereinafter called the "Property").

This is a PURCHASE MONEY DEED OF TRUST.

**RELATED DOCUMENTS.** The words "Related Documents" mean all promissory notes, security agreements, prior mortgages, prior deeds of trust, prior deeds to secure debt, business loan agreements, construction loan agreements, resolutions, guaranties, environmental agreements, subordination agreements, assignments of leases and rents and any other documents or agreements executed in connection with this Indebtedness and Security





## PRELIMINARY DESIGN

PARADIGM SENIOR MANAGEMENT  
300 N. WALNUT SUITE A  
DEXTER, MISSOURI 63841

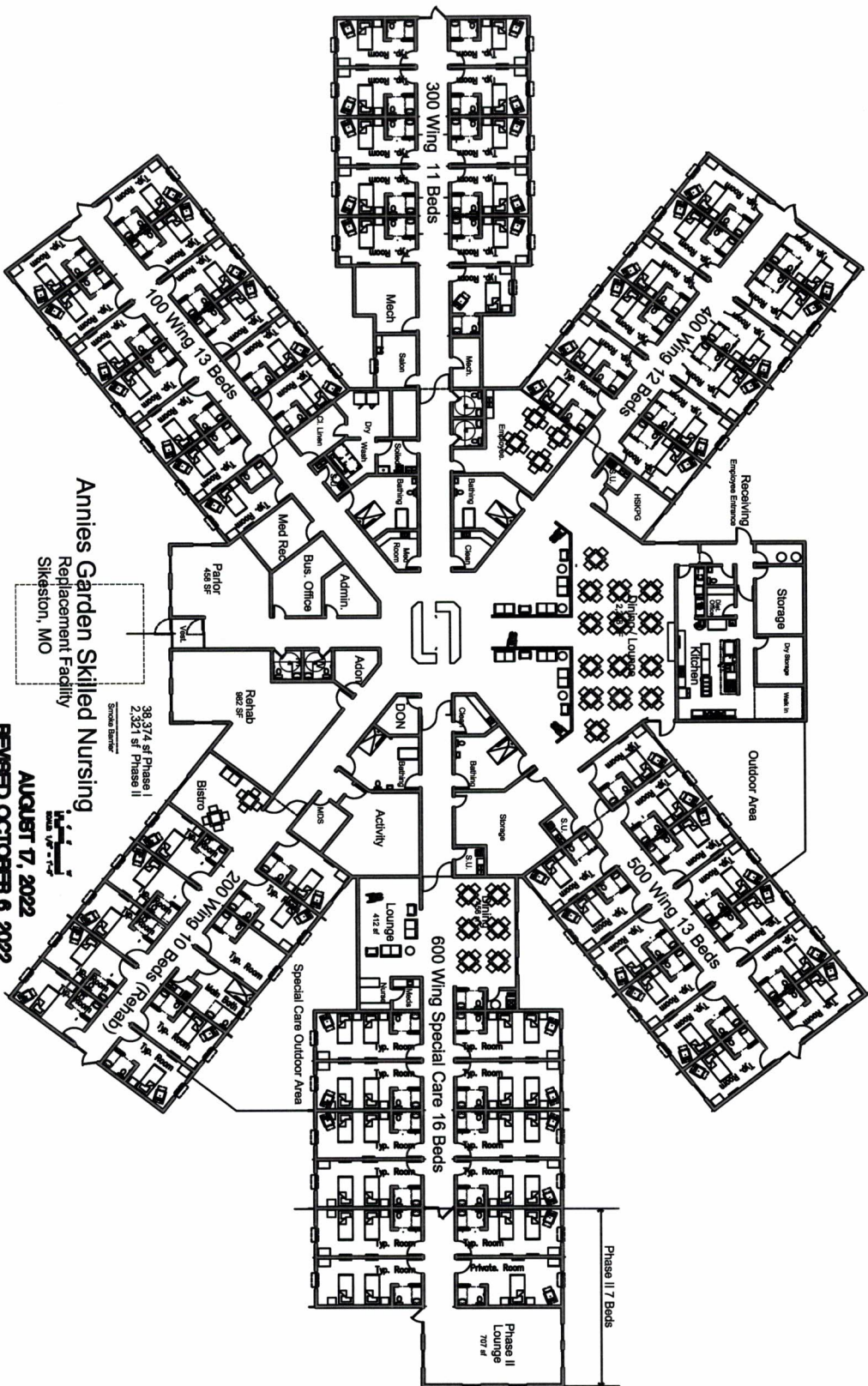
**DONNA F. BOXX, Architect, P.C.**



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Proud State Certificate of Authority 1999-02





# Annie's Garden Skilled Nursing Replacement Facility

St. Louis, MO

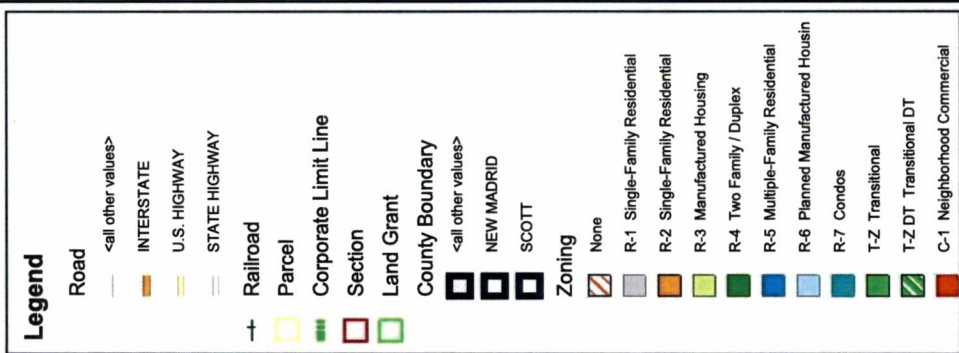
AUGUST 17, 2022

REMOVED OCTOBER 6, 2022

**DONNA F. BOXX, Architect, P.A.**

314-434-2333 FAX 314-434-2103  
donna@boxarchitect.com





## Notes

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

**373.5 Feet**

186.77

Q.

373.5



## Chapter 405. Zoning Regulations

### Article VII. District Regulations

#### Division 14.. "IL" and "IH" Industrial Districts

#### Section 405.1110. "IL" Light Industrial District.

[R.O. 2009 § 17.28.010; Ord. No. 6220, 4-26-2021]

- A. General Description. This industrial district is to provide wholesale and retail trade, service industries and light industries that manufacture, process, store and distribute goods and materials and are, in general, dependent on raw materials refined elsewhere; and the manufacture, compounding, processing, packaging or treatment of products specified in the uses permitted tables that follow.
- B. Uses Permitted.
  - 1. See Table I in Section **405.1130** of this Chapter.
  - 2. Any Downtown District, as may be designated by ordinance of the Sikeston City Council and located in whole or in part within a Light Industrial District (IL), shall be subject to additional restrictions as set forth in Table I, Table of Uses and shall be designated on City Zoning Maps as "IL DT."
- C. Area Regulations. Also See Reference Table 450.1, set out as Exhibit A to this Ch. **405**.
  - 1. The lot area and yard requirements for dwellings shall be the same requirements established for the "R-5" Residential District.
  - 2. See Table I in Section **405.1130** of this Chapter for the area regulations for all other uses permitted in this district.
  - 3. For exceptions to these requirements, refer to Article **VIII** of this regulation, Height and Area Exceptions.
- D. Height Regulations. Also See Reference Table 450.1, set out as Exhibit A to this Ch. **405**.
  - 1. See Table III in Section **405.1130** of this Chapter.
  - 2. For exceptions to these regulations, refer to Article **VIII** of this regulation, Height and Area Regulations.

#### Section 405.1120. "IH" Heavy Industrial District.

[R.O. 2009 § 17.28.020; Ord. No. 6220, 4-26-2021]

- A. General Description. This industrial district provides for the manufacture, compounding, processing, packaging or treatment of the products when not in conflict with any Missouri Statute or ordinance

of this City, that regulate nuisances and are not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas or otherwise.

B. Uses Permitted. See Table I in Section **405.1130** of this Chapter.

C. Area Regulations. Also See Reference Table 450.1, set out as Exhibit A to this Ch. **405**.

See Table II in Section **405.1130** of this Chapter. For exceptions to those regulations, refer to Article **VIII** of this regulation, Height and Area Exceptions.

D. Height Regulations. Also See Reference Table 450.1, set out as Exhibit A to this Ch. **405**.

1. See Table III in Section **405.1130** of this Chapter.

2. For exceptions to these regulations, refer to Article **VIII** of this regulation, Height and Area Exceptions.

## Section 405.1130. Tables — Use, Height and Area Regulations.

[R.O. 2009 § 17.28.030; Ord. No. 6055, 5-1-2017; Ord. No. 6158, 7-29-2019; Ord. No. 6164, 9-30-2019; Ord. No. 6220, 4-26-2021]

A. Table I — Uses The use provided for in the "IL" Light Industrial and "IH" Heavy Industrial 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 City Council pursuant to the provisions of Sections 405.390 — 405.420 of this regulation. Also See Reference Table 450.1, set out as Exhibit A to this Ch. **405**.

Table Of Uses			
<b>P = Permitted as a matter of right</b>			
<b>CU = May be permitted by the Board of Adjustment</b>			
<b>NA = Not allowed</b>			
Category Use	"IL" Light Industrial	"IH" Heavy Industrial	"DT" Downtown District
<b>Residential</b>			
Any use permitted in any residential district	CU	NA	NA
Any use permitted on review in any residential district	CU	NA	NA
<b>Chemical and Allied Products</b>			
Cosmetics and toiletries (compounding only)	P	P	NA
Ice manufacture, including dry ice	P	P	NA
Ink manufacture (mixing only)	P	P	NA

**Table Of Uses**

**P = Permitted as a matter of right**

**CU = May be permitted by the Board of Adjustment**

**NA = Not allowed**

<b>Category Use</b>	<b>"IL" Light Industrial</b>	<b>"IH" Heavy Industrial</b>	<b>"DT" Downtown District</b>
Insecticides, fungicides, disinfectants and related industrial and household chemical compounds (blending only)	P	P	NA
Medical Marijuana Cultivation Facility (See Section <b>405.1490</b> for regulations)	P	P	NA
Perfumes and perfumed soap (compounding only)	P	P	NA
Pharmaceutical products	P	P	NA
Soap, washing or cleaning, powder or soda (compounding only)	P	P	NA
<b>Food Beverage and Products</b>			
Chewing gum manufacture	P	P	NA
Chocolate, cocoa and cocoa products, processing and packaging only	P	P	NA
Coffee, tea and spices, processing and canning only	P	P	NA
Fruit and vegetable processing (including canning, preserving, drying and freezing)	P	P	NA
Gelatin products	P	P	NA
Glucose and dextrine products	P	P	NA
Macaroni and noodle manufacture	P	P	NA
Meat products, packaging and processing (no slaughtering)	P	P	NA



Table Of Uses			
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Category Use	"IL" Light Industrial	"IH" Heavy Industrial	"DT" Downtown District
Medical Marijuana-Infused Products Manufacturing Facility (See Section <b>405.1490</b> for regulations)	P	P	NA
Medical Marijuana Testing Facility (See Section <b>405.1490</b> for regulations)	P	P	NA
Oleo margarine (compounding and packaging only)	P	P	NA
Poultry packing	P	P	NA
<b>Metals and Metal Products</b>			
Automobile, truck, trailer, motorcycle and bicycle assembly	P	P	NA
Boat manufacture (vessels less than five (5) tons)	P	P	NA
Container (metal)	P	P	NA
Fasteners (metal) manufacture	P	P	NA
Foundry products manufacture (electrical only)	P	P	NA
Iron (ornamental only) fabrication	P	P	NA
Plating, electrolytic process	P	P	NA
Sheet metal products manufacture	P	P	NA
Silverware and plated ware	P	P	NA
Tool, die, gauge and machine shops	P	P	NA
Vitreous enameled products	P	P	NA
<b>Textiles, Bedding and Fibers</b>			
Hat bodies of fur and wool felt (including men's hats), manufacture	P	P	NA

Table Of Uses			
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<b>NA = Not allowed</b>			
Category Use	"IL" Light Industrial	"IH" Heavy Industrial	"DT" Downtown District
Knitting, weaving, printing, finishing of textiles and fibers into fabric goods	P	P	NA
Rubber and synthetic treated fabrics (excluding all rubber and synthetic processing)	P	P	NA
Yarn, threads and cordage	P	P	NA
Clothing manufacture	P	P	NA
<b>Wood and Paper Products</b>			
Basket and hamper (wood, reed, rattan, etc.)	P	P	NA
Pencil manufacture	P	P	NA
Shipping container (corrugated board, fiber or wire bound)	P	P	NA
Veneer manufacture	P	P	NA
<b>Unclassified Uses</b>			
Animal pound	P	P	NA
Animal, poultry and bird raising, commercial	P	P	NA
Bulk storage of petroleum products for a local distribution as distinguished from a petroleum products terminal for extensive storage and regional distributing purposes	P	P	NA
Button manufacture	P	P	NA
Carbon paper and inked ribbons manufacture	P	P	NA
Cigar and cigarette manufacture	P	P	NA
Coal and coke storage and sales	P	P	NA
Contractor's shop and storage yard	P	P	NA

### Table Of Uses

**P = Permitted as a matter of right**

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**NA = Not allowed**

Category Use	"IL" Light Industrial	"IH" Heavy Industrial	"DT" Downtown District
Exposition building	P	P	NA
Fairgrounds	P	P	NA
Fur finishing (but not including a tanning operation)	P	P	NA
Industrial vocations training school, including internal combustion engines	P	P	NA
Leather goods manufacture, but not including tanning operations	P	P	NA
Motion picture production	P	P	NA
Tire retreading and vulcanizing (other uses similar when approved by the Board of Adjustment, per Article V of Chapter 405)	P	P	NA
<b>Chemical, Petroleum, Coal and Allied Products</b>			
Adhesives	P	P	NA
Alcohol, industrial	P	P	NA
Bleaching	P	P	NA
Bluing	P	P	NA
Calcimine	P	P	NA
Candles	P	P	NA
Cleaning and polishing preparation (non-soap dressing and blackings)	P	P	NA
Dye-stuff	P	P	NA
Essential oils	P	P	NA
Exterminating agents and poisons	P	P	NA
Fertilizers (non-organic)	P	P	NA
Fuel briquettes	P	P	NA
Glue and size (vegetable)	P	P	NA

**Table Of Uses**

**P = Permitted as a matter of right**

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**NA = Not allowed**

<b>Category Use</b>	<b>"IL" Light Industrial</b>	<b>"IH" Heavy Industrial</b>	<b>"DT" Downtown District</b>
Ink manufacture from primary raw materials (including colors and pigments)	P	P	NA
Soap and soap products	P	P	NA
<b>Clay, Stone and Glass Products</b>			
Abrasive wheels, stones, paper, cloth and related products	P	NA	NA
Asbestos products	P	P	NA
Brick, fire brick and clay products	P	P	NA
Concrete products or central mixing and proportioning plant	P	P	NA
Glass and glass products	P	P	NA
Graphite and graphite products	P	P	NA
Monument and architectural stone	P	P	NA
Pottery and porcelain products (coal fired)	P	P	NA
Refractories (other than coal fired)	P	P	NA
Sand-lime products	P	P	NA
Stone products	P	P	NA
Wallboard and plaster, building insulation and composition flooring	P	P	NA
<b>Food and Beverage</b>			
Casein	P	P	NA
Chocolate and Cocoa	P	P	NA
Cider and vinegar	P	P	NA
Distilleries (alcoholic) breweries and alcoholic spirits	P	P	NA
Flour, feed and grain milling or storage	P	P	NA
Gelatin	P	P	NA



Table Of Uses			
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Category Use	"IL" Light Industrial	"IH" Heavy Industrial	"DT" Downtown District
Glucose or dextrine	P	P	NA
Malt extracts	P	P	NA
Meat packing	P	P	NA
Molasses	P	P	NA
Oil, shortening and fats (including oleo margarine)	P	P	NA
Pickles, vegetables relish and sauces	P	P	NA
Poultry (including slaughter)	P	P	NA
Sauerkraut	P	P	NA
Sugar refining	P	P	NA
<b>Metal and Metal Products</b>			
Agriculture and farm implement manufacture	P	P	NA
Aircraft and aircraft parts and manufacture	P	P	NA
Aluminum extrusion, rolling, fabrication and forming	P	P	NA
Boiler manufacture (other than welded)	P	P	NA
Culvert manufacture	P	P	NA
Firearms manufacture	P	P	NA
Forge plant, pneumatic, drop and forging hammering	P	P	NA
Foundries	P	P	NA
Galvanizing or plating (hot dip)	P	P	NA
Heating, ventilating, cooking and refrigeration supplies and appliances	P	P	NA
Lead oxide	P	P	NA
Locomotive and railroad car building and repair	P	P	NA

**Table Of Uses**

**P = Permitted as a matter of right**

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**NA = Not allowed**

<b>Category Use</b>	<b>"IL" Light Industrial</b>	<b>"IH" Heavy Industrial</b>	<b>"DT" Downtown District</b>
Machinery manufacture	P	P	NA
Motor testing (internal combustion motors)	P	P	NA
Nails, brads, tacks, spikes and staples manufacture	P	P	NA
Ore dumps and elevators	P	P	NA
Plumbing supplies	P	P	NA
Safe and vault manufacture	P	P	NA
Shipyards	P	P	NA
Stove and range manufacture	P	P	NA
Structural iron and steel fabrication and manufacture	P	P	NA
Tool, die, gauge and machine shops	P	P	NA
Tool and hardware products	P	P	NA
Trailers	P	P	NA
Wire rope and cable	P	P	NA
<b>Textiles, Fibers and Bedding</b>			
Bedding (mattress, pillow and quilt) manufacture	P	P	NA
Bleachery	P	P	NA
Carpet, rug and mat manufacture	P	P	NA
Cordage and rope	P	P	NA
Hair and felt products washing, curling and dyeing	P	P	NA
Hosiery mill	P	P	NA
Jute, hemp and sisal products	P	P	NA
Linoleum and other hard-surfaced floor covering	P	P	NA

**Table Of Uses**

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<b>Category Use</b>	<b>"IL" Light Industrial</b>	<b>"IH" Heavy Industrial</b>	<b>"DT" Downtown District</b>
Nylon	P	P	NA
Oilcloth, oil-treated products and artificial leather	P	P	NA
Rayon	P	P	NA
Shoddy	P	P	NA
Wool pulling or scouring	P	P	NA
<b>Wood and Paper Products</b>			
Barrels	P	P	NA
Box and crate manufacture	P	P	NA
Carriages and wagons	P	P	NA
Charcoal and pulverizing	P	P	NA
Cooperage works	P	P	NA
Excelsior	P	P	NA
Furniture	P	P	NA
Paper and paperboard products	P	P	NA
Planing and millwork	P	P	NA
Pulp goods, pressed or molded (including paper-mache products)	P	P	NA
Sawmill (including cooperage stock mill)	P	P	NA
Wallboard	P	P	NA
Wood preserving treatment	P	P	NA
<b>Miscellaneous Industries</b>			
Carbon papers and ribbons	P	P	NA
Chewing tobacco	P	P	NA
Leather tanning and curing	P	P	NA
Rubber (natural and synthetic), gutta percha, chicle and balata processing	P	P	NA
Shell grinding	P	P	NA

Table Of Uses			
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Category Use	"IL" Light Industrial	"IH" Heavy Industrial	"DT" Downtown District
Storage battery (wet cell)	P	P	NA
<b>Other Uses</b>			
Bag cleaning	P	P	NA
Coal pocket	P	P	NA
Railroad yard, round-houses, repair and overhaul shops	P	P	NA
Oils, vegetable and animal (non-edible) and storage	P	P	NA
Paint, lacquer, shellac and varnish (including colors and pigments, thinners and removers)	P	P	NA
Roofing materials, building paper and felt (including asphalt and composition)	P	P	NA
Salt tanning materials and allied products	P	P	NA
Tar products (except distillation)	P	P	NA
<b>Special Permit Required</b>			
Acid manufacture	NA	CU	NA
Automobile wrecking, cars and parts, storage and sale	NA	CU	NA
Cement, lime, gypsum or plaster of Paris manufacture	NA	CU	NA
Distillation, manufacture or refining of bones, coal or tar asphalt	NA	CU	NA
Explosives, manufacture or storage	NA	CU	NA
Fat, grease, lard or tallow rendering or refining	NA	CU	NA



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Category Use	"IL" Light Industrial	"IH" Heavy Industrial	"DT" Downtown District
Fertilizer, the manufacture or storage of fertilizer made from organic matter	NA	NA	NA
Glue or size manufacture	NA	CU	NA
Garbage, offal or dead animal reduction or dumping	NA	CU	NA
Junk and salvage (metal, paper, rags, waste or glass) storage, treatment, baling	NA	CU	NA
Paper manufacture	NA	CU	NA
Petroleum or asphalt refining	NA	CU	NA
Petroleum products terminal	NA	CU	NA
Smelting of tin, copper, zinc or iron ores	NA	CU	NA
Storage or processing raw hides or fur	NA	CU	NA
Stockyards or slaughter of animals (except poultry)	NA	CU	NA

- B. Table II — Yard Setback Requirements. All buildings and structures in the "IL" Industrial and "IH" Heavy Industrial 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.) Also See Reference Table 450.1, set out as Exhibit A to this Ch. 405.

Table II. "IL" Light Industrial and "IH" Heavy Industrial Setback Requirements		
Minimum yards	"IL" Light Industrial	"IH" Heavy Industrial
Front yard depth		
Major road (a)	25 feet	40 feet
Minor road (b)	25 feet	40 feet
Side yard (see Table III)		
Rear yard		

- (a) State or Federal highway.  
(b) All public streets and roads other than a State or Federal highway

- C. Table III — Intensity of Use, Lot Width, and Height Regulations. Other than those uses and lots regulated by reference to the mandated requirements of the applicable Residential District, shall comply with the following requirements: Also See Reference Table 450.1, set out as Exhibit A to this Ch. **405**.

Table III. Intensity of Use, Lot Width and Height Regulations		
Item	"IL" Light Industrial	"IH" Heavy Industrial
Area Minimum - Adequate to provide yards and parking as required (a)		
Lot width, minimum		
Height, maximum (b)		
Stories	3(b)	8
Feet	50	100

- (a) See Article **X** for off-street parking requirements.
- (b) See Article **VIII** for exceptions to those height limitations.

# **Council Letter**

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Date of Meeting 22-12-05

Originating Department: Public Works

To the Mayor and City Council:

Subject: Authorization to close West End of Front Street Alley

Action Options:

1. Authorize Closure of Alley
2. Other action the City Council deems appropriate.

Background:

Mr. Alan Keenan has approached staff and requested that the west end of the alley behind front street, just east of New Madrid street be closed indefinitely. This request is to accommodate the new restaurant's needs.

The new restaurant requires an oversized dumpster which will restrict traffic in the alley. The new gas connections on the outside of the building also pose a safety concern. Finally they intend to utilize the door off the alley for customers to exit. For these reasons staff finds their request acceptable and is seeking council approval.

The Alley will remain open to pedestrians through the use of installed pipe bollards on either end of the closure. Street department plans to use removable bollards in case of emergencies.