

SPECIAL CITY COUNCIL MEETING
OCTOBER 11, 2016

CALL TO ORDER/RECORD OF ATTENDANCE

The special Sikeston City Council meeting of October 11, 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 Pro Tem Jon Gilmore and Councilmen Bob Depro, Ryan Merideth, Gerald Settles, and Mary White-Ross. Mayor Steven Burch and Councilwoman Karen Evans were 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, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Public Safety Captain James McMillen, Senior Building Official Collin Cecil, and Airport Manager Lee Dunn.

ITEMS OF BUSINESS

Emergency Bill Number 6038, Creation of Village Green Subdivision

Councilman Depro moved for the first reading of Bill Number 6038. The motion was seconded by Councilman Merideth and the following vote recorded:

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

Counselor Leible presented the bill for reading. This bill as approved shall become emergency Ordinance Number 6038 providing for approval of subdividing an approximate 1.68 acre tract of land, to be known as Sikeston Point Addition, and which is bounded by Southland Avenue to the north, Business US 61 (South Kingshighway) to the west and south and US Highway 61 (South Main Street) to the east.

Director Lancaster reported the proposed subdivision is located in the original location of the old Village Green. This ordinance divides the Village Green property into two parcels. Due to the time requirements of a potential purchaser of the subdivided property, this matter is being presented as an emergency measure. The Planning & Zoning commission provided a favorable recommendation for the subdivision.

Councilwoman White-Ross moved for the second reading of Bill Number 6038. The motion was seconded by Councilman Merideth and the following vote recorded:

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

Counselor Leible presented the bill for a second reading.

BILL NUMBER 6038

ORDINANCE NUMBER 6038

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6038 PROVIDING FOR APPROVAL OF SUBDIVIDING AN APPROXIMATE 1.68 ACRE TRACT OF LAND, TO BE KNOWN AS SIKESTON POINT ADDITION, AND WHICH IS BOUNDED BY SOUTHLAND AVENUE TO THE NORTH, BUSINESS US 61 (SOUTH KINGSHIGHWAY) TO THE WEST AND SOUTH AND US HIGHWAY 61 (SOUTH MAIN STREET) TO THE EAST.

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: The Planning and Zoning Commission met on October 11, 2016 and passed a favorable recommendation to approve the subdividing of a tract or parcel of land the plat of which is attached hereto, marked Exhibit "A" and incorporated by reference and legally described as follows and known as Sikeston Point Addition:

"Commencing at the Northwest corner of said U.S.P.S. No. 1032; thence S 10°36'17" E a distance of 1203.51 feet to a point on the centerline of South Kingshighway; thence N 80°17'29" E a distance of 30.00 feet to a point on the East right-of-way line of Business Route 61, said point being on the South right-of-way line of Southland Avenue (a undedicated street), monumented with a surveyor's spike in asphalt; thence S 10°36'17" E along the East right-of-way line thereof a distance of 235.00 feet to Highway Sta 20+88, 30' LT, monumented with a #5 rebar and cap stamped Darrall R. Hirtz, PLS 2140; thence N 79°23'43" E along said right-of-way line a distance of 20.00 feet to Sta 20+88, 50'LT, monumented the same; thence S 12°04'46" E along said right-of-way line a distance of 119.19 feet to Highway Sta 22+08.5, monumented with a concrete right-of-way marker; thence continuing along said right-of-way line on a curve to the left with a radius of 235.54 feet and a chord bearing S 36°21'17" E - 193.73 feet a distance of 199.66 feet to Highway Sta 24+50.5, 50'LT, monumented the same; thence S 60°38'17" E along the North right-of-way line thereof a distance of 14.28 feet, monumented with a #5 rebar and cap stamped, "Darrall R. Hirtz, PLS 2140", being the point of beginning; thence continuing S 60°38'17" E along said right-of-way line a distance of 149.62 feet to Highway Sta 26+32, 50'LT, monumented with a concrete right-of-way marker; thence S 76°15'53" E along said right-of-way line a distance of 90.58 feet to U.S. Highway 61 Sta 59+25, 110'RT, monumented the same; thence N 38°21'11" E along the West right-of-way of said U.S. Highway 61 a distance of 103.08 feet to Sta 58+25, 85'RT, monumented the same; thence N 26°57'34" E along said right-of-way a distance of 175.40 feet, monumented with a #5 rebar and cap stamped, "Darrall R. Hirtz, PLS 2140"; thence N 60°56'09" W a distance of 237.63 feet, monumented the same; thence S 54°40'38" W a distance of 22.18 feet, monumented the same; thence S 29°03'19" W a distance of 280.18 feet to the point of beginning and containing 1.68 acres, more or less. Subject to any and all easements, if any, affecting the same."

SECTION III: Said plat and subdivision is accepted and approved subject to full compliance with all applicable building and other codes and the stormwater management plan.

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: Emergency Clause. In order to comply with a closing date for the sale of this property, this matter is being presented as an emergency measure.

SECTION VII: Record of Passage

A. Bill Number 6038 was introduced and read the first time this 11th day of October, 2016.

- B. Bill Number 6038 was read the second time and discussed this 11th day of October, 2016. Councilman Merideth moved to approve Bill Number 6038. The motion was seconded by Councilman Depro and the following roll call vote recorded:

Depro Aye, Gilmore Aye, Merideth Aye, Settles Aye, and
White-Ross Aye, thereby being passed,
and becoming ordinance 6038.

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6038 and shall be in full force and effect.

Bill Number 6040, Authorization to Enter into a Real Estate Contract with Mayson Investments

Councilman Settles moved for the first reading of Bill Number 6040. The motion was seconded by Councilman Merideth and the following vote recorded:

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

Counselor Leible presented Bill Number 6040 for reading, an emergency ordinance authorizing the City of Sikeston, Missouri to enter into a certain real estate contract with Mayson Investments, LLC.

Councilman Depro moved for the second reading of Bill Number 6040. The motion was seconded by Councilman Merideth and the following roll call vote recorded:

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

Counselor Leible presented the ordinance for reading.

BILL NUMBER 6040

ORDINANCE NUMBER 6040

AN EMERGENCY ORDINANCE AUTHORIZING THE CITY OF SIKESTON, MISSOURI TO ENTER INTO A CERTAIN REAL ESTATE CONTRACT WITH MAYSON INVESTMENTS, LLC

WHEREAS, the City Council finds and determines that it is necessary and desirable to sell Mayson Investments, LLC, certain municipal owned property for commercial purposes and to approve the execution of certain documents herein.

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

SECTION I: Authorization of Documents. The City is hereby authorized to enter into the following documents (the "City Documents"), in substantially the form presented to the City Council and attached to this Ordinance, with such changes therein as are approved by the officials of the City executing the documents, such officials' signatures thereon being conclusive evidence of their approval thereof:

- (a) Purchase and Sale Agreement and Amendment to Purchase and Sale Agreement

SECTION II: Execution of Documents. The Mayor is hereby authorized to execute the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, for and on behalf of and as the act and deed of the City. The City Clerk is hereby authorized to attest to and affix the seal of the City to the City Documents 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 III. Further Authority. Upon the full and complete payment and performance on behalf of Mayson Investments, LLC, or any of its subsidiaries or controlled companies of its obligations under said City Documents, the City shall, and the officials, agents and employees of the City are hereby authorized to, take such further action, and execute such other documents, certificates, deeds and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the City Documents.

SECTION IV. Emergency Ordinance. The City Council finds that an emergency exists within the meaning of Article III, Section 312(f) of the City Charter, in that any delay may jeopardize the scheduled closing date and the timing and market conditions for the commercial development.

SECTION V: Record of Passage:

- A. Bill Number 6040 was introduced and read the first time this 11th day of October, 2016.
- B. Bill Number 6040 was read the second time and discussed on this 11th day of October, 2016. Councilman Depro moved to approve Bill Number 6040. The motion was seconded by Councilman Merideth and the following roll call vote recorded:

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

- C. Upon passage by the City Council, this bill shall become Ordinance 6040 and shall be in full force and effect from and after its passage.

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

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

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

Counselor Leible presented the bill for reading.

Bill No. 6039

Ordinance No. 6039

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.

THEREFORE, 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 Agreement set forth on "Exhibit A" sets forth the various responsibilities and liabilities of the parties for the fabrication and installation of wayfinding and gateway monument signage within the City of Sikeston.

SECTION III: The Mayor and such other officials as may be necessary are hereby authorized, empowered and directed to execute any documents necessary and proper to effectuate the same and specifically "Exhibit A" which is attached hereto and incorporated by reference.

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 6039 was introduced to Council and read the first time this 3rd day of October 2016.
- B. Bill Number 6039 was read the second time this 11th day of October 2016. Councilman Merideth moved to approve Bill Number 6039. The motion was seconded by Councilman Depro, discussed, and the following roll call vote recorded:

Depro Aye, Gilmore Aye, Merideth Aye, Settles Aye, and
White-Ross Aye, thereby being passed,
becoming Ordinance 6039.

- C. Ordinance 6039 shall be in full force and effect November 11, 2016.

ADJOURNMENT

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

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

APPROVED:

STEVEN BURCH, MAYOR

ATTEST:

CARROLL L. COUCH, CITY CLERK

SEAL: