

REGULAR CITY COUNCIL MEETING
JUNE 1, 2020

The regular Sikeston City Council meeting of June 1, 2020 was called to order at 5:00 p.m. at the Clinton Building located at 501 Campanella Drive, Sikeston. Present at the meeting were: Mayor Steven Burch and Councilmembers Brian Self, Karen Evans, Onethia Williams, Gerald Settles, Ryan Merideth and Brandon Sparks. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Carroll Couch, City Treasurer Karen Bailey, Deputy City Clerk Rhonda Council, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Parks Director Dustin Care, Captain Ryan Smith, Community Development Director Lorenzo Ware, Airport Supervisor Chris Hart and City Collector Vicky Lewis.

APPROVAL OF CITY COUNCIL MINUTES

City Council minutes of May 4, 2020 were presented for approval. Councilman Sparks moved to approve the minutes as presented. Councilman Settles seconded the motion and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

ACCEPTANCE OF BOARD AND COMMISSION MINUTES

Library Board minutes of November 4 and December 2, 2019 and January 6, February 3, March 9 and April 6, 2020 were presented for approval. Councilman Self moved to approved the minutes as presented. Councilman Merideth seconded the motion and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

PUBLIC HEARING – FY21 BUDGET

Councilman Settles motioned to begin the Public Hearing to discuss the City's FY21 Budget. The motion was seconded by Councilwoman Evans and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

City Manager Douglass presented a draft of the City's FY21 budget. The Budget will be formally adopted at the June 8th Council meeting.

No remarks were heard from the public.

There being no further discussion before the City Council, Councilman Merideth moved to adjourn from the public hearing. The motion was seconded by Councilman Self and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

ITEMS OF BUSINESS**2nd Reading & Consideration, Bill #6188, Re-adoption of Fair Housing Policy**

Councilman Self moved for the second reading of Bill Number 6188. The motion was seconded by Councilman Merideth and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye, Williams Aye, and Burch Aye, thereby being passed.

Counselor Thurman presented the bill for reading.

BILL Number 6188

ORDINANCE Number 6188

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6188, PROVIDING "FAIR HOUSING" FOR THE CITY OF SKESTON, MISSOURI, DEFINING DISCRIMINATORY HOUSING PRACTICES, AND CREATING A FAIR HOUSING COMMITTEE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SKESTON, MISSOURI AS FOLLOWS:

SECTION I: This Ordinance shall not be codified in the City Municipal Code.

SECTION II: Declaration of Policy: The City Council of the City of Skeston hereby declares it to be the public policy of the City to eliminate discrimination and safeguard the right of any person to sell, purchase, lease, rent or obtain real property without regard to race, sex, color, national origin, ancestry, religion, religious affiliation, handicap and without regard to whether a family has children. This ordinance shall be deemed an exercise of the police powers of the City of Skeston, Missouri, for the protection of the public welfare, prosperity, health and peace of the people of Skeston.

SECTION III. Definitions. For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein unless the context otherwise indicates.

- A. Person shall include any individual, firm, partnership or corporation.
- B. Aggrieved Person shall include any person who is attempting to provide housing for himself and/or his family in the City of Skeston, Missouri.
- C. Discriminate shall mean distinctions in treatment because of race, sex, color, religion, handicap, familial status or national origin of any person.

SECTION IV. Discriminatory Practices. It shall be a discriminatory practice and a violation of this ordinance for any person to:

- A. Refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, sex, color, religion, religious affiliation, handicap, familial status, or national origin of any person.
- B. Discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, sex, color, religion, religious affiliation, handicap,

familial status, or national origin.

- C. Make, print, or publish, or cause to be made, printed or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, sex, color, religion, religious affiliation, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.
- D. Represent to any person because of race, sex, color, religion, religious affiliation, handicap, familial status, or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.
- E. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, sex, color, religion, religious affiliation, handicap, familial status, or national origin.
- F. Bars discrimination in the sale or rental of housing on the basis of a handicap, and requires the design and construction of new multi-family dwelling with four (4) or more units to meet certain adaptability and accessibility requirements.
- G. Bars discrimination in the sale or rental of housing because a family has children, but exempts certain types of buildings that house older persons, e.g. Section 202 housing.

SECTION V: Discrimination in the Financing of a House. It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan to a person applying therefore for the purpose of purchasing, constructing, repairing, or maintaining a dwelling, or discriminate against any person in the fixing of the amount or conditions of such loan, because of the race, sex, color, religion, religious affiliation, handicap, familial status, or national origin of such person or of any person associated with him in connection with such financing.

SECTION VI. Exemptions. The provisions of this ordinance and particularly Section IV hereof, shall not apply to the following:

- A. The sale or rental of a dwelling unit in a building, which contains housing accommodations with no more than four (4) families living independently of each other, if the owner resides in one of the units.
- B. Housing need not be made available to a person who is a direct threat to the health or safety of others or who currently uses illegal drugs.
- C. Religious organizations and private clubs may limit the sale, rental or occupancy of housing owned or operated for other than a commercial purpose, to their members.
- D. Any single family house sold or rented by an owner provided that such house is sold or rented:
 - 1. without the use of sales or rental facilities or services of real estate brokers, agents, salesmen, or persons in the business of selling or renting dwelling, and

2. without the publication, posting or mailing of any advertisement in violation of Section 3c of this ordinance.

provided however, that:

1. nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title, and
 2. that any such private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the process, from the sale or rental of more than three such single family houses at any one time.
- E. For the purposes of subsection e, a person shall be in the business of selling or renting dwelling if:
1. he has, within the preceding twelve months, participated as a principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or
 2. he has, within the preceding twelve months, participated as an agent, other than in the sale of his own personal residents in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or
 3. he is the owner of any dwelling designed or intended for occupancy, by or occupied by five or more families.

SECTION VII. Administration:

- A. There is hereby created a Fair Housing Committee whose membership shall consist of five members, who shall be appointed by the Mayor of the City with the approval of the City Council.
- B. Every complaint of a violation of this ordinance shall be referred to the Fair Housing Committee. The Fair Housing Committee shall forthwith notify the person against whom the complaint is made. The identity of the aggrieved person shall be made known to the person against whom the complaint is made at that time. If the Fair Housing Committee, after investigation, finds there is no merit to the complaint, the same shall be dismissed. If the Fair Housing Committee finds that there is merit in the complaint, in their opinion, then and in that event, the Fair Housing Committee will endeavor to eliminate the alleged discriminatory practice by conference and conciliation.
- C. If the Fair Housing Committee is unable to eliminate the alleged discriminatory practice by a conference and conciliation, then and in the event, the Fair Housing Committee shall forward said complaint to the City Attorney for handling. The final determination of whether or not to prosecute on said complaint shall be left to the City Attorney.

SECTION VIII. Enforcement.

- A. Any person convicted of a violation of this ordinance shall be punished by a fine of not more than two hundred (\$200.00) or confinement in the County jail for not more than thirty (30) days, or both such fine and imprisonment.
- B. The City Attorney, instead of filing a complaint in Municipal Court of said City, may,

as an alternative remedy, seek to have the alleged discriminatory practices abated by an action for an injunction to be maintained in the appropriate Circuit Court of the State of Missouri.

SECTION IX: General Repealer Section: Any ordinance or parts thereof inconsistent herewith are hereby repealed.

SECTION X: Severability: Should any part or parts of this ordinance be found or held to be invalid by any court of competent jurisdiction, then the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION XI: Savings Clause. This ordinance shall not affect violations of any other ordinance, code or regulation of the City of Sikeston existing prior to the effective date hereof. Any such violations shall be governed and shall continue to be punishable to the full extent of the law under the provisions of those ordinances, codes or regulations in effect at the time the violation was committed.

SECTION XII: Record of Passage:

A. Bill Number 6188 was introduced and read the first time this 4th day of May, 2020.

B. Bill Number 6188 was read the second time and discussed on this 1st day of June, 2020. Following discussion, Councilman Sparks moved to approve Bill Number 6188. The motion was seconded by Councilman Merideth, discussed and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

C. Ordinance 6188 shall be in full force and effect from and after July 1, 2020.

1st Reading, Bill #6191, FY21 Budget Ordinance

Councilman Settles moved for the first reading of Bill Number 6191. The motion was seconded by Councilman Sparks and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

City Counselor Thurman presented the bill for reading. This bill as adopted shall become Emergency Ordinance Number 6191, and shall be referred to as "The FY-2021 Budget" (July 1, 2020 through June 30, 2021), it shall repeal Ordinance 6143, being the "FY-2020 Budget" and all amendments thereto, it shall provide for the appropriation of monies and administration of expenditures of monies received by the City of Sikeston in accordance with the ordinance.

1st Reading, Bill #6190, FY21 Staffing & Compensation Ordinance

Councilman Self moved for the first reading of Bill Number 6190. The motion was seconded by Councilwoman Evans and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

City Counselor Thurman presented the bill for reading. This bill as adopted shall become Emergency Ordinance Number 6190 and shall repeal Ordinance Number 6144 being the FY-20

Compensation Plan and Employee Staffing Level Authorization, and all amendments thereto; and shall establish the employee compensation plan and staffing levels, and the administration thereof for fiscal year 2021 (July 1, 202 through June 30, 2021).

Changes to the staffing ordinance include:

- Veteran's Day has been changed from a floating holiday to a regular holiday. City hall will now close on Veteran's Day.
- A three percent (3%) increase was given to most fulltime employees.
- Entry level pay for skilled workers, recreation assistant, DPW supervisors, airport linemen, animal attendants, mechanic, and communications officers increased by \$1.00/hour to offset changes in the Missouri minimum wage. Employees benefiting from this did not receive the 3% adjustment.
- The Community Development Department is established. Lorenzo Ware is the director. Seasonal Mowing (LCRA), Code Enforcement and Animal Control report to him.
- A part-time secretary was added to Community Development staff.
- Vacation accrual was changed from one (1) week and one (1) day of vacation upon completion of one (1) year of service to two (2) weeks and one (1) day.
- Public Safety commissioned officers are now eligible for a one-year merit adjustment. In recent years, they went 3 years before they were eligible for a merit increase.

1st Reading, Bill #6197, FY-20 Budget Amendment

Councilman Sparks moved for the first reading of Bill Number 6197. The motion was seconded by Councilman Merideth and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

City Counselor Thurman presented the bill for reading. This bill as adopted shall become an emergency Ordinance Number 6197, and shall amend Ordinance Number 6143, the FY-20 Budget. Noted activities include additional appropriations for recently settled legal activity and the major repair of a front-line pumper damaged in an accident. There will be partial reimbursement for both activities to help offset the expenditures.

1st Reading, Bill #6194, Re-adoption of Ethics Ordinance

Councilman Self moved for the first reading of Bill Number 6194. The motion was seconded by Councilwoman Evans and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

City Counselor Thurman presented the bill for reading. This bill, as adopted, shall become Ordinance Number 6194, establishing a procedure to disclose potential conflicts of interest and substantial interest for certain municipal officials.

1st Reading, Bill #6196, Dissolving the Rental Ordinance Review Board

Councilman Sparks moved for the first reading of Bill Number 6196. The motion was seconded by Councilwoman Evans and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

City Counselor Thurman presented the bill for reading. This bill as approved shall become Ordinance Number 6196, providing for the repeal of Title 1, Chapter 130, Article IX of the Sikeston Municipal Code, thus dissolving the Rental Ordinance Review Board.

Resolution 20-06-01, Surplus DPS Vehicle

This resolution declares certain vehicles in the City's inventory to be surplus property and authorizes its disposal.

A RESOLUTION OF THE CITY OF SKESTON, 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 SKESTON, 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:

2013 Chevy Tahoe, Vin #: 1GNLC2E07DR341462

Councilman Self moved to adopt Resolution 20-06-01 to surplus Department of Public Safety's 2013 Chevy Tahoe. The motion was seconded by Councilwoman Evans and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

Approve Airport Hanger Maintenance Material

The Sikeston Airport will be making repairs to the Quonset Hanger. Bids were sent out for purchase of roofing materials and lumber. The lowest bid was from C & K Building Materials, Inc. in the amount of \$13,324.19.

Councilman Self moved to award Bid 20-55 for construction materials for the Quonset Hangar at the Sikeston Airport to C & K Building Materials, Inc. in the amount of \$13,324.19. The motion was seconded by Councilwoman Williams and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

Award Demolition Bids 20-49 and 20-50

Bids were received for the demolition of 240 William (Bid 20-49) and 615 W. North Street (Bid 20-50). Ferrell Enterprises was the low bidder for 240 William with a bid of \$11,680.00. Rhoden and Turner Excavation was the low bidder for 615 W. North Street with a bid of \$10,300.00.

Councilman Merideth moved to award Bid #20-49 (240 William) to Ferrell Enterprises in the amount of \$11,680.00 and Bid #20-50 (615 W. North Street) to Rhoden and Turner Excavation in the amount of \$10,300.00. The motion was seconded by Councilwoman Williams and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

FY2020 Audit Services

Bucher, Essner & Miles, LLC have prepared the City's audit for the past 40 years. Because it was not financially advantageous for them, they have decided not to bid this year. Beussink, Hey, Roe & Stroder, L.L.C. submitted a Letter of Understanding with the fee for one year of audit service in the amount of \$32,000. Some of their clients include the cities of Cape Girardeau, Jackson, Perryville and Miner.

Councilman Settles moved to authorize the Mayor to execute the Letter of Understanding with the Beussink, Hey, Roe & Stroder, L.L.C. for one year of audit service in the amount of \$32,000. The motion was seconded by Councilwoman Evans and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

Other Items

Citizen Michael Harris addressed Council about installing a four-way stop at the intersection of Jackson and Jaycee.

NEW BUSINESS

As per RSMo 109.230(4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's Office.

ADJOURNMENT INTO EXECUTIVE SESSION

Councilman Self moved to adjourn into executive session for discussion of personnel. The motion was seconded by Councilwoman Evans and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

Councilman Self moved to appoint Rhonda Council as City Clerk effective June 12, 2020. The motion was seconded by Councilwoman Williams and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

ADJOURNMENT OUT OF EXECUTIVE SESSION

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

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

ADJOURNMENT

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

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Aye, thereby being passed.

APPROVED:

STEVEN BURCH, MAYOR

ATTEST:

RHONDA COUNCIL, CITY CLERK

SEAL: