

REGULAR CITY COUNCIL MEETING
OCTOBER 3, 2016

The regular Sikeston City Council meeting of October 3, 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, Ryan Merideth, Gerald Settles, and Mary White-Ross. 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, Parks Director Dustin Care, Parks Supervisor Chris Hart, Street Superintendent Brian Dial, and Street Supervisor Darren Martin.

APPROVAL OF CITY COUNCIL MINUTES

Regular City Council minutes of September 12, 2016 and special city council minutes of September 12 and 26, 2016 were presented for approval. Councilman Depro moved to approve the minutes as presented. Councilman Evans seconded the motion and the following roll call vote was recorded:

Depro Aye, Evans Aye, Gilmore 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 Settles and voted as follows:

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

ITEMS OF BUSINESS

Collective Bargaining Agreement with IBEW Local 702

On October 26, 2015, the City Council approved recognition of skilled workers in the Parks and Streets Divisions as a collective bargaining unit, and recognition of IBEW Local 702 as the collective bargaining agent for that group. Since that time, the city and IBEW Local 702 have been meeting to negotiate a collective bargaining agreement. A copy of the agreement was provided to the City Council

Councilman Settles moved to authorize execution of the Collective Bargaining Agreement between the City of Sikeston and IBEW Local 702. The motion was seconded by Councilman Depro and the following vote recorded:

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

Bill Number 6037, Approval of Street Sweeper Financing

Councilman Gilmore moved for the second reading of Bill Number 6037. The motion was seconded by Councilman Depro and the following vote recorded:

Depro Aye, 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. 6037

ORDINANCE NO. 6037

AN EMERGENCY ORDINANCE APPROVING THE SELECTION OF A BANK FOR FINANCING THE ACQUISITION OF A NEW STREET SWEEPER, AUTHORIZING THE CITY OF SIKESTON, MISSOURI TO ENTER INTO AN EQUIPMENT LEASE PURCHASE AGREEMENT IN CONNECTION THEREWITH, AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION WITH THE FINANCING.

WHEREAS, the City Council of the City of Sikeston, Missouri (the "City") has previously solicited proposals from qualified banks and financial institutions in connection with the proposed financing of the acquisition of a new street sweeper (the "Equipment"), and in response U.S. Bancorp Government Leasing and Finance, Inc. (the "Lessor") has submitted its proposal for the financing of the acquisition of the Equipment (the "Proposal"), a copy of which is incorporated by reference in this Ordinance and attached hereto as Exhibit A; and

WHEREAS, to facilitate the acquisition of the Equipment and to pay the cost thereof, it is necessary and desirable for the City to enter into an Equipment Lease Purchase Agreement (the "Lease") with the Lessor, pursuant to which the City will lease the Equipment from the Lessor with an option to purchase;

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

Section 1. Acceptance of Proposal. The Proposal is hereby accepted and U.S. Bancorp Government Leasing and Finance, Inc. is hereby selected to finance the acquisition of the Equipment in accordance with and subject to the terms of the Proposal.

Section 2. Approval of the Lease. The City is hereby authorized to enter into the Lease with the Lessor, which Lease shall be in substantially the form presented to the City Council at this meeting, a copy of which is attached hereto as Exhibit B, with such changes therein as shall be approved by the officials of the City executing such document, such officials' signatures thereon being conclusive evidence of their approval thereof.

Section 3. Approval of the Escrow Agreement. The City is hereby authorized to enter into the Escrow Agreement (the "Escrow Agreement") among the City, the Lessor and U.S. Bank National Association, as escrow agent, which Escrow Agreement shall be in substantially the form presented to the City Council at this meeting, a copy of which is attached hereto as Exhibit C, with such changes therein as shall be approved by the officials of the City executing such document, such officials' signatures thereon being conclusive evidence of their approval thereof.

Section 4. Execution of Documents. The Mayor, the City Clerk, the City Manager and other appropriate officers of the City are hereby authorized and directed to execute, attest, acknowledge, deliver and record, as appropriate, for and on behalf of and as the act and deed of the City, the Lease, the Escrow Agreement 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 5. Further Authority. The officers, agents and employees of the City, including the Mayor, the City Manager and the City Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable to carry out and perform the purposes of this Ordinance, and to carry out, comply with and perform the duties of the City with respect to the Lease.

Section 6. Reimbursement of Expenditures. The City Council hereby finds it necessary and declares its intent to finance the costs of the Equipment through delivery of the Lease. The City has made, or expects to make, expenditures in connection with the Equipment, and the City may reimburse itself for such expenditures with the proceeds of the tax exempt financing by, or on behalf of, the City. The maximum principal amount of the tax-exempt financing expected to be issued for the Equipment is \$204,500.

Section 7. Appropriation of Basic Rent. The City Council hereby irrevocably budgets and appropriates moneys in the amount of \$1,734.12 for Fiscal Year ending June 30, 2017, to be used to make the Rental Payments (as defined in the Lease) due under the Lease during the Original Term of the Lease coextensive with Fiscal Year ending June 30, 2017.

Section 8. Emergency Ordinance. The City expects to order and take delivery of the Equipment prior to the end of October. The City will be required to pay for the Equipment upon delivery. In order to have sufficient funds on hand prior to the delivery of the Equipment, this Ordinance and the actions authorized and approved herein must be taken immediately. The City Council hereby finds and declares that this Ordinance shall be an emergency ordinance as described in the City's Charter.

Section 9. Record of Passage:

- A. Bill Number 6037 was introduced to Council and read the first time on the 26th day of September, 2016.
- B. Bill Number 6037 was read for the second and final time and discussed this 3rd day of October, 2016. Councilman Settles moved to approve Bill Number 6037. The motion was seconded by Councilwoman White-Ross, and the following roll call vote recorded:

Depro Aye, Evans Aye, Gilmore Aye, Merideth Aye, Settles Aye,
White-Ross Aye, and Burch Aye, thereby being passed
and becoming Ordinance Number 6037.

- C. Upon passage by a two-thirds majority of the Council, this Bill shall become Ordinance Number 6037 and shall be in full force and effect upon its passage.

Award Lease Purchase of Street Sweeper

Director Lancaster reported the Street Division was in need of a new street sweeper. Key Equipment & Supply Company presently has the MoDOT State Contract for street sweepers. It is an Elgin Twin Engine Four-Wheel Mechanical Street Sweeper. The price is \$195,000 and includes our current sweeper as a trade-in.

Councilman Depro moved to purchase an Elgin Twin Engine Four-Wheel Mechanical Street Sweeper for \$195,000. The motion was seconded by Councilman Merideth and the following vote recorded:

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

Backstop Replacement at Recreation Complex

Bids received for the replacement of two backstops in the Recreation Complex were reviewed. Due to budgetary restrictions, only one backstop will be replaced.

Councilman Merideth moved to award Bid Number 17-3 to Bootheel Fence Company of Jackson, Missouri, in the amount of \$20,845 for the replacement of the Field #1 backstop. The motion was seconded by Councilman Settles and the following vote recorded:

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

House of Refuge Application for Calendar Year 2017

On September 13, 2016 the House of Refuge for Abused and Battered Women submitted an application for funding in the amount of \$8,000. Their application met all municipal requirements. Sufficient surcharge fees should be generated, if the municipal court caseload remains at current levels.

Councilman Gilmore moved to authorize calendar year funding in an amount not to exceed \$8,000 for the House of Refuge for Abused and Battered Women for calendar year 2017. The motion was seconded by Councilman Depro and the following vote recorded:

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

Bill 6039, Authorizing Execution of Contract for Fabrication and Installation of Gateway Monuments and Wayfinding Signage

Councilman Depro moved for the first reading of Bill Number 6039. The motion was seconded by Councilman Settles and the following vote recorded:

Depro Aye, Evans Aye, Gilmore 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 6039 authorizing the Mayor to execute a contract between the City of Sikeston,

Missouri and Geograph Industries, Inc. providing for the fabrication and installation of wayfinding and gateway monument signage in the city.

ADJOURNMENT

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

Depro Aye, 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: