

**SPECIAL CITY COUNCIL MEETING**  
**AUGUST 25, 2014**

**CALL TO ORDER/RECORD OF ATTENDANCE**

The special Sikeston City Council meeting of August 25, 2014 was called to order at 11:30 a.m., in the City Council Chambers, located at 105 East Center, Sikeston. Present at the meeting were: Mayor Jerry Pullen and Councilmen Steven Burch, Bob Depro, Jon Gilmore, John Graham, Maude Harris, and Kathy Teachout. 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, Economic Development Director Ed Dust, Street Supervisor Darren Martin, Vehicle Maintenance Supervisor Jimmy Groves, Director of Public Safety Drew Juden, and Parks Director Jiggs Moore. Rick Landers of the Board of Municipal Utilities was also present.

**PUBLIC HEARING**

Councilman Depro moved to open a public hearing regarding the establishment of the 2014 municipal real estate tax rates. The motion was seconded by Councilman Graham and the following vote recorded:

Burch Aye, Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.

City Clerk Carroll Couch reviewed the process of establishing the 2014 municipal real estate tax rates. No comments were heard. Councilman Gilmore moved to close the public hearing. The motion was seconded by Councilman Graham and the following vote recorded:

Burch Aye, Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.

**ITEMS OF BUSINESS**

**Bill Number 5965, Establishing the 2014 Municipal Property Tax Rates**

Councilman Depro moved for the first reading of Bill Number 5965. The motion was seconded by Councilman Burch and the following roll call vote recorded:

Burch Aye, Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.

Counselor Leible presented Bill Number 5965 for reading, an emergency bill, which upon adoption and passage, shall become Ordinance Number 5965, an ordinance fixing the rate of taxation on all taxable property in the City of Sikeston, Missouri, for the Fiscal Year 2014-2015.

Councilman Burch moved for the second reading of Bill Number 5965. The motion was seconded by Councilman Graham and the following vote recorded:

Burch Aye, Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.

Counselor Leible presented the bill for reading.

BILL Number 5965

ORDINANCE Number 5965

AN EMERGENCY BILL, WHICH UPON ADOPTION AND PASSAGE, SHALL BECOME ORDINANCE NUMBER 5965, AN ORDINANCE FIXING THE RATE OF TAXATION ON ALL TAXABLE PROPERTY IN THE CITY OF SIKESTON, MISSOURI, FOR THE FISCAL YEAR 2014-2015.

WHEREAS, the Sikeston City Council held a public hearing in accordance with Section 67.110 RSMO prior to the adoption of the City's 2014-2015 Tax Rate.

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

Section I. This ordinance will not be codified in the Municipal Code Book of the City of Sikeston.

Section II. That for the purpose of maintaining a general fund, there is hereby levied a tax rate of forty and two one-hundredth cents (\$.4002) per one hundred dollars (\$100.00) of assessed valuation on all taxable property in the City of Sikeston, Missouri, for the year 2014-2015.

Section III. That for the purpose of maintaining a public library fund, there is hereby levied a tax rate of seventeen and forty four one-hundredth cents (\$.1744) per one hundred dollars (\$100.00) of assessed valuation on all taxable property in the City of Sikeston, Missouri, for the year 2014-2015.

Section IV. That for the purpose of maintaining public parks, there is hereby levied a tax rate of seventeen and forty four one-hundredth cents (\$.1744) per one hundred dollars (\$100.00) of assessed valuation on all taxable property in the City of Sikeston, Missouri, for the year 2014-2015.

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

Section VI. 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 VII. Emergency Clause: Due to requirements of the State of Missouri, this ordinance will become effective upon its passage.

Section VIII. Record of Passage:

- A. Bill Number 5965 was introduced to Council and read the first time this 25<sup>th</sup> day of August 2014.
- B. Bill Number 5965 was read the second time this 25<sup>th</sup> day of August 2014. Councilman Teachout moved to approve Bill Number 5965. The motion was seconded by Councilman Burch and the following roll call vote recorded:

Burch Aye, Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed  
and becoming Ordinance Number 5965.

C. Ordinance 5965 shall be in full force and effect from and after Monday, August 25, 2014.

Bill Number 5964, Authorizing Increase in BMU Electrical Rates

Councilman Depro moved for the second reading of Bill Number 5964. The motion was second by Councilman Burch and the following vote recorded:

Burch Aye, Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.

Counselor Leible presented the bill for reading.

BILL NUMBER 5964

ORDINANCE NUMBER 5964

A BILL, WHICH UPON ADOPTION AND PASSAGE SHALL BECOME EMERGENCY ORDINANCE NUMBER 5964 AUTHORIZING AND ESTABLISHING ELECTRICAL CHARGES AND RATES FOR THE CITY OF SIKESTON.

WHEREAS, the Board of Municipal Utilities has determined that electrical rate increases are necessary and proper to maintain the economic viability of the municipal utility system, and

WHEREAS, the City Council believes an increase in rates is in the overall best interest of the residents of Sikeston.

NOW 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: The electric rates to be charged by the Board of Municipal Utilities from and after September 1, 2014 shall be as set forth on Exhibit "A" which is attached hereto and incorporated by reference.

SECTION III: The Mayor and/or City Clerk are authorized to execute any and all documents necessary to implement said rate changes.

SECTION IV: This Ordinance is being considered as an emergency measure in order to comply with certain refinancing requirements of City of Sikeston revenue bonds.

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

SECTION VI: 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 VII. Emergency Clause: Due to the deadlines established by the Board of Municipal Utilities Board of Commissioners this bill will become effective September 1, 2014.

SECTION IX: Record of Passage:

- A. Bill Number 5964 was introduced and read the first time this 4<sup>th</sup> day of August 2014.
- B. Bill Number 5964 was read the second time and discussed on this 25<sup>th</sup> day of August 2014. Councilman Teachout moved to approve Bill Number 5964. The motion was seconded by Councilman Burch and the following roll call vote recorded:

Burch Aye, Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed,  
and becoming Ordinance 5964.

- C. Ordinance 5964 shall be in full force and effect from and after September 1, 2014.

Bill 5961, Authorization to Amend Chapter 405 Zoning Regulations of the City Code of the City of Sikeston, Missouri Regarding the Definition, Permitted Uses and Conditional Uses of Manufactured Housing Units

Councilman Depro moved for the second reading of Bill Number 5961. The motion was seconded by Councilman Teachout and the following vote recorded:

Burch Aye, Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.

Counselor Leible presented the bill for reading.

BILL Number 5961

ORDINANCE Number 5961

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 5961 AND SHALL AMEND CHAPTER 405 ZONING REGULATIONS OF THE CITY CODE OF THE CITY OF SIKESTON, MISSOURI TO DEFINE MANUFACTURED HOUSING UNITS, THEIR PERMITTED AND CONDITIONAL USES.

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

SECTION I: This Ordinance shall be codified in Chapter 405 Zoning Regulations of the Sikeston Municipal Code.

SECTION II: Chapter 405.050 Definitions shall be amended to read as follows:

- A. Delete definition of "House Trailer" in its entirety.
- B. Amend the definitions to read as follows:

"MANUFACTURED HOME, CLASS A

A transportable structure intended for permanent occupancy as a residential unit, fabricated in a factory in compliance with Federal Manufactured Home Construction and

Safety Standards, adopted June 15, 1976, as amended. It must carry the HUD seal of approval and comply with minimum standards for tie-down systems published by the Missouri Public Service Commission, and being fifteen (15) years old or newer at time of permit application for placement or relocation of the manufactured home on an appropriately zoned lot, except as further provided for in this Chapter.

MANUFACTURED HOME, CLASS B

A transportable structure intended for permanent occupancy as a residential unit, that does not bear the HUD seal of approval or being 16 years or older at time of application. Said unit shall comply with minimum standards for tie-down systems published by the Missouri Public Service Commission.”

SECTION III: Division 1: “R-1” and “R-2” Single Family Residential Districts, Section 405.450 Permitted Uses, paragraph A (1) and A (2) are amended to read as follows:

“SECTION 405.450 PERMITTED USES.  
[R.O. 2009 § 17.12.020]

- A. In Districts "R-1" and "R-2", no building or land shall be used and no building shall hereafter be erected, constructed, reconstructed or altered, except for one (1) or more of the following uses:
1. In District "R-1" single-family dwellings, but not Class A or Class B manufactured homes.
  2. In District "R-2" single-family dwellings, including Class A manufactured homes, subject to the provisions and restrictions of Section 405.460 Conditional Uses of this Chapter.”

SECTION IV: Division 1: “R-1” and “R-2” Single Family Residential Districts, Section 405.460 Conditional Uses, is amended as follows:

- A. Paragraph “A” is amended to read as follows:

“SECTION 405.460 CONDITIONAL USES.  
[R.O. 2009 § 17.12.030]

A. The following uses may be permitted in District "R-1" and District "R-2" after proper permit application for placement or relocation of the manufactured home on an appropriately zoned lot, review and approval pursuant to the provisions of this Section and Article V "Board of Adjustment" of this Chapter.”

- B. Item A (5) shall read as follows:

5. In District "R-2", manufactured home class A units may be permitted as infill development or unit replacement only subject to these additional provisions and restrictions:

- a. The usable square footage of the manufactured home shall be at least equal to the average square footage of the conventionally built homes in the immediate area (three hundred (300) feet).
- b. Roofs will be constructed using composition materials and will have a minimum pitch of the main roof of two and one-half (2½) foot rise for each twelve (12) feet of horizontal run and a minimum roof overhang of six (6) inches per side.
- c. The width can be no less than thirty percent (30%) of the length.
- d. Exterior siding or covering shall be of a type, quality and appearance customarily used on conventionally built homes.
- e. Have all wheels, axles, hitch and other mechanisms removed and placed on and anchored to a permanent and complete foundation that has been constructed of materials and in a manner approved by the building codes as currently adopted by the City and the Missouri Public Service Commission.
- f. Orientation of the manufactured housing unit on the lot will conform to the same orientation as the majority of conventionally built structures in the immediate area (three hundred (300) feet).  
Example: Front door to front lot line, rear door to rear lot line.
- g. An apron or perimeter enclosure of solid masonry construction or other suitable materials shall be installed in accordance with the building codes as currently adopted by the City.
- h. Any such structure so installed shall conform to the appropriate zoning and subdivision ordinances and any other pertinent ordinance in effect at the time of installation or construction.

6. Zero lot line construction as provided for in Chapter 405, Article VII, Division 15.”

SECTION V: Section 405.471 Foundation, Anchoring and Underpinning (Skirting) Requirements, is inserted into Division 1: “R-1” and” R-2” Single-family Residential Districts:

**“SECTION 405.471 FOUNDATION, ANCHORING AND UNDERPINNING (SKIRTING) REQUIREMENTS**

[Ord. 5961 §V, 2014]

A. All manufactured homes located within the City of Sikeston shall be set upon a permanent foundation properly designed and enclosed in accordance with the International Building Code.

1. Manufactured homes shall be attached to a permanent footing, which manner of placement shall be as stated on the building permit, and meet all manufacturers’ specifications for support.
  - a. Pier pads are not permitted.
  - b. All footings shall have reinforced steel, as dictated by appropriate building code.
  - c. A minimum of eighteen (18) inches of crawl space must be maintained under the entire manufactured unit.

B. Manufactured home anchors shall be imbedded in the footing or foundation to HUD, Missouri Public Service Commission and manufacturer's specifications.

C. Within ninety (90) days of the manufactured home's setup, underpinning shall be installed in such a way that all areas directly under the home are enclosed.

1. Underpinning shall be similar in appearance to materials used for the siding of the manufactured home to which it is attached.
2. Said underpinning/foundation shall have permanently installed venting in accordance with the manufacturer's specifications. Deletions or omissions of vents are not allowed and homes will not be approved for occupancy without appropriate venting."

SECTION VI: Division 2: "R-3" Single Family Residential Manufactured Home District, Section 405.480 Purpose is amended to read as follows:

"SECTION 405.480 PURPOSE.

[R.O. 2009 § 17.14.010; Ord.5961 §V, 2014]

- A. It is the purpose and intent of this Chapter to allow the placement of Class A manufactured homes within this district to increase the options available for low to moderate income households in select residential areas of the City. The placement of manufactured housing would be permitted subject to the requirements and procedures set forth herein. Single ownership of the lot and manufactured housing unit must be demonstrated before a building permit will be issued and in no case shall a manufactured home pad or lot be rented out in this district. No manufactured home class B units shall be located in or relocated to an "R-3" Single Family Residential Manufactured Home District.
- B. Any manufactured home class B unit located within an "R-3" Single Family Residential Manufactured Home District at the time of the adoption of this ordinance may remain until said manufactured home is moved or relocated from its original lot and/or pad."

SECTION VII: Division 2: "R-3" Single Family Residential Manufactured Home District, Section 405.490 Permitted Uses is amended to read as follows:

"SECTION 405.490 PERMITTED USES.

[R.O. 2009 § 17.14.020; Ord. 5961 §VII, 2014]

- A. In District "R-3", no building, structure or premise shall hereafter be erected, constructed, reconstructed or altered, located, or re-located except for one (1) or more of the following uses:
  1. Any use permitted in Districts "R-1" or "R-2".
  2. Class A Manufactured Home unit as defined by this regulation, and installed per regulations established by the City of Sikeston, and the Missouri Public Service Commission."

SECTION VIII: Section 405.500 Conditional Uses is amended, as follows:

“SECTION 405.500 CONDITIONAL USES.  
[R.O. 2009 § 17.14.030; Ord. 5961 §VIII, 2014]

All conditional uses permitted in Districts "R-1" and "R-2" are also permitted in this district subject to the same provisions for application for placement or relocation of manufactured housing on appropriately zoned lots, review and approval, except that the provisions for zero lot line construction will not be permitted for the installation or construction of manufactured housing.”

SECTION IX: Section 405.511 Foundation, Anchoring and Underpinning (Skirting) Requirements, is inserted into Division 2: “R-3” Single-family Residential Manufactured Home District:

“SECTION 405.511 FOUNDATION, ANCHORING AND UNDERPINNING (SKIRTING) REQUIREMENTS  
[Ord. 5961 §IX, 2014]

A. All manufactured homes located within the City of Sikeston shall be set upon a permanent foundation properly designed and enclosed in accordance with the International Building Code.

1. Manufactured homes shall be attached to a permanent footing, which manner of placement shall be as stated on the building permit, and meet all manufacturers’ specifications for support.

a. Pier pads are not permitted.

b. All footings shall have reinforced steel, as dictated by appropriate building code.

c. A minimum of eighteen (18) inches of crawl space must be maintained under the entire manufactured unit.

B. Manufactured home anchors shall be imbedded in the footing or foundation to HUD, Missouri Public Service Commission and manufacturer’s specifications.

C. Within ninety (90) days of the manufactured home’s setup, underpinning shall be installed in such a way that all areas directly under the home are enclosed.

1. Underpinning shall be similar in appearance to materials used for the siding of the manufactured home to which it is attached.

2. Said underpinning/foundation shall have permanently installed venting in accordance with the manufacturer’s specifications. Deletions or omissions of vents are not allowed and homes will not be approved for occupancy without appropriate venting.”



SECTION X Division 3: "R-4" Two-Family Residential District, Section 405.540 Conditional Uses is amended to read as follows:

**"SECTION 405.540 CONDITIONAL USES.**

[R.O. 2009 § 17.16.030; Ord. 5961 §X, 2014]

A. The following uses may be permitted in District "R-4" after proper application for placement or relocation of manufactured housing on appropriately zoned lots, review and approval pursuant to the provisions of this Section and Article V "Board of Adjustment" of this Chapter:

1. Any conditional use provided for in Districts "R-1" and "R-2" except that the provision for manufactured home class A units in District "R-2" shall be limited to the installation or construction of single-family dwellings as infill development or unit replacement only.
2. Single-Family attached housing and zero lot line construction as provided for in Chapter 405, Article VII, Division 15.
3. Boarding and lodging houses."

SECTION XI: Section 405.551 Foundation, Anchoring and Underpinning (Skirting) Requirements, is inserted into Division 3: "R-4" Two-Family Residential District:

**"SECTION 405.551 FOUNDATION, ANCHORING AND UNDERPINNING (SKIRTING) REQUIREMENTS**

[Ord. 5961 §XI, 2014]

A. All manufactured homes located within the City of Sikeston shall be set upon a permanent foundation properly designed and enclosed in accordance with the International Building Code.

1. Manufactured homes shall be attached to a permanent footing, which manner of placement shall be as stated on the building permit, and meet all manufacturers' specifications for support.

- a. Pier pads are not permitted.
- b. All footings shall have reinforced steel, as dictated by appropriate building code.
- c. A minimum of eighteen (18) inches of crawl space must be maintained under the entire manufactured unit.

B. Manufactured home anchors shall be imbedded in the footing or foundation to HUD, Missouri Public Service Commission and manufacturer's specifications.

C. Within ninety (90) days of the manufactured home's setup, underpinning shall be installed in such a way that all areas directly under the home are enclosed.

1. Underpinning shall be similar in appearance to materials used for the siding of the manufactured home to which it is attached.
2. Said underpinning/foundation shall have permanently installed venting in accordance with the manufacturer's specifications. Deletions or omissions of vents are not allowed and homes will not be approved for occupancy without appropriate venting."

SECTION XII Section 405.580 Conditional Uses is amended to read as follows:

**"SECTION 405.580 CONDITIONAL USES.**

[R.O. 2009 § 17.18.030; Ord. No. 5327 §III, 5-18-2000; Ord. 5961 §XII, 2014]

A. The following uses may be permitted in District "R-5" after proper application for placement or relocation of manufactured housing on appropriately zoned lots, review and approval pursuant to the provisions of this Section and Article V "Board of Adjustment" of this Chapter:

1. Any conditional use provided for in Districts "R-1", "R-2" and "R-4" except that the provisions for manufactured home class A units in District "R-2" shall be limited to the installation or construction of single-family dwellings as infill development or unit replacement only.
2. Single-family attached housing and zero lot line construction as provided for in Chapter 405, Article VII, and Division 15.
3. Office buildings."

SECTION XIII: Section 405.591 is inserted into Division 4: "R-5" Multiple-Family Residential District, as follows:

**"SECTION 405.591 FOUNDATION, ANCHORING AND UNDERPINNING (SKIRTING) REQUIREMENTS**

[Ord. 5961 §XIII, 2014]

- A. All manufactured homes located within the City of Sikeston shall be set upon a permanent foundation properly designed and enclosed in accordance with the International Building Code.
1. Manufactured homes shall be attached to a permanent footing, which manner of placement shall be as stated on the building permit, and meet all manufacturers' specifications for support.
    - a. Pier pads are not permitted.
    - b. All footings shall have reinforced steel, as dictated by appropriate building code.
    - c. A minimum of eighteen (18) inches of crawl space must be maintained under the entire manufactured unit.

B. Manufactured home anchors shall be imbedded in the footing or foundation to HUD, Missouri Public Service Commission and manufacturer's specifications.

C. Within ninety (90) days of the manufactured home's setup, underpinning shall be installed in such a way that all areas directly under the home are enclosed.

1. Underpinning shall be similar in appearance to materials used for the siding of the manufactured home to which it is attached.

2. Said underpinning/foundation shall have permanently installed venting in accordance with the manufacturer's specifications. Deletions or omissions of vents are not allowed and homes will not be approved for occupancy without appropriate venting."

SECTION XIV: Division 5: "R-6" Planned Manufactured Housing District General Conditions, Plans and Approval, Section 405.610 Permitted Uses is amended to read as follows:

"SECTION 405.610 PERMITTED USES.

[R.O. 2009 § 17.20.020; Ord. 5961 §XIV, 2014]

A. In District "R-6", no manufactured home, building, land or premises shall be erected, constructed, reconstructed, located, relocated or altered except in conformance with the final development plan and one (1) or more of the following uses:

1. Single-family, manufactured home class A units for residential purposes.
2. Accessory buildings, clearly subordinate and incidental to the main buildings, any portion of which is not located in a required front yard or within five (5) feet of any other lot line.
3. Churches and synagogues.
4. Customary home occupations, agricultural uses and signs subject to the restrictions detailed in Section 405.450 for their uses.
5. Recreational uses for the exclusive use of the occupants of this district."

SECTION XV: Division 5: "R-6" Planned Manufactured Housing District General Conditions, Plans and Approval, Section 405.620 Conditional Uses is amended to read as follows:

"SECTION 405.620: CONDITIONAL USES.

[R.O. 2009 § 17.20.030' Ord. 5961 §XV, 2014]

A. The following uses may be permitted in District "R-6" after proper application for placement or relocation of manufactured housing on appropriately zoned lots, review and approval pursuant to the provisions of this Section and Article V "Board of Adjustment" of this Chapter:

1. Family day care homes subject to the provisions detailed in Section 405.450.
2. Private lakes.

3. Buildings and premises for public utility services or public service corporations, whose buildings or uses the Board deems reasonably necessary for public convenience or welfare.”

SECTION XVI: Division 5: “R-6” Planned Manufactured Housing District General Conditions, Plans and Approval, Section 405.630 Height and Area Regulations is amended to read as follows:

“SECTION 405.630 HEIGHT AND AREA REGULATIONS  
[R.O. 2009 § 17.20.040; Ord. 5961 §XVI, 2014]

A. In District "R-6", any building, dwelling or portion thereof hereafter erected, constructed, reconstructed, altered, located or relocated shall be subject to the following regulation

1. Minimum tract size and location. Not less than five (5) acres in area and under single ownership or unified control. Outer boundaries of the tract shall be not less than twenty-five (25) feet from any public street and not less than fifteen (15) feet from all other property lines.
2. Minimum lot area. Not less than four thousand (4,000) square feet.
3. Minimum lot width. Not less than forty-five (45) feet at the building line.
4. Minimum setback requirements.
  - a. *Front yard.* Twenty (20) feet.
  - b. *Side yard.* Five (5) feet.
  - c. *Rear yard.* Ten (10) feet.
5. Building height. In District "R-6", no building or manufactured housing unit shall hereafter be erected or structurally altered to exceed one (1) story or sixteen (16) feet in height.
6. Off-street parking. There shall be two (2) off-street parking spaces provided for each lot. These spaces shall be constructed so as to be smooth, hard, dust-free and contain at least one hundred sixty (160) square feet each.”

SECTION XVII: Section 405.631 Foundation, Anchoring and Underpinning (Skirting) Requirements is inserted in Division 5: “R-6” Planned Manufactured Housing District General Conditions, Plans and Approval, as follows:

“SECTION 405.631 FOUNDATION, ANCHORING AND UNDERPINNING (SKIRTING)  
REQUIREMENTS  
[Ord. 5961 §XVII, 2014]

A. All manufactured homes located within the City of Sikeston shall be set upon a permanent foundation properly designed and enclosed in accordance with the International Building Code.

1. Manufactured homes shall be attached to a permanent footing, which manner of placement shall be as stated on the building permit, and meet all manufacturers' specifications for support.

a. Pier pads are not permitted.

b. All footings shall have reinforced steel, as dictated by appropriate building code.

c. A minimum of eighteen (18) inches of crawl space must be maintained under the entire manufactured unit.

B. Manufactured home anchors shall be imbedded in the footing or foundation to HUD, Missouri Public Service Commission and manufacturer's specifications.

C. Within ninety (90) days of the manufactured home's setup, underpinning shall be installed in such a way that all areas directly under the home are enclosed.

1. Underpinning shall be similar in appearance to materials used for the siding of the manufactured home to which it is attached.

2. Said underpinning/foundation shall have permanently installed venting in accordance with the manufacturer's specifications. Deletions or omissions of vents are not allowed and homes will not be approved for occupancy without appropriate venting."

SECTION XVIII: Division 8: Transitional District, Section 405.740 Permitted Uses is amended to read as follows:

**"SECTION 405.740 PERMITTED USES.**

[R.O. 2009 § 17.24.020; Ord. 5961 §XVIII, 2014]

A. In District "TZ", no building or land shall be used, and no building shall hereafter be erected, constructed, reconstructed or altered except for one (1) or more of the following uses as reflected in the Transitional District "TZ" Table of Uses set out in Subsection (B) of this Section.

B. Any downtown district, as may be designated by ordinance of the Sikeston City Council and located in whole or in part within a Transitional District "TZ", shall be subject to additional use restrictions as set forth in the Transitional District "TZ" Table of Uses below and shall be designated on City Zoning Maps as "TZ DT."

(Transitional District "TZ" Table of Permitted Uses on following page)

“Transitional District "TZ" Table Of Permitted Uses

Category/Use	"TZ" Transitional	"DT" Downtown District
Executive, administrative and professional offices	P	P
Medical offices, including clinics and medical laboratories	P	P
Facilities for human care, such as convalescent and nursing home	P	P
Cosmetics and toiletries (compounding only)	P	P
Libraries and government office buildings and public utility offices, but not storage yards or post offices	P	P
Private social or fraternal clubs or lodges that do not provide for the sale or consumption of alcoholic beverages	P	P
Churches and related facilities	P	P
Nursery schools and day care facilities	P	P
Photographic and interior decorating studios	P	P
Funeral homes	P	P
Establishments that perform personal services on the premises, such as beauty parlors and barbershops	P	P
Facilities for private lessons in art, music and dance	P	P
Accessory buildings or uses customarily incidental to any of the above permitted uses	P	P
Bed and breakfast homes and bed and breakfast inns as defined in City Code Section 405.860	P	P
Uses not listed above, but have similar characteristics	CU	P
Small, low volume retail sale facilities (a) such as:		
Book stores	CU	P
Antique stores	CU	P
Dress shops	CU	P
Manufactured Home Class A Units, single-family	CU	
Veterinary clinics and hospitals, provided all activities are conducted within a totally and permanently enclosed building	CU	

P— Permitted as a matter of right

CU— May be permitted by the Board of Adjustment

(a) This does not include businesses that prepare food or food items for take out or on-premises consumption or provides for the sale or consumption of alcoholic beverages.”

**SECTION XIX:** Division 8: Transitional District, Section 405.750 Conditional Uses is amended to read as follows:

“SECTION 405.750 CONDITIONAL USES.  
[R.O. 2009 § 17.24.030; Ord. 5961 §XIX, 2014]”

A. The following uses may be permitted in District "TZ" after proper application, review and approval pursuant to the provisions of this Section and Article V "Board of Adjustment" of this Chapter.

1. Uses not listed above, but have similar characteristics.
2. Small, low volume retail sale facilities such as bookstores, antique stores or dress shops. This does not include businesses that prepare food or food items for take out or on-premises consumption or provides for the sale or consumption of alcoholic beverages.
3. Manufactured home class A units, single-family.
4. Veterinary clinics and hospitals provided all activities are conducted within a totally and permanently enclosed building."

SECTION XX: Division 11: "C-1", "C-2" and "C-3" Commercial Districts, Section 405.920 Tables – Use, Height and Area Regulations, Table 1. Permitted Uses, footnote (a) is amended to read as follows:

**"SECTION 405.920 TABLES – USE, HEIGHT AND AREA REGULATIONS**

"(a) Include all uses listed as permitted or conditional use in a residential district, except the provision for Class A manufactured housing shall remain in a conditional use."

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

SECTION XXII: 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 XXIII: Record of Passage:

- A. Bill Number 5961 was introduced and read the first time this 28th day of July 2014.
- B. Bill Number 5961 was read the second time and discussed this 25th day of August, 2014. Councilman Depro moved to approve Bill Number 5961. The motion was seconded by Councilman Burch and the following roll call vote recorded:

Burch Aye, Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed,  
and becoming Ordinance 5961.

- C. Ordinance 5961 shall be in full force and effect from and after September 4, 2014.

Resolution 14-08-01, Authorizing a Preliminary Funding Agreement with Sikeston Development Co., LLC in Connection with a Proposed Tax Increment Finance Project

Representatives of Sikeston Development Co., LLC are proposing a TIF project in the area north of US 60 and west of Sikeston Wal-Mart, consisting of approximately 180 acres. In order

to move forward with the required studies to determine the feasibility of the project, Council must adopt Resolution 14-08-01.

Resolution 14-08-01, authorizes the Mayor to execute the Preliminary Funding Agreement; the City Clerk to deposit funds from Sikeston Development Co., LLC into a special escrow account, the City Manager to prepare and distribute a request for proposal for the proposed redevelopment area; and for the City Clerk to convene the City's Tax Increment Financing Commission for New Madrid County.

#### RESOLUTION NO. 14-08-01

A RESOLUTION AUTHORIZING A PRELIMINARY FUNDING AGREEMENT WITH SIKESTON DEVELOPMENT CO., LLC IN CONNECTION WITH A PROPOSED TAX INCREMENT FINANCING PROJECT; AUTHORIZING THE DISTRIBUTION OF A REQUEST FOR PROPOSALS ASSOCIATED WITH THE PROPOSED TAX INCREMENT FINANCING PROJECT; AND AUTHORIZING CERTAIN ACTIONS CONNECTED THEREWITH.

WHEREAS, Sikeston Development Co., LLC (the "Company") desires to redevelop certain parcels generally located north of Highway 60 and west of the existing Wal-Mart Supercenter (the "Proposed Redevelopment Area"); and

WHEREAS, the Company has requested that the City explore the feasibility of financing a portion of the costs of redeveloping the Proposed Redevelopment Area through the use of tax increment financing and/or other economic development programs; and

WHEREAS, the Company has indicated a willingness to provide funds to defray the expenses expected to be incurred by the City in connection with the Company's request, it being understood that the City is not obligated to approve tax increment financing or any other economic development incentive for the proposed project; and

WHEREAS, the City wishes to distribute requests for proposals for the Proposed Redevelopment Area in accordance with applicable City ordinances and the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865, RSMo.

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

#### Section I. Approval of Preliminary Funding Agreement.

- A. The Mayor is hereby authorized and directed to enter into a Preliminary Funding Agreement (the "Agreement") with the Company, said Agreement to be in substantially the form attached hereto as Exhibit A, for the purpose of establishing the Company's obligation to fund certain costs anticipated to be incurred by the City in further considering the Company's request relating to the redevelopment of the Proposed Redevelopment Area.
- B. The City Clerk is hereby authorized and directed to deposit any and all funds received pursuant to the Agreement into a special escrow account and to disburse such funds in accordance with the Agreement for such expenses as may be reasonably incurred and necessary for consideration of the adoption of tax increment financing and/or other economic development incentives.



Section II. Request for Proposals. The City Manager is hereby directed to prepare or cause to be prepared and distributed a request for proposals for the Proposed Redevelopment Area (the "RFP") in accordance with Section 130.1070 of the Municipal Code. The City Manager is hereby authorized, on behalf of the City, to determine the parties to whom the RFP shall be mailed.

Section III. Notice to Taxing Districts. The City Clerk is hereby directed to provide notice to other taxing districts of the City's desire to convene the Tax Increment Financing Commission of the City of Sikeston, Missouri, for the purpose of considering a redevelopment plan and redevelopment project.

Section IV. Severability. The sections of this Resolution shall be severable. If any section of this Resolution is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that 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, unless the court finds that the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section V. Record of Passage:

Read this 25<sup>th</sup> day of August 2014, Councilman Burch moved to approve Resolution 14-08-01. The motion was second by Councilman Depro, discussed and voted as follows:

Burch Aye, Depro Aye, Gilmore Aye, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.

Resolution 14-08-02, Authorizing the City to Engage the Firms of Gilmore and Bell, P.C. as Special Legal Council, and Peckham Guyton Alberts & Viets, Inc. (PGAV) as Planning Consultant in Connection with a Proposed Tax Increment Financing Project

Resolution 14-08-02 authorizes the Mayor to execute the Gilmore and Bell, P.C. Letter of Engagement for services as special legal counsel, and the Agreement for Technical Services with PGAV to perform studies and analysis required of proposed TIF projects.

#### RESOLUTION NO. 14-08-02

A RESOLUTION AUTHORIZING THE CITY OF SIKESTON, MISSOURI TO ENGAGE GILMORE & BELL, P.C., AS SPECIAL LEGAL COUNSEL, AND PECKHAM GUYTON ALBERS & VIETS, INC., AS PLANNING CONSULTANT, IN CONNECTION WITH A PROPOSED TAX INCREMENT FINANCING PROJECT.

WHEREAS, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "TIF Act"), authorizes municipalities to undertake redevelopment projects in blighted, conservation or economic development areas, as defined in the TIF Act; and

WHEREAS, the City desires to engage Gilmore & Bell, P.C. as special legal counsel in connection with a proposed redevelopment project located north of Highway 60 and west of the existing Wal-Mart Supercenter (the "Redevelopment Project"); and

WHEREAS, the City desires to engage Peckham Guyton Albers & Viets, Inc. ("PGAV Planners") as planning consultant in connection with the Redevelopment Project;

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

Section I. The City hereby engages Gilmore & Bell, P.C. to serve as the City's special legal counsel in accordance with the terms of the engagement letter attached hereto as **Exhibit A**, which the Mayor is authorized to sign on behalf of the City.

Section II. The City hereby engages PGAV Planners to serve as the City's planning consultant in accordance with the terms of the Agreement for Technical Services attached hereto as Exhibit B, which the Mayor is authorized to sign on behalf of the City and the City Clerk is authorized to attest thereto.

Section III. Record of Passage:

Read this 25<sup>th</sup> day of August 2014, Councilman Depro moved to approve Resolution 14-08-02. The motion was seconded by Councilman Burch, discussed and voted upon as follows:

Burch Aye, Depro Aye, Gilmore Abstain, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.

Bill Number 5966, Terminating Tax Increment Financing within Redevelopment Project Area (RPA) of the 60/61 Redevelopment Area

Councilman Burch moved for the first reading of Bill Number 5966. The motion was seconded by Councilman Teachout and the following vote recorded:

Burch Aye, Depro Aye, Gilmore Abstain, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.

Counselor Leible presented Bill Number 5966 for reading, an ordinance terminating tax increment financing within Redevelopment Project Area 3 of the 60/61 Redevelopment Area; dissolving the account of the special allocation fund related thereto; and authorizing certain actions related thereto.

Work on Redevelopment Project Area 3 was never undertaken.

Authorization to Seek Repairs to 1998 Vac-Con Truck

The 1998 Vac-Con truck is in need of immediate attention. The vehicle is used for cleaning stormwater pipes and it has attachments and pumps to both spray and vacuum. Estimated cost to replace the truck is \$315,000.

The only authorized service provider available in our area is EJ Equipment from the St. Louis area. They have prepared two estimates. The first is to recondition all of the water/vacuum equipment including the replacement of the primary water pump and vacuum for an estimated cost of \$67,273.65.

The second estimate of \$39,101.49 provides for the same repairs, with the water pump and

vacuum being rebuilt rather than replaced. They won't know the extent of repairs needed until they begin taking it apart.

Councilman Burch moved to authorize repairs to the 1998 Vac-Con Truck, by EJ Equipment, as needed. The motion was seconded by Councilman Graham and the following roll call vote recorded:

Burch Aye, Depro Aye, Gilmore Abstain, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.

#### Authorization to Re-Appropriate Funds

The Department of Public Works has found a used pickup truck to purchase for \$11,500. They only have \$10,000 budgeted, leaving them short \$1,500. The Department of Public Safety has surplus funds remaining from the rehabilitation of their used truck, and have offered it to Public Works.

Councilman Gilmore moved to authorize the re-appropriation of \$1,500 from DPS to DPW. The motion was second by Councilman Depro and the following vote recorded:

Burch Aye, Depro Aye, Gilmore Abstain, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.

#### Request for Proposal of Broker Services for Ancillary Employee Benefits

Staff requested permission to solicit requests for broker services for ancillary employee benefits. Councilman Burch moved to authorize staff to proceed with the bidding of broker services for ancillary employee benefits. The motion was seconded by Councilman Teachout and the following roll call vote recorded:

Burch Aye, Depro Aye, Gilmore Abstain, Graham Aye, Harris Aye,  
Teachout Aye, and Pullen Aye, thereby being passed.

#### Repeal of Court's Domestic Violence Shelter Surcharge Fee

Staff briefed the City Council on the Municipal Court's \$2 Domestic Violence Shelter Surcharge and options to repeal the fee or double it from \$2 to \$4.

#### 2014 Board and Commissions Appointments

Council was briefed on the board and commission appointments needed at the September 8 city council meeting.

#### Other Items

Director Juden presented the City Council with a letter from the Scott County Sheriff's office regarding new bonding and prisoner transporting procedures.

**ADJOURNMENT INTO EXECUTIVE SESSION**

Councilman Gilmore moved to adjourn into executive session for the discussion of property [RSMO 610.021 (2)] at 12:18 p.m. The motion was seconded by Councilman Depro and the following roll call vote recorded:

Burch Aye, Depro Aye, Gilmore Abstain, Graham Aye, Harris Aye, Teachout Aye, and Pullen Aye, thereby being passed.

Present were: Mayor Jerry Pullen and Councilmen Steven Burch, Bob Depro, Jon Gilmore, John Graham, Maude Harris, and Kathy Teachout. 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, and Director of Public Safety Drew Juden.

Councilman Graham moved to strike language in the proposed New Madrid County Ambulance lease allowing for a refund of rent for early termination of the lease. The motion was seconded by Councilman Depro and the following roll call vote recorded:

Burch Aye, Depro Aye, Gilmore Abstain, Graham Aye, Harris Aye, Teachout Aye, and Pullen Aye, thereby being passed.

No further action was taken in executive session.

**ADJOURNMENT OUT OF EXECUTIVE SESSION**

At 1:25 p.m., Councilman Gilmore moved to adjourn from executive session. The motion was seconded by Councilman Depro and the following roll call vote recorded:

Burch Aye, Depro Aye, Gilmore Abstain, Graham Aye, Harris Aye, Teachout Aye, and Pullen Aye, thereby being passed.

**ADJOURNMENT**

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

Burch Aye, Depro Aye, Gilmore Abstain, Graham Aye, Harris Aye, Teachout Aye, and Pullen Aye, thereby being passed.

APPROVED:

\_\_\_\_\_  
JERRY PULLEN, MAYOR

ATTEST:

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

SEAL: