

**REGULAR CITY COUNCIL MEETING**  
**MONDAY, JANUARY 8, 2018**

The regular Sikeston City Council meeting of January 8, 2018 was called to order at 5:00 p.m. in the City Council Chambers, located at 105 East Center, Sikeston. Present at the meeting were: Mayor Pro Tem Ryan Merideth and Councilmen Jon Gilmore, Brian Self, Gerald Settles, Mary White-Ross and Karen Evans. Mayor Steven Burch arrived at 5:30 p.m. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Chuck Leible, City Clerk Carroll Couch, City Treasurer Karen Bailey, Deputy City Clerk Rhonda Council, Public Safety Director Mike Williams, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Senior Building Official Collin Cecil and Parks Director Dustin Care.

**APPROVAL OF CITY COUNCIL MINUTES**

City Council minutes of November 6 (Executive Session), November 27 and December 4, 2017 were presented for approval. Councilwoman Ross-White moved to approve the minutes as presented. Councilman Self seconded the motion and the following roll call vote was recorded:

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

**ACCEPTANCE OF BOARD AND COMMISSION MINUTES**

Minutes from various board and commission meetings were presented to the City Council. Councilman Gilmore moved to approve the minutes as presented. The motion was seconded by Councilwoman Evans and voted as follows:

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

**ADVISORY BOARD COUNCIL LIAISON REPORTS**

No reports were presented.

**ITEMS OF BUSINESS**

**Appointment to Friends of the Sikeston PAWS Advisory Board**

Due to two vacancies on the PAWS Advisory Board, appointments were needed to fill these positions.

Councilman Gilmore moved to appoint Madeline Bell and Andy Caton to the PAWS Advisory Board. The motion was seconded by Councilman Settles and the following vote recorded:

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

**2<sup>nd</sup> Reading & Consideration of Bill #6079, Calling for 2018 General Election**

Councilman Self moved for the second reading of Bill Number 6079. The motion was seconded by Councilwoman White-Ross and the following vote recorded:

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

Counselor Leible presented the bill for reading.

Bill Number 6079

Ordinance Number 6079

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6079, CALLING FOR A GENERAL ELECTION IN THE CITY OF SIKESTON, MISSOURI, ON TUESDAY, APRIL 3, 2018, FOR THE PURPOSE OF ELECTING A CANDIDATE FOR THE POSITION OF COUNCILMAN-WARD 2, COUNCILMAN-WARD 3 AND MAYOR.

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 3, 2018.

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 3, 2018.

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

SECTION V: That said election is hereby called for the purpose of electing one (1) candidate for the office of Councilman-Ward 2, Councilman-Ward 3 and Mayor, pursuant to the City Charter adopted April 02, 2002.

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

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 Clerk's office as required by law.

SECTION VIII: That the City Clerk of the City of Sikeston, Missouri, be and he is hereby authorized and directed to notify the County Clerk of Scott County, Missouri, of the adoption of this ordinance no later than January 23, 2018, 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 6079 was introduced to Council and read the first time this 4<sup>th</sup> day of December, 2017.
- B. Bill Number 6079 was read the second time and discussed this 8<sup>th</sup> day of January, 2018. Councilman Gilmore moved to approve Bill Number 6079. The motion was seconded by Councilman Self, discussed and the following roll call vote recorded:

Gilmore Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
White-Ross Aye, and Burch Absent, thereby being passed,  
and becoming ordinance 6079.

2<sup>nd</sup> Reading Bill #6077, Group Home Zoning

Councilman Self moved for the second reading of Bill Number 6077. The motion was seconded by Councilwoman White-Ross and the following vote recorded:

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

Counselor Leible presented the bill for reading.

BILL NUMBER 6077

ORDINANCE NUMBER 6077

AN ORDINANCE OF THE CITY OF SIKESTON, MISSOURI, ADDING CERTAIN SECTIONS AND AMENDING CERTAIN PROVISIONS OF ARTICLE VII, SECTION 405.450 OF THE CITY CODE; AND ENACTING A POLICY REGARDING REASONABLE ACCOMMODATION AND REGULATIONS PERTAINING TO GROUP HOMES.

WHEREAS, legislation of the State of Missouri evidences a long-standing policy of encouraging the deinstitutionalization of persons who are affected by a mental disorder, mental illness, intellectual disability or developmental disability (herein, "Persons with Disabilities"); and

WHEREAS, the State of Missouri requires licensure for residential facilities for Persons with Disabilities. §630.715, RSMo. Missouri seeks through the licensing of group homes to place Persons with Disabilities in the least restrictive environment possible and to "enable the person to maximize his or her functioning potential to participate as freely as feasible in normal living activities." See §630.005(21), RSMo.; and

WHEREAS, Missouri's legislation follows the Developmental Disabilities Assistance and Bill of Rights Act, 42 U.S.C. §§ 6010(1) & (2), which similarly provided Persons with Disabilities the right to receive "appropriate treatment, services, and habilitation" in a setting that is "least restrictive of (their) personal liberty;" and

WHEREAS, also consistent with the Federal and State goals of deinstitutionalization of Persons with Disabilities, the Missouri General Assembly, in 1985, amended § 89.020 of its Zoning Enabling Act to read, in pertinent part, as follows:

2. For the purpose of any zoning law, ordinance or code, the classification single family dwelling or single family residence shall include any home in which eight or fewer unrelated mentally or physically handicapped persons reside, and may include two additional persons

acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the home. In the case of any such residential home for mentally or physically handicapped persons, the local zoning authority may require that the exterior appearance of the home and property be in reasonable conformance with the general neighborhood standards. Further, the local zoning authority may establish reasonable standards regarding the density of such individual homes in any specific single family dwelling neighborhood; and

WHEREAS, the City Council finds and determines that it is to the benefit of the health, safety and welfare of the residents of the City to establish group home dispersal requirements designed to ensure that Persons with Disabilities needing residential treatment will not be forced into enclaves of treatment facilities that would replicate and thus perpetuate the isolation resulting from institutionalization; and

WHEREAS, in order to preserve the public health, safety and welfare, it is the desire of the City to amend various provisions of the zoning code.

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

SECTION I. That Article VII of the Skeston City Code be and it is hereby amended by enacting a new Section 405.455 to read as follows:

#### SECTION 405.455 REASONABLE ACCOMMODATION POLICY AND PROCEDURE

- A. Purpose. This Section implements the policy of the City of Skeston on requests for reasonable accommodation in its rules, policies and procedures for persons with disabilities as required by the Fair Housing Act, as amended, 42 U.S.C. Section 3604(f)(3)(B) and Title II of the Americans with Disabilities Act., 42 U.S.C. § 12132. The policy of the City of Skeston is to comply fully with the provisions of the Fair Housing Act and Title II of the Americans with Disabilities Act.

Any person with disabilities and eligible under the Fair Housing Act or Title II of the Americans with Disabilities Act may request a reasonable accommodation with respect to the various land use or zoning laws, rules, policies, practices and/or procedures of the City as provided by the Fair Housing Act and Title II of the Americans with Disabilities Act pursuant to the procedures set out in this Section.

Nothing in this Section requires persons with disabilities or operators of group homes for persons with disabilities acting or operating in accordance with applicable zoning, licensing or land use laws or practices to seek reasonable accommodation under this Section.

- B. Definitions. For the purposes of this Section, certain terms and words are hereby defined as follows:

ACTS. Collectively, the FHA and the ADA.

ADA. Title II of the Americans with Disabilities Act, 42 U.S.C. § 12131, et seq., and its implementing regulations, 28 C.F.R. Part 35.

APPLICANT. An individual, group or entity making a request for reasonable accommodation pursuant to this Section.

CODE. The Sikeston City Code

DEPARTMENT. The Code Enforcement Department of the City of Sikeston.

DISABLED PERSON. Any person who is "handicapped" within the meaning of 42 U.S.C. § 3602(h) or a "qualified individual with a disability" within the meaning of 42 U.S.C. § 12131(2).

DWELLING. A "dwelling" as defined in 42 U.S.C. § 3602(b).

FHA. The Fair Housing Act, Title III of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601 et seq., as may be amended.

C. Notice to the public of availability of accommodation process. The Department shall prominently display a notice in the Department advising those with disabilities or their representatives that they may request a reasonable accommodation in accordance with the procedures established in this Section.

D. Requesting reasonable accommodation. In order to make specific housing available to one or more individuals with disabilities, a disabled person or a person acting on his or her behalf at his or their request (collectively, the "Applicant") may request a reasonable accommodation relating to the various land use or zoning rules, policies, practices and/or procedure of the City applicable to such housing.

1. A request by an applicant for reasonable accommodation relating to land use or zoning rules, policies, practices and/or procedures shall be made orally or in writing on a reasonable accommodation request form provided by the Department. The form shall contain:

- a. The current zoning for the property;
- b. The name, phone number and address of the owner of the fee interest of the property (if other than the Applicant);
- c. The nature of the disability that requires the reasonable accommodation. In the event that the specific individuals who are expected to reside at the property are not known to the Applicant in advance of making the application, the Applicant shall not be precluded from filing the application, but shall submit details describing the range of disabilities that prospective residents are expected to have to qualify for the housing. The Applicant shall notify the Department in the event the residents at the location are not within the range described. The Department shall then determine if an amended application and subsequent determination of reasonable accommodation is appropriate;
- d. The specific type of accommodation requested by the Applicant. To the extent practicable, this portion should include information concerning the impact of the reasonable accommodation on the adjoining properties and area, the number of people who are expected to be availing themselves of the reasonable accommodation, the estimated number of people in an average week who will be necessary to provide services to the persons(s) with disabilities at the property on an on-going basis, whether or not this type of reasonable accommodation is

- required to obtain a license from any state or county authority to operate, and any other information the Applicant thinks would assist in determining the reasonableness of the accommodation;
- e. The Applicant should also note, if known, whether this accommodation requires any additional licensure from the City (e.g. , business license); and
  - f. Whether the accommodation requested may be necessary to afford one or more disabled persons equal opportunity to use and enjoy a specific dwelling.

The Department will assist the Applicant with furnishing the Department all information necessary for processing the reasonable accommodation request, including that information which the Department deems necessary to complete a reasonable accommodation request form. Upon the City's receipt of the necessary information to process the Applicant's request for reasonable accommodation, the Department shall use the information to complete a reasonable accommodation request form.

2. The Department will provide the assistance necessary to an Applicant in making a request for reasonable accommodation. The Department will provide any reasonable assistance necessary to any Applicant wishing to appeal a denial of a request for reasonable accommodation to ensure the process is accessible to the Applicant. The Applicant is entitled to be represented at all stages of the proceedings identified in this Section by a person designated by the Applicant.
3. Should the information provided by the Applicant to the Department include medical information or records of the Applicant, including records indicating the medical condition, diagnosis or medical history of the Applicant, the Applicant may, at the time of submitting such medical information, request that the Department to the extent allowed by law, treat such medical information as confidential information of the Applicant.
4. The Department shall provide written notice to the Applicant, and any person designated by the Applicant to represent the Applicant in the application proceeding, of any request received by the Department for disclosure of the medical information or documentation which the Applicant has previously requested be treated as confidential by the Department. The Department will cooperate with the Applicant, to the extent allowed by law, in actions initiated by the Applicant to oppose the disclosure of such medical information or documentation.

#### E. Jurisdiction

1. Supervisor/Designee. The Supervisor of the Department, or his/her designee ("Supervisor/Designee"), shall have the authority to consider and act on requests for reasonable accommodation. When a request for reasonable accommodation is filed with the Department, it will be referred to the Supervisor/Designee for review and consideration. The Supervisor/Designee shall issue a written determination within thirty (30) days of the date of receipt of a completed application and may (1) grant the accommodation request, or (2) deny the request, in accordance with federal law. Any such denial shall be in writing and shall state the grounds therefor. All written determinations shall give notice of the right to appeal and the right to request reasonable accommodation in the appeals process. The notice of determination shall be sent to the Applicant by certified mail, return receipt requested and by regular mail.
2. If reasonably necessary to reach a determination on the request for reasonable accommodation, the Supervisor/Designee may, prior to the end of the thirty (30) day

period, request additional information for the Applicant, specifying in detail what information is required. The Applicant shall have fifteen (15) days after the date of the request for additional information to provide the requested information. In the event a request for additional information is made, the thirty (30) day period to issue a written determination shall be stayed. The Supervisor/Designee shall issue a written determination within thirty (30) days after receipt of the additional information. If the Applicant fails to provide the requested additional information within said fifteen (15) day period, the Supervisor/Designee shall issue a written determination within thirty (30) days after expiration of said fifteen (15) day period.

F. Findings for Reasonable Accommodation

The following findings, while not exhaustive of all considerations and findings that may be relevant, must be made before any action is taken to approve or deny a request for reasonable accommodation and must be incorporated into the record relating to such approval or denial:

1. Whether the accommodation requested may be necessary to afford one or more persons with disabilities equal opportunity to use and enjoy a specific dwelling;
2. Whether the requested accommodation would require a fundamental alteration to the City's zoning scheme; and
3. Whether the requested accommodation would impose undue financial or administrative burdens on the City.

A request for a reasonable accommodation shall not be denied for reasons which violate the provisions of the Acts. This ordinance does not obligate the City to grant any accommodation request unless required by the provisions of the Acts or applicable Missouri State law.

G. Appeals.

1. Within thirty (30) days after the date the Supervisor/Designee mails a written adverse determination, under subsection E of this Section, to the Applicant, the Applicant requesting reasonable accommodation may appeal the adverse determination.
2. All appeals shall contain a statement of the grounds for the appeal.
3. If an individual Applicant needs assistance in appealing a determination, the Department will provide reasonable assistance necessary to ensure that the appeal process is accessible to the Applicant. All Applicants are entitled to be represented at all stages of the appeal proceeding by a person designed by the Applicant.
4. Appeals shall be to the Board of Adjustment who shall hear the matter and render a determination as soon as reasonably practicable, but in no event later than forty-five (45) days after an appeal has been filed. All determinations on appeal shall address and be based upon the findings identified in subsection F of this Section and shall be consistent with the Acts.
5. An Applicant may request reasonable accommodation in the procedure by which an appeal will be conducted.

H. Fee. The City shall not impose any additional fees or costs in connection with a request for reasonable accommodation under the provisions of this Section or an appeal of a denial of such request by the Supervisor/Designee. Nothing in this ordinance obligates the City to pay an applicant's attorney fees.

- I. Stay of Enforcement. While an application for reasonable accommodation or appeal of a denial of said application is pending before the City, the City will not enforce the subject zoning ordinance against the Applicant.
- J. Record-keeping. The City shall maintain records of all oral and written requests submitted under the provisions of this Section, and the City's responses thereto, as required by State law.

SECTION II. That Section 405.450 Paragraph 4 of the Sikeston City Code be amended as follows:

Deleting Paragraph Four (4) in its entirety and replacing with the following:

4. Group Homes.

SECTION III. That Article VII of the Sikeston City Code be and is hereby amended by enacting a new Section 405.452 to read as follows:

**SECTION 405.452: REGULATIONS FOR GROUP HOME PROVIDERS**

Purpose: It is necessary and desirable to provide suitable sites for group homes in residential areas provided that, in furtherance of the goals of de-institutionalization and dispersal, group homes are not unduly concentrated in neighborhoods so as to ensure that mentally or physically disabled persons are afforded the opportunity to be integrated in the community.

1. In order to promote deinstitutionalization and dispersal of group homes, no group home may be located within 500 feet of another group home, measured by the straight line distance between the nearest points of their exterior walls, (exclusive of overhangs) of the buildings within which the relevant facilities or uses are located; or (a) adjoin any lot upon which another group home already exists or (b) be separated from any lot upon which an existing group home already exists only by a street or roadway.
2. The exterior appearance of the home and property, occupancy limitation, signage and other standards applicable to single family residences shall apply equally to group homes.
3. In order to achieve the deinstitutionalization and dispersal goals referenced herein, owners and operators of group homes must register the facility with the Code Enforcement Department on forms provided for that purpose and certify compliance with all applicable ordinances of the City. Owners and operators of group homes must also notify the Code Enforcement Department of any change of use, transfer or termination of a group home use and revise the facility registration as appropriate.
4. Notwithstanding any other provision of this Section to the Contrary, any individual, group or entity may make a request for reasonable accommodation from the provisions of this Section pursuant to the procedures set forth in Section 405.455 of this Code.

SECTION IV. Any other ordinance or parts thereof inconsistent herewith are hereby repealed.

SECTION V. 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 VI: Record of Passage:

- A. Bill Number 6077 was introduced and read the first time this 4<sup>th</sup> day of December, 2017.
- B. Bill Number 6077 was read the second time and discussed on this 8<sup>th</sup> day of January 2018. Councilman Settles moved to approve Bill Number 6077. The motion was seconded by Councilman Self, discussed and the following roll call vote recorded:

Gilmore Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
 White-Ross Aye, and Burch Absent, thereby being passed,  
 and becoming ordinance 6077.

2nd Reading, Bill #6080, Establishing No Parking on the South Side of Center Street between Kingshighway & Moore Avenue

Councilman Self moved for the second reading of Bill Number 6080. The motion was seconded by Councilman Evans and the following vote recorded:

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

Counselor Leible presented Bill Number 6080 for reading.

BILL Number 6080

ORDINANCE Number 6080

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6080 AND SHALL AMEND TITLE III, CHAPTER 365 OF THE UNIFORM TRAFFIC CODE ESTABLISHING ADDITIONAL TRAFFIC CONTROL MEASURES 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 the City Municipal Code.

SECTION II: The Traffic Committee did meet on November 27, 2017 and voted favorably to amend the uniform traffic code by placing no parking signs on the south side of East Center Street from the intersection of Center Street and Moore Avenue.

SECTION III: Title III – Chapter 365 – Section 365.030 – Parking Prohibited at all Times on Certain Streets (Schedule IV); shall be amended by including the following:

<u>Name of Street</u>	<u>From</u>	<u>To</u>	<u>Side of Street</u>
Center Street	N. Kingshighway	Moore Avenue	South

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

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

SECTION VI: Record of Passage:

- A. Bill Number 6080 was introduced and read the first time this 4<sup>th</sup> day of December, 2017.
- B. Bill Number 6080 was read the second time and discussed on this 8<sup>th</sup> day of January 2018. Councilman Self moved to approve Bill Number 6080. The motion was seconded by Councilman Evans, discussed and the following roll call vote recorded:

Gilmore Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
 White-Ross Aye, and Burch Absent, thereby being passed,  
 and becoming ordinance 6080.

2nd Reading, Bill #6081, Removing No Parking Signs on Kingshighway in Front of DPS Headquarters

Councilman Gilmore moved for the second reading of Bill Number 6081. The motion was seconded by Councilman Settles and the following vote recorded:

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

Counselor Leible presented Bill Number 6081 for reading.

BILL Number 6081

ORDINANCE Number 6081

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6081 AND SHALL AMEND TITLE III, CHAPTER 365 OF THE UNIFORM TRAFFIC CODE ESTABLISHING ADDITIONAL TRAFFIC CONTROL MEASURES 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 the City Municipal Code.

SECTION II: The Traffic Committee did meet on November 27, 2017 and voted favorably to amend the uniform traffic code by removing no parking signs on South Kingshighway, fifteen feet north of Trotter Street corner to fifteen feet south of the corner of the DPS parking lot, approximately 132 feet.

SECTION III: Title III – Chapter 365 – Section 365.030 – Parking Prohibited at all Times on Certain Streets (Schedule IV); shall be amended by deleting the following:

<u>Name of Street</u>	<u>From</u>	<u>To</u>	<u>Side of Street</u>
S. Kingshighway	Trotter	150' North	West

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

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

SECTION VI: Record of Passage:

- A. Bill Number 6081 was introduced and read the first time this 4<sup>th</sup> day of December, 2017.
- B. Bill Number 6081 was read the second time and discussed on this 8<sup>th</sup> day of January 2018. Councilman Gilmore moved to approve Bill Number 6081. The motion was seconded by Councilman Self, discussed and the following roll call vote recorded:

Gilmore Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
White-Ross Aye, and Burch Absent, thereby being passed,  
and becoming ordinance 6081.

1st & 2nd Reading, Emergency Bill #6082, Rezoning of Wing Lake Estates

Councilwoman Settles moved for the first reading of Bill Number 6082. The motion was seconded by Councilman Self and the following vote recorded:

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

Counselor Leible presented Bill Number 6082 for reading, this bill as approved shall become Ordinance Number 6082 providing for the rezoning from Agriculture "AG" to Two Family Dwelling "R-4" the following described real estate to wit: A tract of land, which consists of approximately 5.078 acres and is located generally south of Colonel George E. Day Parkway and north of U.S. Highway 60, in the City of Sikeston, New Madrid County, Missouri.

The rezoning would change the current zoning so that a planned commercial subdivision could be developed. Due to time requirements, this matter is being presented as an emergency measure.

Councilwoman White-Ross moved for the second reading of Bill Number 6082. The motion was seconded by Councilman Self and the following vote recorded:

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

Counselor Leible presented the bill for a second reading.

Bill Number 6082

Ordinance Number 6082

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6082 PROVIDING FOR THE REZONING FROM AGRICULTURE "AG" TO TWO FAMILY DWELLING "R-4" THE FOLLOWING DESCRIBED REAL ESTATE TO-WIT: A TRACT OF LAND, WHICH CONSISTS OF APPROXIMATELY 5.073 ACRES AND IS LOCATED GENERALLY SOUTH OF COLONEL GEORGE E DAY PARKWAY AND NORTH OF U.S. HIGHWAY 60, IN THE CITY OF SIKESTON, NEW MADRID COUNTY, MISSOURI.

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

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

SECTION II: The Planning and Zoning Commission met on December 12, 2017 and voted to approve the rezoning from Agriculture "AG" to Two Family Dwelling "R-4" the following described real estate to-wit: A tract of land, which consists of approximately 5.073 acres and is located generally South of Colonel George E Day Parkway and North of U.S. Highway 60 in the City of Sikeston, New Madrid County, Missouri.

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

SECTION IV: The above tract of land is hereby rezoned from "AG" Agriculture to "R-4" Two Family Dwelling.

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

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

SECTION VII: Emergency Clause. Due to the time requirements, this matter is being presented as an emergency measure.

SECTION VIII: Record of Passage

- A. Bill Number 6082 was introduced and read the first time this 8th day of January 8, 2018.
- B. Bill Number 6082 was read the second time and discussed on this 8<sup>th</sup> day of January 2018. Councilwoman Evans moved to approve Bill Number 6082. The motion was seconded by Councilman Self, discussed and the following roll call vote recorded:

Gilmore Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
White-Ross Nay, and Burch Absent, thereby being passed,  
and becoming ordinance 6082.

1<sup>st</sup> Reading, Bill #6083, Replat Lot B-1 of Belz\*Burrow's 2nd Addition

Councilman Self moved for the first reading of Bill Number 6083. The motion was seconded by Councilman Settles and the following vote recorded:

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

Counselor Leible presented Bill Number 6083 for reading, this bill as approved shall become Ordinance Number 6083 providing for approval of the re-plat of Lot B-1 of Belz\*Burrow's, 2nd Addition in the City of Sikeston, New Madrid County, Missouri.

Authorize Staff to Execute Contract with Park Revitalization Group for Management of VFW Park

Councilman Self recused himself from the meeting.

The VFW Park Revitalization Group (PRG) is seeking a renewal of the current contract for the 2018 calendar year. The contract agreement and terms would be similar to the 2017 contract.

Late last year the Council approved the purchase of a new scoreboard for VFW Stadium. The PRG wants to manage the scoreboard revenue.

The City would like to renew the contract with PRG for the oversight and maintaining of the VFW Baseball Facility. PRG assuming day to day operations and maintenance of the facility allowed the Parks and Recreation Department more time to focus on other tasks and the group was a great asset in terms of making significant improvements to VFW Stadium.

Councilman Settles moved to renew the contract with the VFW Park Revitalization Group. The motion was seconded by Councilman Gilmore and the following vote recorded:

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

Councilman Self returned to the meeting.

Authorization to Purchase Used Vehicle from Missouri Highway Patrol Inventory

In September 2017, one of the City's detective vehicles was involved in a motor vehicle accident. The accident was not the City's fault and a check was issued to us from the other insurance company around \$8,000. The estimates to replace this vehicle with a used 2013 Dodge Charger from the Missouri Highway Patrol inventory will be between \$12,000-\$14,000, plus equipment. Funding is left over in the current budget to cover the additional costs.

Councilman Self moved to authorize the purchase of a used vehicle from the Missouri Highway Patrol inventory. The motion was seconded by Councilwoman Evans and the following vote recorded:

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

Briefing: Capital Improvement Plan

City Manager Douglass presented the City's 5 year Capital Improvement Plan which are projects or purchases of \$5,000 or more with a life of 5 years or greater. This plan is used to prepare for the upcoming budget process.

Councilwoman White-Ross moved to accept the 2019-2023 Capital Improvement Plan. The motion was seconded by Councilman Self and the following vote recorded:

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

Mayor Burch arrived at the meeting.

1st & 2nd Reading, Emergency Bill #6084, Authorization to Execute Agreement with MoDOT for Cost Share Project on Route Y

Councilman Self moved for the first reading of Bill Number 6084. The motion was seconded by Councilwoman Evans and the following vote recorded:

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

Counselor Leible presented the bill for reading, this bill as approved shall become emergency Ordinance Number 6084 authorizing the Mayor to execute a contract between the City of Sikeston, Missouri and the Missouri Highways and Transportation Commission for Cost Share Project #J9S3507 on Route Y.

To comply with Missouri Highways & Transportation Commission requirements, this is being presented as an emergency bill.

Councilman Self moved for the second reading of Bill Number 6084. The motion was seconded by Councilwoman Evans and the following vote recorded:

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

Counselor Leible presented the bill for reading.

Bill No. 6084

Ordinance No. 6084

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6084 AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF SIKESTON, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR COST SHARE PROJECT# J9S3507 ON ROUTE Y.

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

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

SECTION II: That the Agreement set forth on "Exhibit A" set forth the various responsibilities and liabilities of the parties regarding the Cost Share Project# J9S3507 on Route Y.

SECTION III: The Mayor and such other officials as may be necessary are hereby authorized, empowered and directed to execute any documents necessary and proper to effectuate the same and specifically "Exhibit A" which is attached hereto and incorporated by reference.

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

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

shall continue in full force and effect.

SECTION VI: Emergency Clause. This Ordinance is adopted as an emergency measure to comply with Missouri Highways and Transportation Commission requirements.

SECTION VII: Record of Passage:

- A. Bill Number 6084 was introduced to Council and read the first time this 8<sup>th</sup> day of January 2018.
- B. Bill Number 6084 was read the second time and discussed on this 8<sup>th</sup> day of January 2018. Councilman Self moved to approve Bill Number 6084. The motion was seconded by Councilwoman Settles, discussed and the following roll call vote recorded:

Gilmore Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
White-Ross Aye, and Burch Aye, thereby being passed,  
and becoming ordinance 6084.

Other Items

Mayor Burch recused himself from the meeting.

1st & 2nd Reading, Emergency Bill #6085, Purchase of Lil Peddler Building

Councilman Gilmore moved for the first reading of Bill Number 6085. The motion was seconded by Councilman Self and the following vote recorded:

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

Counselor Leible presented the bill for reading, an emergency ordinance authorizing the City of Sikeston, Missouri to enter into a certain agreement to purchase the Lil Peddler Building.

To accommodate the time table and schedule the closing of this transaction, this bill is being considered as an emergency measure.

Councilman Self moved for the second reading of Bill Number 6085. The motion was seconded by Councilwoman Evans and the following vote recorded:

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

Counselor Leible presented the bill for reading.

BILL NUMBER 6085

ORDINANCE NUMBER 6085

AN EMERGENCY ORDINANCE AUTHORIZING THE CITY OF SIKESTON, MISSOURI TO ENTER INTO A CERTAIN AGREEMENT TO PURCHASE THE LIL PEDDLER BUILDING.

WHEREAS, the City Council finds and determines that it is necessary and desirable to enter into an Agreement to purchase the Lil Peddler Building in order to preserve a building with historical significance in downtown Sikeston.

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) Contract for Sale of Real Estate.

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. 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 City Documents.

SECTION IV. To accommodate the time table and schedule the closing of the transaction, this bill is being considered as an emergency measure.

SECTION V. Any other ordinance or parts thereof inconsistent herewith are hereby repealed.

SECTION VI. 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 VII: Record of Passage:

A. Bill Number 6085 was introduced and read the first time this 8<sup>th</sup> day of January, 2018.

B. Bill Number 6085 was read the second time and discussed on this 8<sup>th</sup> day of January 2018. Councilwoman White-Ross moved to approve Bill Number 6085. The motion was seconded by Councilman Self, discussed and the following roll call vote recorded:

Gilmore Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,  
White-Ross Aye, and Burch Absent, thereby being passed,  
and becoming ordinance 6085.

Mayor Burch returned to the meeting.

The Community Outreach meeting scheduled for January 18th has been cancelled. The next Council meeting will be held January 29.

**ADJOURNMENT INTO EXECUTIVE SESSION**

Councilman Settles moved to adjourn into executive session for discussion of property and personnel. The motion was seconded by Councilman Gilmore and the following roll call vote was recorded:

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

Mayor Burch called the executive session to order. Present were: Mayor Steven Burch and Councilmen Karen Evans, Ryan Merideth, Jon Gilmore, Gerald Settles, Brian Self, Karen Evans and Mary White-Ross. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Chuck Leible, City Clerk Carroll Couch, City Treasurer Karen Bailey, Deputy City Clerk Rhonda Council, Public Works Director Jay Lancaster, and Public Safety Director Mike Williams.

Councilman Settles moved to have the Sikeston Area Economic Development Corporation (SAEDC) to send out bid packets for the sale of Unilever's former south plant to include the following: 90 days to submit bids with no minimum bid amount, right to refuse/reject bids and for SAEDC to submit to Council their findings for approval of bids. Councilman Gilmore seconded the motion and the following roll call vote recorded:

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

Mayor Burch appointed Councilman Settles to verify the signatures on the decertification petition presented by DPW skilled workers.

Councilman Self moved to authorize the hiring of a Code Enforcement Supervisor/City Planner and Code Enforcement Officer. The motion was seconded by Councilman Settles and the following roll call vote was recorded:

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

**ADJOURNMENT OUT OF EXECUTIVE SESSION**

Councilman Merideth moved to adjourn from executive session. The motion was seconded by Councilwoman Evans and the following roll call vote recorded:

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 Settles moved to adjourn. The motion was seconded by Councilman Gilmore and the following roll call vote was recorded:

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

APPROVED:

\_\_\_\_\_  
STEVEN BURCH, MAYOR

ATTEST:

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

SEAL: