

**MINUTES  
OF A REGULAR MEETING  
OF THE CITY COUNCIL OF THE  
CITY OF POPLAR BLUFF, MISSOURI  
MONDAY, APRIL 4, 2016**

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Monday, April 4, 2016.

Notice of this regular meeting of the City Council was given in the Daily American Republic, a newspaper of general circulation located in the City of Poplar Bluff. A copy of the agenda of this meeting was posted on a bulletin board located in the City Municipal building at 101 Oak Street in the City of Poplar Bluff, twenty-four hours prior to this meeting.

The meeting was called to order by Mayor Betty Absheer at 7:00 p.m.

The invocation was given by Reverend Matt Johnson of the Mount Zion Missionary Baptist Church.

A roll call was as follows: Present: DeGaris, Crocker, Tinsley, Fox, Johnson, Absheer; Absent: None.

Also present were City Manager Mark Massingham, City Attorney Mark L. Richardson and City Clerk Pamela Kearbey who performed the duties of their respective offices.

**DISCLOSURE OF INTEREST**

Each member of the City Council was given the opportunity to disclose any possible conflict of interest dealing either with any item on the printed agenda or with any matter discussed at a previous meeting.

No conflicts of interest were disclosed.

**CITIZEN'S INPUT**

Each person in the audience was given the opportunity to address the City Council on any matter which was not on the printed agenda.

No one from the audience appeared before the Council.

**PROCLAMATIONS & AWARDS**

At this time, Mayor Absheer presented a proclamation to Airport Manager Mike Smith and Mr. Lance Donze, Chairman of the Airport Advisory Board recognizing April, 2016 as General Aviation Appreciation Month in the City of Poplar Bluff.

**WORKSHOP ITEMS FOR DISCUSSION**

**Street Paving Supplemental Agreement No. 1**

The City Council reviewed a proposed ordinance authorizing the Mayor to execute Supplemental Agreement No. 1 between the City of Poplar Bluff and Schultz Surveying and Engineering, Inc. relative to engineering services for Project STP-5100 (009) for the paving of various City streets.

Mr. Mark Massingham, City Manager, addressed the Council and stated this project is relative to the paving of Thomas and 11<sup>th</sup> Streets. He stated this agreement simply extends the time for the design phase for this project. He stated there are no monetary changes with this agreement.

After further discussion, motion was made by Councilman DeGaris, seconded by Mayor Pro Tem Johnson and carried to move this item to the voting session to be held tonight.

**CDBG Program - Disaster Recovery**

The City Council reviewed a proposed ordinance adopting a Voluntary Flood Buyout Policy for the City of Poplar Bluff relative to the Fiscal Year 2011

## Funding

Community Development Block Grant Program, Disaster Recovery Funding.

Mr. Matt Winters of Ozark Foothills Regional Planning Commission, 3019 Fair Street, Poplar Bluff, Missouri, appeared before the Council. He stated the Council previously approved the submission of a grant application to the Community Development Block Grant Fund for the flood buyout for properties in the Hillcrest Park area. He stated the adoption of this document is required to qualify for funding. Mr. Winters stated a similar document was adopted in the past for a previous flood buyout project.

After further discussion, motion was made by Councilman Tinsley, seconded by Councilwoman Fox and carried to move this item to the voting session to be held April 18, 2016.

## Chapter 645 Code Amendment

The City Council discussed an amendment to the Code of Ordinances, Chapter 645, entitled "Taxicabs" to include limousine services and their requirements.

City Clerk Pamela Kearbey addressed the Council and stated there has not been a limousine business in the City for approximately 15 years or so. She stated she has done a multi-search on this item and found most cities include limousines in their codes in the sections relative to taxicabs. She stated the Council received a copy of the proposed amendment in their packets.

After further discussion, motion was made by Councilman DeGaris, seconded by Councilman Tinsley and carried to move this item to the voting session to be held April 18, 2016.

## Hydro Adventures, LLC Liquor License

The City Council discussed the issuance of a liquor license to Hydro Adventures, LLC, located at 2801 Cheshire Boulevard, Poplar Bluff, Missouri.

City Manager Massingham addressed the Council and stated Hydro Adventures has requested the issuance of two liquor licenses at their location on Cheshire Boulevard for two separate buildings. He stated it is his understanding the alcohol will be contained to these two areas and will not be allowed to be carried throughout the park.

Mr. Barrett Byers of Hydro Adventures, LLC, who gave his address as 115 Callie Lane, Poplar Bluff, Missouri, appeared before the Council. He stated there is an upstairs catering area with a bar in the main building and they will be turning Building B into an inside bar with an outside patio that would be fenced in. He stated they will have controls in place for the alcohol sales.

Ms. Ruth Scoggins, who gave her address as 1410 Rosedale, Poplar Bluff, Missouri, appeared before the Council. She expressed her concern with those consuming alcohol and leaving the water park being a danger on the roads.

After further discussion, a roll call vote to allow the issuance of the liquor licenses to Hydro Adventures, LLC, 2801 Cheshire Boulevard, Poplar Bluff, Missouri, was as follows: Yes: DeGaris, Crocker, Tinsley, Fox, Johnson; No: Absheer, Abstained: None, Absent: None. The issuance of the liquor licenses will be allowed by a majority vote.

## ACTION REQUIRED ITEMS

The City Council took action on an ordinance amending the 2016 Fiscal Year Budget relative to the salary for the Executive Director for Downtown Poplar Bluff, Inc. Motion was made by Councilman Tinsley, seconded by Mayor Pro Tem

2016 Budget  
Amendment

Johnson that Bill No. 7896, **AN ORDINANCE AMENDING THE 2016 FISCAL YEAR BUDGET FOR THE CITY OF POPLAR BLUFF RELATING TO DOWNTOWN POPLAR BLUFF, INC.**, be read for the first time by caption only. Said bill was then placed upon its first reading, was read by caption only and duly passed by unanimous vote. Motion was made by Councilman Tinsley and seconded by Councilman DeGaris that Bill No. 7896 be placed upon its second and final reading whereupon such bill was read by caption only and duly passed by unanimous vote. At this time Mayor Absheer asked if there was any discussion of this bill. There being no discussion, motion was made by Councilman Tinsley and seconded by Councilman Crocker that Bill No. 7896 be adopted. A roll call vote was as follows: Yes: Crocker, Tinsley, Fox, DeGaris, Johnson, Absheer; No: None; Absent: None; Abstained: None. There being a favorable vote the Mayor thereupon declared such ordinance duly adopted and the bill was thereupon duly numbered Ordinance No. 7692.

Conditional Use  
Permit 325 Vine  
Street

The City Council took action on an ordinance approving a conditional use permit to operate a small entertainment venue in a CX-3, commercial mixed-use zone for Rosie's Fashions/Center Stage located at 325 Vine Street. Motion was made by Mayor Pro Tem Johnson, seconded by Councilman Crocker that Bill No. 7897, **AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE OPERATION OF A SMALL ENTERTAINMENT VENUE AT 325 VINE STREET, POPLAR BLUFF, MISSOURI**, be read for the first time by caption only. Said bill was then placed upon its first reading, was read by caption only and duly passed by unanimous vote. Motion was made by Councilman Tinsley and seconded by Councilwoman Fox that Bill No. 7897 be placed upon its second and final reading whereupon such bill was read by caption only and duly passed by unanimous vote. At this time Mayor Absheer asked if there was any discussion of this bill. There being no discussion, motion was made by Councilman Tinsley and seconded by Mayor Pro Tem Johnson that Bill No. 7897 be adopted. A roll call vote was as follows: Yes: Tinsley, Fox, DeGaris, Crocker, Johnson, Absheer; No: None; Absent: None; Abstained: None. There being a favorable vote the Mayor thereupon declared such ordinance duly adopted and the bill was thereupon duly numbered Ordinance No. 7693.

Chapter 215 Code  
Amendment

The City Council took action on an ordinance amending the City of Poplar Bluff Code of Ordinances Chapter 215, entitled "Nuisances" and including a section relative to the licensing of Lawn Care Services. Motion was made by Councilman DeGaris, seconded by Councilwoman Fox that Bill No. 7898, **AN ORDINANCE AMENDING THE POPLAR BLUFF CODE OF ORDINANCES, CHAPTER 215, ENTITLED "NUISANCES" AND INCLUDING A SECTION RELATIVE TO THE LICENSING OF LAWN CARE SERVICES**, be read for the first time by caption only. Said bill was then placed upon its first reading, was read by caption only and duly passed by unanimous vote. Motion was made by Councilman Crocker and seconded by Councilwoman Fox that Bill No. 7898 be placed upon its second and final reading whereupon such bill was read by caption only and duly passed by unanimous vote. At this time Mayor Absheer asked if there was any discussion of this bill.

Mr. Greg West, who gave his address as 1184 County Road 476, Poplar Bluff, Missouri, appeared before the Council. He stated he is a member of the Butler County Landlord's Association and is here with other members of the Association. He stated they are concerned with this change in the Code of Ordinances and would like some clarification.

City Manager Massingham reviewed the proposed changes with Mr. West, the

Council and the audience.

After further discussion, motion was made by Councilman Crocker and seconded by Mayor Pro Tem Johnson that Bill No. 7898 be adopted. A roll call vote was as follows: Yes: Fox, DeGaris, Crocker, Tinsley, Johnson, Absheer; No: None; Absent: None; Abstained: None. There being a favorable vote the Mayor thereupon declared such ordinance duly adopted and the bill was thereupon duly numbered Ordinance No. 7694.

**Street Paving  
Supplemental  
Agreement No. 1**

The City Council took action on an ordinance authorizing the Mayor to execute Supplemental Agreement No. 1 between the City of Poplar Bluff and Schultz Surveying and Engineering, Inc. relative to engineering services for Project STP-5100 (009) for the paving of various City streets. Motion was made by Councilman Tinsley, seconded by Councilman DeGaris that Bill No. 7899, **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 1 BETWEEN THE CITY OF POPLAR BLUFF AND SCHULTZ SURVEYING AND ENGINEERING, INC. RELATING TO ENGINEERING SERVICES FOR PROJECT STP-5100 (009) FOR THE PAVING OF VARIOUS CITY STREETS**, be read for the first time by caption only. Said bill was then placed upon its first reading, was read by caption only and duly passed by unanimous vote. Motion was made by Councilman DeGaris and seconded by Mayor Pro Tem Johnson that Bill No. 7899 be placed upon its second and final reading whereupon such bill was read by caption only and duly passed by unanimous vote. At this time Mayor Absheer asked if there was any discussion of this bill. There being no discussion, motion was made by Mayor Pro Tem Johnson and seconded by Councilman Tinsley that Bill No. 7899 be adopted. A roll call vote was as follows: Yes: DeGaris, Crocker, Tinsley, Fox, Johnson, Absheer; No: None; Absent: None; Abstained: None. There being a favorable vote the Mayor thereupon declared such ordinance duly adopted and the bill was thereupon duly numbered Ordinance No. 7695.

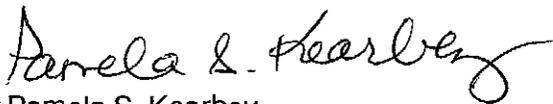
**City Manager's  
Report**

City Manager Massingham addressed the Council and stated he would like to remind everyone of the Scotty McCreery concert to be held April 16<sup>th</sup> at the Black River Coliseum, of the fundraiser for the Poplar Bluff Museum to be held April 16<sup>th</sup> at the Museum and of Buff Up the Bluff to be held April 23<sup>rd</sup>.

There being no further business to come before this meeting of the City Council, motion was made by Councilman Tinsley, seconded by Councilman Crocker and carried that this regular meeting be adjourned.

Mayor Absheer declared the meeting adjourned at 7:35 p.m.

Respectfully submitted,



Pamela S. Kearbey  
City Clerk

**APPROVED BY THE CITY COUNCIL  
OF THE CITY OF POPLAR BLUFF,  
MISSOURI, THIS 16<sup>TH</sup> DAY  
OF MAY, 2016.**