

**REGULAR CITY COUNCIL MEETING**  
**APRIL 6, 2015**

The regular Sikeston City Council meeting of April 6, 2015 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, Jon Gilmore, John Graham, Maude Harris and Kathy Teachout. 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, Public Works Director Jay Lancaster, Economic Development Director Ed Dust, Public Safety Director Drew Juden, Park Director Jiggs Moore, and Street Superintendent Brian Dial.

**APPROVAL OF CITY COUNCIL MINUTES**

City Council minutes of March 2, March 9, and March 30, 2015 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, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout 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 Teachout and voted as follows:

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

**PRESENTATIONS**

Employee of the Quarter Awards were presented to Gary Annesser of the Public Works Department and Scott Kim of the Public Safety Department.

**ITEMS OF BUSINESS**

**Request for Downtown Balcony**

Sam Thomas of Sam's Fine Jewelry requested permission to construct a balcony on the front façade of his store, located on Front Street. The balcony will utilize posts that bear on the concrete that is in public right-of-way.

Councilman Gilmore moved for staff to draft a right-of-way agreement for reasonable accommodation. The motion was seconded by Councilman Depro and the following roll call vote recorded:

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

LCRA Summer Mowing Program

City Manager Douglass reviewed the cost to mow LCRA lots during recent years. Two seasonal mowers cost the City \$25,000 while the youth mowing program budget was \$48,000. It was the consensus of the City Council to utilize only the seasonal mowers for summer 2015 maintenance of LCRA lots.

Bill Number 5975, 60 West TIF Intergovernmental Agreement

Councilman Depro moved for the second reading of Bill Number 5975. The motion was seconded by Councilman Burch and the following vote recorded:

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

Counselor Leible presented the bill for reading.

BILL NO. 5975

ORDINANCE NO. 5975

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL COOPERATION  
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" (the "Plan") pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended; and

WHEREAS, the City desires to enter into an intergovernmental cooperation agreement (the "Cooperation Agreement") with New Madrid County, Missouri (the "County") regarding the funding of certain infrastructure improvements within the Redevelopment Area described in the Plan;

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 an agreement with the County regarding the funding of certain infrastructure improvements within the Redevelopment Area described in the Plan. The Mayor is hereby authorized and directed to execute, on behalf of the City, the Cooperation Agreement between the City and the County. The City Clerk is hereby authorized and directed to attest to the Cooperation Agreement and to affix the seal of the City thereto. The Cooperation Agreement shall be in substantially the form attached hereto as Exhibit A, which Cooperation Agreement is hereby approved by the City Council, with such changes therein as shall be approved by the officers of the City executing the same.

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.

Section 4. Record of Passage:

- A. Bill Number 5975 was introduced to the City Council and read the first time on this 30<sup>th</sup> day of March, 2015.
- B. Bill Number 5975 was read for the second and final time and discussed on this 6<sup>th</sup> day of April, 2015. Councilman Depro moved to approve Bill Number 5975. The motion was seconded by Councilman Burch, and final passage thereon was voted as follows:
- Burch Aye, Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed
- C. Upon passage by the City Council, this bill shall become Ordinance 5975 and shall be in full force and effect from and after May 6, 2015.

Bill Number 5974, 60 West TIF Redevelopment Agreement

Councilman Burch moved for the second reading of Bill Number 5974. The motion was seconded by Councilman Teachout and the following vote recorded:

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

BILL NO. 5974

ORDINANCE NO. 5974

*AN ORDINANCE APPROVING A REDEVELOPMENT 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" (the "Plan") pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended; and

WHEREAS, the City desires to enter into a redevelopment agreement with Sikeston Development Company, LLC (the "Developer") with regard to the development of the RPA-1 Redevelopment Project described in the Plan (the "Redevelopment Agreement");

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 an agreement with the Developer to implement the RPA-1 Redevelopment Project

described in the Plan. The Mayor is hereby authorized and directed to execute, on behalf of the City, the Redevelopment Agreement between the City and the Developer, but only after execution of the Intergovernmental Cooperation Agreement between the City and New Madrid County, Missouri, relating to the funding of certain infrastructure improvements described in the Redevelopment Agreement. The City Clerk is hereby authorized and directed to attest to the Redevelopment Agreement and to affix the seal of the City thereto. The Redevelopment Agreement shall be in substantially the form attached hereto as Exhibit A, which Redevelopment Agreement is hereby approved by the City Council, with such changes therein as shall be approved by the officers of the City executing the same.

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.

Section 4. Record of Passage:

- A. Bill Number 5974 was introduced to the City Council and read the first time on this 30<sup>th</sup> day of March, 2015.
- B. Bill Number 5974 was read for the second and final time and discussed on this 6<sup>th</sup> day of April, 2015. Councilman Burch moved to approve Bill Number 5974. The motion was seconded by Councilman Teachout and the following vote recorded:
- Burch Aye, Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.
- C. Upon passage by the City Council, this bill shall become Ordinance 5974 and shall be in full force and effect from and after May 6, 2015; provided, if the Developer has not executed the Redevelopment Agreement within 15 days after such date, all rights conferred by this Ordinance on the Developer shall terminate and the City may designate another entity as developer of the RPA-1 Redevelopment Project.

Authorization to Enter Into Engineering Contract to Develop TIF Infrastructure

Director Lancaster reported the Professional Services Committee recommended the City Council authorize city staff to begin contract negotiations with Lambert Engineering for the required engineering work for the Highway 60 W TIF infrastructure.

Councilman Depro moved to authorize staff to begin contract negotiations with Lambert Engineering for the development of the TIF infrastructure. The motion was seconded by Councilman Burch and the following roll call vote recorded:

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

#### Other Items

Donna Slaughter of Marston, Missouri addressed the Council regarding alleged toxic chemicals being used in an asphalt plant in Marston and Noranda. Particles become airborne and are believed to cause cancer. She asked anyone in Sikeston wanting more information, to contact her at 573-326-0985.

Jeff Sutton complimented the City's snow removal efforts.

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

Councilman Depro moved to adjourn into executive session for the discussion of personnel [RSMO 610.021 (3)]. The motion was seconded by Councilman Gilmore and the following roll call vote recorded:

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

Mayor Pullen called the executive session to order. Present were: Mayor Jerry Pullen and Councilmen Steven Burch, Bob Depro, Jon Gilmore, John Graham, Maude Harris, and Kathy Teachout. Staff in attendance were: City Manager Jonathan Douglass and City Counselor Chuck Leible.

No action was taken in executive session.

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

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

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

#### **ADJOURNMENT**

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

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

APPROVED:

---

JERRY PULLEN, MAYOR

ATTEST:

---

CARROLL L. COUCH, CITY CLERK

SEAL: