

REGULAR CITY COUNCIL MEETING
AUGUST 4, 2014

The regular Sikeston City Council meeting of August 4, 2014 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 Jerry Pullen and Councilmen Steven Burch, Bob Depro, John Graham, and Maude Harris. Councilmen Jon Gilmore and Kathy Teachout were absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Chuck Leible, City Clerk Carroll Couch, Governmental Services Director Linda Lowes, Public Works Director Jay Lancaster, Economic Development Director Ed Dust, Director of Public Safety Drew Juden, and Parks Director Jiggs Moore.

APPROVAL OF CITY COUNCIL MINUTES

City Council minutes of July 7 and July 28, 2014 were presented for approval. Councilman Depro moved to approve the minutes as presented. Councilman Burch seconded the motion and the following roll call vote was recorded:

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed.

ACCEPTANCE OF BOARD AND COMMISSION MINUTES

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

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed.

ITEMS OF BUSINESS

Bill 5960, Amending City Code Chapter 107.040

Councilman Depro moved for the second reading of Bill Number 5960. The motion was seconded by Councilman Burch and the following vote recorded:

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed.

Counselor Leible presented the bill for reading.

BILL Number 5960

ORDINANCE Number 5960

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 5960 AND SHALL AMEND ARTICLE II, CHAPTER 107.040 STATEMENT OF CANDIDACY-FORM DECLARATION OF CANDIDACY OF THE CITY 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 Chapter 107 of the Sikeston Municipal Code.

SECTION II: Chapter 107 Elections, Section 107.040 shall be amended to read as follows:

“Section 107.040 Statement of Candidacy – Form, Declaration of Candidacy

[R.O. 2009 §2.84.090]

Any person desiring to become a candidate for Council member or Mayor shall file with the City Clerk within the time prescribed by ordinance a statement of such candidacy in substantially the following form:

Signature of Candidate

Date

Residence Address

Time

City Clerk

NAME AS TO APPEAR ON BALLOT”

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 5960 was introduced and read the first time this 28th day of July 2014.

B. Bill Number 5960 was read the second time and discussed this 4th day of August, 2014. Councilman Depro moved to approve Bill Number 5960. The motion was seconded by Councilman Burch and the following roll call vote recorded:

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed, and becoming Ordinance 5960.

C. Ordinance 5960 shall be in full force and effect from and after September 4, 2014.

Bill Number 5962, Re-adoption of Ethics Ordinance

Councilman Burch moved for the second reading of Bill Number 5962. The motion was seconded by Councilman Harris and the following vote recorded:

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed.

Counselor Leible presented the bill for reading.

BILL Number 5962ORDINANCE Number 5962

THIS BILL, AS ADOPTED, SHALL BECOME ORDINANCE NUMBER 5962, ESTABLISHING A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTEREST FOR CERTAIN MUNICIPAL OFFICIALS.

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

SECTION I: This ordinance shall be codified in the Sikeston Municipal Code as follows:

SECTION II: Chapter 120 "Conflicts of Interest", Disclosure of Personal Financial Interests, hereby established to read as follows:

"120.010 Declaration of Policy. The proper operation of government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the City.

120.020 Conflicts of Interest

A. All elected and appointed officials as well as employees of The City of Sikeston must comply with Section 105.454 of Missouri Revised Statutes on conflicts of interest as well as any other state law governing official conduct.

B. Any member of the governing body of The City of Sikeston who has a "substantial personal or private interest" in any measure, bill, order or ordinance proposed or pending before such governing body must disclose that interest to the City Clerk of the City and such disclosure shall be recorded in the appropriate journal of the governing body. Substantial personal or private interest is defined as ownership by the individual, his spouse, or his dependent children, whether singularly or collectively, directly or indirectly of: (1) 10% or more of any business entity; or (2) an interest having a value of \$10,000 or more; or (3) the receipt of a salary, gratuity, or other compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.

120.030 Disclosure Reports. Each elected official, the City Manager, and the City Clerk shall disclose the following information by May 1 if any such transactions occurred during the previous calendar year.

A. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the City of Sikeston, other than compensation received as an employee or payment of any tax, fee or penalty due to the City, and other than transfers for no consideration to the City.

B. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the City, other than payment of any tax, fee or penalty due to the City or transactions involving payment for providing utility service to the City, and other than transfers for no consideration to the City.

C. The City Manager and the City Clerk also shall disclose by May 1 for the previous calendar year the following information:

1. The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by statement;
2. The name and address of each sole proprietorship that he owned, the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;
3. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

120.040 Filing of Reports

A. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year.

1. Every person required to file a financial interest statement shall file the statement annually not later than May 1 and the statement shall cover the calendar year ending the immediately preceding December 31; provided that any member of the (city council) may supplement the financial interest statement to report additional interest acquired after December 31 of the covered year until the date of filing of the financial interest statement.

2. Each person appointed to office shall file the statement within thirty days of such appointment or employment;

B. Financial disclosure reports giving the financial information required in Section 120.020 shall be filed with the City and with the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.

120.050 Filing of Ordinance. A certified copy of this ordinance shall be sent to the Missouri Ethics Commission within ten days of its adoption."

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 be severable and shall continue in full force and effect.

SECTION V: Record of Passage.

- A. Bill Number 5962 was introduced to Council and read the first time this 28th day of July, 2014.
- B. Bill Number 5962 was read the second time this 4th day of August, 2014. Councilman Depro moved to approve Bill Number 5962. The motion was seconded by Councilman Burch, discussed, and the following roll call vote recorded:

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed.

C. Ordinance 5962 shall be in full force and effect from and after, September 4, 2014.

Bill Number 5961, Amending City Code Chapter 405 Zoning, Manufactured Homes

Councilman Burch moved for the first reading of Bill Number 5961. The motion was seconded by Councilman Depro and the following vote recorded:

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed.

Counselor Leible presented the bill for reading. This bill as approved shall become Ordinance Number 5961 and shall amend Chapter 405 Zoning Regulations of the City Code of the City of Sikeston, Missouri to define manufactured housing units, their permitted and conditional uses.

Bill Number 5964, Authorizing Increase in Board of Municipal Utilities Electrical Rates

Councilman Burch moved for the first reading of Bill Number 5964. The motion was seconded by Councilman Depro and the following vote recorded:

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed.

Counselor Leible presented the Bill Number 5964 for reading, a bill, which upon adoption and passage shall become emergency Ordinance Number 5964 authorizing and establishing electrical charges and rates for the City of Sikeston.

Briefing: Repair of DPW Building

DPW Director Jay Lancaster briefed the City Council on the damage to the DPW building that occurred during the winter with the buildup of snow and ice. He also provided three options for repair and or replacement. Staff will request action from the City Council at a later date.

Briefing: Stormwater Management Advisory Board Recommendations

DPW Street Supervisor Darren Martin briefed Council on staff's efforts to educate residents on the City's prohibition on depositing grass clippings, dirt and other pollutants on City street/gutters. A door hangar explaining these restrictions has been developed and will be placed on the doors of offending homeowners.

Briefing: Sikeston Animal Shelter Septic System

DPW Director Lancaster briefed Council on a developing situation with the Sikeston Animal Shelter's septic tank system. He will be meeting with the system's installer, and research various means of remedying the situation. At this time no Council action is required.

Other Items

DPW Director Lancaster reported the contractor was on-site and work is anticipated to begin this week on the Greenbrier ditch clean-out.

Director Lancaster advised Council on the condition of the City's dump truck/snow plow fleet and the need to replace 3 trucks. Research indicates the lowest purchase price is available through State contract.

Councilman Burch moved to authorize staff to proceed with obtaining bids from local financial institutions for the lease/purchase of three dump trucks/snow plows, with an estimated cost \$438,363. The motion was seconded by Councilman Graham and the following roll call vote recorded:

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed.

Councilman Graham expressed his desire to attend the MML Annual Conference being held in St. Charles, Sept. 14-17. Due to funding cuts, monies were not appropriated for attendance at this conference. City Manager Douglass explained an MML scholarship is available, however Council approval is required to submit the application.

Councilman Depro moved to approve submission of Graham's scholarship application. The motion was seconded by Councilman Harris and the following roll call vote recorded:

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed.

ADJOURNMENT INTO EXECUTIVE SESSION

Councilman Burch moved to adjourn into executive session for the discussion of litigation [RSMO 610.021 (1)]. The motion was seconded by Councilman Depro and the following roll call vote recorded:

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed.

No action was taken in executive session.

ADJOURNMENT OUT OF EXECUTIVE SESSION

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

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed.

ADJOURNMENT

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

Burch Aye, Depro Aye, Graham Aye, Harris Aye, and Pullen Aye, thereby being passed.

APPROVED:

JERRY PULLEN, MAYOR

ATTEST:

CARROLL L. COUCH, CITY CLERK

SEAL: