

**REGULAR CITY COUNCIL MEETING**  
**APRIL 4, 2016**

The regular Sikeston City Council meeting of April 4, 2016 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 Bob Depro, Karen Evans, Jon Gilmore, Maude Harris, Ryan Merideth, and Gerald Settles. 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 Safety Director Drew Juden, Public Works Director Jay Lancaster, Economic Development Director Ed Dust, Parks Director Dustin Care, DPS Captain James McMillen, Park Supervisor Chris Hart, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Network Administrator Sam Villagrana, and Senior Building Official Collin Cecil.

**APPROVAL OF CITY COUNCIL MINUTES**

City Council minutes of March 7 and March 28, 2016 were presented for approval. Councilman Depro moved to approve the minutes as presented. Councilman Merideth seconded the motion and the following roll call vote was recorded:

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye,  
Settles 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 Settles moved to accept the minutes as presented. The motion was seconded by Councilman Evans and voted as follows:

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye,  
Settles Aye, and Burch Aye, thereby being passed.

**ITEMS OF BUSINESS**

**Bill Number 6011, Calling for August 2, 2015 Election to Continues Sales Tax on Motorized Vehicles Purchased Outside Missouri**

Councilman Depro moved for the second reading of Bill Number 6011. The motion was seconded by Councilman Merideth and the following vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye,  
Settles Aye, and Burch Aye, thereby being passed.

Counselor Leible presented the bill for a second reading.

BILL Number 6011

ORDINANCE Number 6011

AN ORDINANCE CALLING AN ELECTION IN THE CITY OF SIKESTON, MISSOURI, ON THE QUESTION OF WHETHER TO CONTINUE APPLICATION AND COLLECTION OF THE LOCAL SALES TAX ON THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS, AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A

LICENSED MISSOURI DEALER; DESIGNATING THE TIME OF HOLDING THE ELECTION; AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE OF THE ELECTION.

WHEREAS, the City has imposed total local sales taxes, as defined in Section 32.085, RSMo, at the rate of three percent (3%); and

WHEREAS, the City is authorized under Section 144.757, RSMo, to impose a local use tax at a rate equal to the rate of the total local sales taxes in effect in the City; and

WHEREAS, the City is required under the provisions of Section 32.087, RSMo, to submit to the qualified voters of the City the question of whether to continue the application of the local sales tax to the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer; and

WHEREAS, the City is required to submit the question to its voters no later than the general election in November 2016; and

WHEREAS, a fair and sound tax policy would require the same tax rate be charged on purchases made from businesses located outside Missouri as are charged by businesses in Sikeston, Missouri, eliminating a competitive advantage of out-of-state businesses; and

WHEREAS, maintaining a local sales tax will continue the policy of eliminating an advantage out-of-state dealerships enjoy over local dealerships; and

WHEREAS, the proposed City use tax cannot become effective until approved at an election by the qualified voters of the City.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Sikeston, Missouri, as follows:

Section I. Pursuant to the provisions of Section 32.087, RSMo, the City Council has determined that it would be appropriate to submit the determination of the issues of whether to continue application of the local sales tax to the titling of motor vehicles, trailers, boats and outboard motors that are subject to state sales tax under Section 144.020, RSMo, and purchased from a source other than a licensed Missouri dealer to the voters.

Section II. This proposition shall be submitted to the qualified voters of the City of Sikeston, Missouri, for their approval, as required by the provisions of Section 32.087, RSMo, at the election hereby called and to be held in the City on Tuesday, August 2, 2016.

Section III. Said tax shall continue to be effective as provided by law upon approval thereof by a majority of the votes cast on the proposition by the qualified voters of the City voting thereon.

Section IV. A special election is hereby ordered to be held in the City of Sikeston, Missouri, on Tuesday, August 2, 2016, on the following question:

#### QUESTION

Shall the City of Sikeston, Missouri, continue applying and collecting the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer? Rejection

of this measure will result in a reduction of local revenue to provide for vital services for the City of Sikeston, Missouri, and it will place Missouri dealers of motor vehicles, outboard motors, boats, and trailers at a competitive disadvantage to non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.

Section V. The form of the Notice of Election for said election, a copy of which is hereby attached hereto and made a part hereof, is hereby approved.

Section VI. The City Clerk is hereby authorized and directed to notify the County Clerks of Scott and New Madrid County, Missouri, of the passage of this ordinance no later than 5:00 p.m. on Tuesday, May 24, 2016, and to include in said notification all of the terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, as amended.

Section VII. Within ten (10) days after the approval of this proposition by the qualified voters of the City of Sikeston, Missouri, the City Clerk shall forward to the Director of Revenue of the State of Missouri, by United States registered mail or certified mail, a certified copy of this ordinance together with certifications of the election returns and accompanied by a map of the City clearly showing the boundaries thereof.

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

Section IX. 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 X. Record of Passage:

- A. Bill Number 6011 was introduced to Council and read the first time this 28<sup>th</sup> day of March 2016.
- B. Bill Number 6011 was read the second time this 4<sup>th</sup> day of April 2016. Councilman Depro moved to approve Bill Number 6011. The motion was seconded by Councilman Merideth, discussed and the following roll call vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye,  
Settles Aye, and Burch Aye, thereby being passed.

- C. Ordinance 6011 shall be in full force and effect from and after Wednesday, May 4, 2016.

Bill Number 6015, Formally Accepting Ownership of Lincoln Park from LCRA

Councilman Merideth moved for the second reading of Bill Number 6015. The motion was seconded by Councilman Depro and the following vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye,  
Settles Aye, and Burch Aye, thereby being passed.

Counselor Leible presented the bill for reading.

BILL NUMBER 6015ORDINANCE NUMBER 6015

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6015 AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF SIKESTON, MISSOURI TO ACCEPT A CONVEYANCE OF LAND FROM LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY, CITY OF SIKESTON TO ESTABLISH LINCOLN PARK.

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: Land Clearance for Redevelopment Authority wishes to convey a tract of land (described in Exhibit "A" hereto attached) to the City of Sikeston for the creation of a park.

SECTION III. The City shall accept said conveyance and assumes ownership of said real estate in order to have a site upon which to construct and develop a park to be named Lincoln Park.

SECTION IV. General Repealer Section. Any other 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 6015 was introduced and read the first time this 28<sup>th</sup> day of March, 2016.
- B. Bill Number 6015 was read the second time and discussed on this 4<sup>th</sup> day of April, 2016. Councilman Depro moved to approve Bill Number 2016. The motion was seconded by Councilman Merideth and the following roll call vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye,  
Settles Aye, and Burch Aye, thereby being passed.
- C. Upon passage by the City Council, this Bill shall become Ordinance 6015 and shall be in full force and effect from and after May 4, 2016.

Park Division Grounds Maintenance Staffing

Parks Director Dustin Care briefed the City Council on the Community Sheltered Workshop increasing the cost of their contract to pick up litter and clean bathrooms from \$26,706 to \$71,840.50. The increase was brought about by regulatory requirements.

The cost to add two part-time seasonal employees for park cleanup would be \$25,601, including wages, workers compensation and taxes. They would work 40 hours a week for 32 weeks during the 2016 calendar year.

The City Council authorized the hiring of two seasonal employees for park cleanup.

Bill Number 6016, Adoption of Illicit Stormwater Discharge Regulations

Councilman Settles moved for the first reading of Bill Number 6016. The motion was seconded by Councilman Depro and the following vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye, Settles Aye, and Burch Aye, thereby being passed.

Counselor Leible presented the bill for a first reading, this bill as approved shall become Ordinance Number 6016 creating regulations governing discharges into the storm water drainage system.

Award of Bid 16-20, Network Switch Upgrade (City Hall)

Bids for the network equipment to complete upgrades for the City of Sikeston's switch infrastructure at city hall were reviewed by IT Administrator Sam Villagrana. Broadtek and On Point Hardware submitted proposals. On Point's bid of \$12,605 was for hardware only and it contained an incorrect item. Broadtek's bid of \$20,040.22 included hardware, licensing and maintenance.

Councilman Depro moved to award Bid Number 16-20 to Broadtek in the amount of \$20,040.22. The motion was seconded by Councilman Evans and the following roll call vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye, Settles Aye, and Burch Aye, thereby being passed.

Award of Bid 16-22, Sikeston DPS Police and Fire Uniform Vendor

Currently DPS officers receive their uniform allowance via their payroll. DPS wishes to utilize a uniform vendor that will invoice the City thereby exempting the uniforms from sales and payroll taxes. Captain James McMillen reviewed the bids received. H & W Public Safety Equipment of Sikeston sells a comparable quality uniform at an overall lower price than Ed Roehr Safety Products of St. Louis. Since the business is in Sikeston, it would be more accessible and should provide quicker service than Ed Roehr.

Councilman Gilmore moved to award Bid Number 16-22 to H & W Public Safety Equipment for a three year time period. The motion was seconded by Councilman Depro and the following roll call vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye, Settles Aye, and Burch Aye, thereby being passed.

Other Items

Roger Aarons of 6 Woodhaven, Sikeston, requested a copy of the storm water ordinance.

**ADJOURNMENT INTO EXECUTIVE SESSION**

Councilman Depro moved to adjourn into executive session for the discussion of property and Public Safety response plans [RSMO 610.021 (2 & 18)]. The motion was seconded by Councilman Merideth and the following roll call vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye, Settles Aye, and Burch Aye, thereby being passed.

Present for the Executive Session were: Mayor Steven Burch and Councilmen Bob Depro, Karen Evans, Jon Gilmore, Maude Harris, Ryan Merideth, and Gerald Settles. 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 Safety Director Drew Juden, and Economic Development Director Ed Dust. Council candidate Mary White-Ross was also in attendance.

Councilman Depro moved to authorize the Mayor to sign a letter of agreement and sales contract for the Village Green property. The motion was seconded by Councilman Settles and the following roll call vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye, Settles Aye, and Burch Aye, thereby being passed.

No further action was taken in executive session.

**ADJOURNMENT OUT OF EXECUTIVE SESSION**

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

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye, Settles Aye, and Burch Aye, thereby being passed.

No action was taken in executive session.

**ADJOURNMENT**

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

Depro Aye, Evans Aye, Gilmore Aye, Harris Aye, Merideth Aye, Settles Aye, and Burch Aye, thereby being passed.

APPROVED:

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STEVEN BURCH, MAYOR

ATTEST:

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

SEAL: