

**SPECIAL CITY COUNCIL MEETING**  
**NOVEMBER 28, 2016**

**CALL TO ORDER/RECORD OF ATTENDANCE**

The special Sikeston City Council meeting of November 28, 2016 was called to order at 5:30 p.m., in the City Council Chambers, located at 105 East Center, Sikeston. Present at the meeting were: Mayor Steven Burch and Councilmen Bob Depro, Karen Evans, Jon Gilmore, Ryan Merideth, and Mary White-Ross. Councilwoman Karen Evans was absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Chuck Leible, City Clerk Carroll Couch, City Treasurer Karen Bailey, Governmental Services Director Linda Lowes, Director of Public Safety Drew Juden, Public Works Director Jay Lancaster, Parks Director Dustin Care, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Public Safety Captain Mike Williams, and Senior Building Official Collin Cecil.

**ITEMS OF BUSINESS**

**Consideration of Resolution 16-11-01, Declaration of Surplus-Unclaimed Recovery Property**

Director Juden presented Resolution 16-11-01, declaring certain item surplus and allowing DPS to remove them from inventory and declare them surplus property.

RESOLUTION 16-11-01

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

WHEREAS, There exists certain unclaimed recovered property in the inventory of Sikeston Public Safety; and

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

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

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

- 80 Bicycles (broken or missing parts, need to be scrapped)
- 60 Bicycles (rideable)
- Easy Mulch push mower (No Handle attached)
- Weed Eater Lawn Edger (Gas powered)
- Bolens push mower (20" Deck)
- Weed Eater push mower (20" Deck)
- Red Baby stroller
- 2- Kick scooters
- Small electric Razor motorcycle

Read this 28<sup>th</sup> day of November, 2016. Councilman Depro moved to approve Resolution 16-1-01. The motion was seconded by Councilwoman White-Ross, discussed and voted as follows:

Depro Aye, Evans Aye, Gilmore Aye, Merideth Aye, Settles Aye,  
White-Ross Aye, and Burch Aye, thereby being passed.

Bill Number 6042, Repeal of City Code Title II, Chapter 210 – Offenses in its Entirety and Adopting a New Title II, Chapter 21 - Offenses

Councilman Gilmore moved for the second reading of Bill Number 6042. The motion was seconded by Councilman Settles and the following vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Merideth Aye, Settles Aye,  
White-Ross Aye, and Burch Aye, thereby being passed.

Counselor Leible presented the bill for reading.

BILL Number 6042

ORDINANCE Number 6042

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6042 ADOPTING AND ENACTING A NEW TITLE II, CHAPTER 210, OFFENSES, OF THE CODE OF ORDINANCES OF THE CITY OF SIKESTON; AND PROVIDING FOR THE REPEAL OF EXISTING CODE CHAPTER 210; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

SECTION I: FINDINGS

In the 2014 Legislative Session, the Missouri State Legislature enacted Senate Bill 491 and House Bill 1371 which resulted in numerous revisions to Title 38 (Crimes and Punishment) of the State Statutes, effective as of January 1, 2017. Therefore, Chapter 210, Offenses, of the Code of Ordinances of the City of Sikeston, County of Scott, State of Missouri, requires substantial revision and re-adoption to effect compliance with the Revised Statutes of Missouri.

SECTION II: Adoption of Revised Chapter and Repeal of Existing Provisions; Effective Date.

- A. The entirety of Chapter 210, Offenses, Exhibit A attached hereto, is hereby adopted and enacted as Chapter 210 of the Code of Ordinances of the City of Sikeston; and such Chapter shall repeal and replace existing Code Chapter 210 as of the effective date January 1, 2017.
- B. The repeal of existing Chapter 210 set forth in Subsection (A) above shall not affect the following:
  - (1) Any ordinance adopted subsequent to July 14, 2016 which reflects the date of the last legislation reviewed for the most recent Code update (Supp. #17, 7/16).
  - (2) Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance, nor

shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to such date.

**SECTION III:** State Law Reference Table.

For ease of reference, the following State Law Reference Table outlines the Statutory authority, as revised through the 2014 Legislative Session and effective January 1, 2017, for each Section of Chapter 210, Offenses, hereby adopted.

<b>Code Section</b>	<b>RSMo. Section</b>
210.010	556.061, 565.002(14)
210.020	562.012
210.030	562.014
210.120	565.056
210.130	565.076
210.150	565.091
210.160	565.227
210.170	565.130
210.180	568.050
210.190	577.300
210.300	575.020
210.310	575.030
210.320	575.190
210.330	575.250
210.340	575.270
210.350	575.100
210.360	575.290
210.370	575.120
210.380	575.080
210.390	575.150
210.400	575.200
210.410	575.160
210.520	577.100
210.530	577.070
210.540	577.076
210.550	577.150
210.660	574.005
210.670	574.010
210.680	574.020
210.690	574.040
210.700	574.050
210.710	574.060
210.730	574.035
210.740	574.160
210.830	571.010
210.840	571.030
210.850	571.020
210.860	571.045.1
210.870	571.085
210.880	571.087

<b>Code Section</b>	<b>RSMo. Section</b>
210.890	571.060.1(2),(3)
210.900	571.107
210.910	571.037
210-920	571.070
210.1020	569.010
210.1030	569.090
210.1040	569.120
210.1050	569.130
210.1060	569.140
210.1070	569.150
210.1080	569.155
210.1090	569.060
210.1100	569.065
210.1110	570.030
210.1120	302.286
210.1140	570.145
210.1150	570.130
210.1160	570.140
210.1170	570.085
210.1180	570.057
210.1190	570.120
210.1200	537.125
210.1210	407.300
210.1220	407.301
210.1230	407.302
210.1240	407.303
210.1350	567.010
210.1360	567.020
210.1370	567.030
210.1390	567.080
210.1500	566.010
210.1510	566.093
210.1520	566.101
210.1530	566.148
210.1540	566.149
210.1550	589.426
210.1670	573.010
210.1680	573.030.1
210.1690	573.040
210.1800	579.015
210.1810	579.015
210.1820	195.418
210.1830	579.074
210.1840	579.097
210.1850	579.099
210.1860	579.101
210.2100	407.925
210.2105	407.926
210.2110	407.931
210.2120	407.933

<b>Code Section</b>	<b>RSMo. Section</b>
210.2130	407.934.1
210.2140	407.927
210.2150	407.928
210.2160	407.929

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

SECTION V: Severability.

It is hereby declared to be the intention of the City Council that the Sections, paragraphs, sentences, clauses and phrases of this ordinance and Chapter 210, Offenses, hereby adopted are severable, and if any phrase, clause, sentence, paragraph or Section of this ordinance or Chapter 210 hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and Sections of this ordinance or Chapter 210 hereby adopted.

SECTION VI: Record of Passage:

- A. Bill Number 6042 was introduced and read the first time this 17<sup>th</sup> day of November, 2016.
- B. Bill Number 6042 was read the second time this 28<sup>th</sup> day of November, 2016. Councilman Gilmore moved to approve Bill Number 6042. The motion was seconded by Councilman Depro, discussed and voted as follows:
- Depro Aye, Evans Aye, Gilmore Aye, Merideth Aye, Settles Aye,  
White-Ross Aye, and Burch Aye, thereby being passed,  
becoming ordinance 6042.
- C. All provisions of this ordinance and revised Chapter 210, Offenses, adopted hereby shall be in full force and effect on January 1, 2017.

Bill Number 6043, Authorization to Extend the Residential Solid Waste Contract through June 30, 2016

Councilman Depro moved for the second reading of Bill Number 6043. The motion was seconded by Councilman Merideth and the following vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Merideth Aye, Settles Aye,  
White-Ross Aye, and Burch Aye, thereby being passed.

Counselor Leible presented the bill for reading.

BILL NUMBER 6043

ORDINANCE NUMBER 6043

AN ORDINANCE AUTHORIZING THE CITY OF SIKESTON, MISSOURI TO EXTEND ITS SOLID WASTE CONTRACT FOR SIX (6) MONTHS.

WHEREAS, the City Council finds and determines that it is necessary and desirable to extend its current contract for solid waste disposal with Sonny's Solid Waste Services, Inc. and to approve the execution of certain documents herein.

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

SECTION I: Authorization of Documents. The City is hereby authorized to enter into the following documents (the "City Documents"), in substantially the form presented to the City Council and attached to this Ordinance, with such changes therein as are approved by the officials of the City executing the documents, such officials' signatures thereon being conclusive evidence of their approval thereof:

(a) Amendment to Contract For Service, Disposal of Solid Waste and Garbage

SECTION II: Execution of Documents. The Mayor 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 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 III. General Repealer Section. Any other ordinance or parts thereof inconsistent herewith are hereby repealed.

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

SECTION V: Record of Passage:

- A. Bill Number 6043 was introduced and read the first time this 7<sup>th</sup> day of November, 2016.
- B. Bill Number 6043 was read the second time on this 28<sup>th</sup> day of November, 2016. Councilwoman White-Ross moved to approve Bill Number 6043. The motion was seconded by Councilman Evans, discussed and the following roll call vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Merideth Aye, Settles Aye,  
White-Ross Aye, and Burch Aye, thereby being passed,  
becoming Ordinance Number 6043.

- C. Upon passage by the City Council, this bill shall become Ordinance 6043 and shall be in full force and effect from and after December 27, 2016.

Employee Health Insurance Renewal with HealthScope

City Treasure Bailey presented the City of Sikeston's Employee Health Insurance Plan renewal for 2017. The City is completing its third year in a self-insured plan. The third party

administrator is HealthScope, LDI is the pharmacy provider, and Healthlink and PCHS are the network providers. No increase in premiums is required for 2017.

Councilman Gilmore moved to authorize renewal of the City of Sikeston’s Employee Health Insurance Plan with HealthScope Benefits, LDI, and Roundstone Management, LTD. The motion was seconded by Councilman Merideth and the following vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Merideth Aye, Settles Aye, White-Ross Aye, and Burch Aye, thereby being passed.

**ADJOURNMENT**

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

Depro Aye, Evans Aye, Gilmore Aye, Merideth Aye, Settles Aye, White-Ross Aye, and Burch Aye, thereby being passed.

APPROVED:

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STEVEN BURCH, MAYOR

ATTEST:

\_\_\_\_\_  
CARROLL L. COUCH, CITY CLERK

SEAL: