

REGULAR CITY COUNCIL MEETING
FEBRUARY 6, 2017

The regular Sikeston City Council meeting of February 6, 2017 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 Steven Burch and Councilmen Karen Evans, Ryan Merideth, Gerald Settles, and Mary White-Ross. Councilman Jon Gilmore 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, Acting Public Safety Director Mike Williams, Public Works Director Jay Lancaster, Parks Director Dustin Care, Street Supervisor Darren Martin, and Airport Manager Lee Dunn.

APPROVAL OF CITY COUNCIL MINUTES

City Council minutes of January 3, 2017 and January 30, 2017 were presented for approval. Councilman Settles moved to approve the minutes as presented. Councilman Merideth seconded the motion and the following roll call vote was recorded:

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

ACCEPTANCE OF BOARD AND COMMISSION MINUTES

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

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

ITEMS OF BUSINESS

Bill Number 6047, Watami Parcel Development Agreement with 60 West TIF Redevelopment Project

Councilman Merideth moved for the second reading of Bill Number 6047. The motion was seconded by Councilwoman Evans and the following vote recorded:

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 NO. 6047

ORDINANCE NO. 6047

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, as amended; and

WHEREAS, the City, Sikeston Development Co., LLC (“SDC”), and Cotton Ridge Development Co., LLC (“CRD”) are parties to a certain Amended and Restated Redevelopment Agreement dated as of May 6, 2016 with respect to the development of the RPA 1 Redevelopment Project described in the Plan (the “RPA 1 Redevelopment Agreement”); and

WHEREAS, the RPA 1 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 “Supplemental Work” described in the RPA 1 Redevelopment Agreement in exchange for a portion of the tax increment financing assistance available thereunder; and

WHEREAS, the City, CRD and Rosewood Vanguard Corp. d/b/a Watami Sushi and Hibachi Steakhouse II (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 a restaurant as a part of the “Supplemental 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.

Section 4. Record of Passage:

A. Bill Number 6047 was introduced to the City Council and read the first time on this 30th day of January, 2017.

B. Bill Number 6047 was read for the second and final time on this 6th day of February, 2017. Councilman Settles moved to approve Bill Number 6047. The motion was seconded by Councilman Merideth, discussed and the following roll call vote recorded:

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

C. Upon passage by the City Council, this bill shall become Ordinance 6047 and shall be in full force and effect from 30 days after its passage.

Rail Trail Master Plan

Patrick Worzer, representing Gateway Design Studio and and the i5 Group, reviewed the proposed Sikeston – Rail to Trail Master Plan.

Councilman Merideth moved to adopt the Rail to Trail Master Plan as presented. The motion was seconded by Councilwoman White-Ross, discussed and the final vote recorded:

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

Bill Number 6046, Authorization for the Mayor to Execute a Contract with Missouri Highways and Transportation Commission.

Councilman Settles moved for the second reading of Bill Number 6046. The motion was seconded by Councilman Merideth and the following vote recorded:

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

Counselor Leible presented the bill for reading.

Bill No. 6046

Ordinance No. 6046

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6046 AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT BETWEEN THE CITY OF SIKESTON, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION PROVIDING FOR THE FUNDING AND CONSTRUCTION OF A MULTI-USE TRAIL ALONG THE FORMER UNION PACIFIC RAILROAD CO. RAIL CORRIDOR BEGINNING WEST OF THE INTERSECTION OF MALONE AVENUE (MO HIGHWAY 114) AND SCOTT STREET; TERMINATING WEST OF THE INTERSECTION OF MALONE AVENUE AT MAIN STREET IN THE CITY OF SIKESTON, SCOTT 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: That the Agreements described on Exhibit "A" shall be conveyed to the Missouri Highways and Transportation Commission.

SECTION III: That the Mayor and the other officials as may be necessary are hereby authorized, empowered and directed to execute any documents necessary and proper to effectuate the same.

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: Record of Passage:

- A. Bill Number 6046 was introduced to Council and read the first time this 30th day of January 2017.
- B. Bill Number 6046 was read the second time this 6th day of February 2017 and discussed. Councilman Settles moved to approve Bill Number 6046. The motion was seconded by Councilman Merideth and the following roll call vote recorded:
- Evans Aye, Merideth Aye, Settles Aye,
White-Ross Aye, and Burch Aye, thereby being passed,
becoming Ordinance 6046.
- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6046 and shall be in full force and effect from and after March 8, 2017.

Authorization to Proceed with CY2017 Street and Drainage Improvement Program

Director Lancaster reviewed the proposed Street and Drainage Improvement Program for Calendar Year 2017. He asked for authorization to proceed with development of plans and specifications and the bidding of the street and drainage projects that are proposed for calendar year 2017. In addition, he requested council authorized the assignment of civil engineering consultants for these projects, as proposed. This would include the approval of the standard engineering services contracts at a rate of 11%. If the rates differ from the previously agreed upon amount of 11%, council will be requested to approve an amendment.

Councilman Settles moved to authorize staff to proceed with the proposed Street and Drainage Program for Calendar Year 2017 along with the proposed assignment of civil engineering consultants. The motion was seconded by Councilman Merideth and the following vote recorded:

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

Briefing/Discussion of Park Purchases

In an effort to accomplish the purchasing of various budgeted items, Director Lancaster explained that some funds would be exchanged between various divisions, and with the savings realized, an unbudgeted item, a utility vehicle, would be purchased to assist in the grooming of the ball fields.

Bid Award #17-09 Bleachers

Parks and Recreation Director Dustin Care reviewed the only bid submitted for two aluminum preferred seating bleachers and four aluminum low rise bleachers.

Councilwoman White-Ross moved to award Bid #17-09 to BSN Sports for \$12,679.88. The motion was seconded by Councilman Settles and the following vote recorded:

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

Bid Award #17-10, Front-mounted Mowers

City staff accepted bids for two – 2017 front-mounted commercial mowers. Four companies submitted bids, with Greenway Equipment having the best and lowest. The mowers come with a 3 year warranty.

Councilman Merideth moved to award Bid Number 17-10 to Greenway Equipment for two John Deere 1550 mowers in the amount of \$34,250. The motion was seconded by Councilman Settles and the following vote recorded:

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

Bid Award #17-12, UTV

Bids were received from eight companies for the purchase of a 2017 diesel powered 4-wheel drive UTV with a cargo box. The low bid from Medlin Equipment Co. is \$11,700. The UTV comes with a 1-year warranty.

Councilman Settles moved to award Bid 17-12 to Medlin Equipment for \$11,700. The motion was seconded by Councilman Merideth and the following vote recorded:

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

Resolution 17-02-01, Declaration of Surplus Vehicle

The Public Works Department requested that Council surplus a John Deere 4105 Tractor that was previously used to mow LCRA lots.

RESOLUTION 17-02-01

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

WHEREAS, Certain equipment, vehicles and items in the City's inventory, due to its age or state of disrepair can no longer adequately perform the day-to-day operations of the City; 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.

Vehicles:

1. 2009 John Deere 4105, VIN# LV4105H111132

Read this 6th day of February, 2017, Councilman Settles moved to approve Resolution 17-02-01. The motion was seconded by Councilman Merideth and the following roll call vote recorded:

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

Authorization to Proceed with Purchase of City-Wide Warning System (Tornado Sirens)

The City's current city-wide weather warning system is provided by Outdoor Warning Consulting LLC. Director Williams requested to replace the 7th and final weather warning siren in the Industrial Park on ZZ. This is a 2017 budgeted item.

Councilwoman White-Ross moved to approve the purchase of the warning siren from Outdoor Warning Consulting LLC at a cost of \$26,724.00. The motion was seconded by Councilwoman Evans and the following vote recorded:

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

Bill 6041, Amending City Code 210.840

Councilman Merideth moved for the first reading of Bill Number 6041. The motion was seconded by Councilman Settles and voted as follows:

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

Counselor Leible presented the bill for reading. This bill as approved shall become Ordinance Number 6041 amending City Code Title II, Article VI, Section 210.840(A) Weapons – Carrying Concealed – other unlawful use, to comply with State Statute.

Upon the General Assembly's override of former Governor Nixon's veto, residents are no longer required to obtain a permit prior to carrying a firearm. Bill 6041 will bring the City's ordinances into compliance with State Statute.

Legislative Priority Statement

A proposed Legislative Priority Statement was presented to the City Council for approval. Councilman Settles moved to adopt the 2017 Legislative Priority Statement. The motion was seconded by Councilman Evans and the following vote recorded:

Evans 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:

Evans 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: