# MINUTES
# OF A REGULAR MEETING
# OF THE CITY COUNCIL OF THE
# CITY OF POPLAR BLUFF, MISSOURI
# MONDAY, MAY 16, 2016

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Monday, May 16, 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 Ed DeGaris at 7:35 p.m.

The invocation was given by Mr. Kenny Hosler of Grace Christian Fellowship Church.

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

Also present were City Manager Mark Massingham, City Attorney Mark Richardson and City Clerk Pamela S. 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.

Councilwoman McVey disclosed a conflict with Consent Agenda Item "C" as she has a relative who has applied for appointment to the Park Board.

**CITIZEN'S INPUT**

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

No one from the audience appeared before the Council.

**CONSENT AGENDA**

The minutes of the City Council meetings held April 4, 2016 and April 18, 2016 were presented to the City Council for their approval.

**Approval of Minutes for the Month of April, 2016**

**CITY CLERK'S REPORT**

**Reports on Fund Balances, Investments & Collections As of April 30, 2016**

The City Clerk reported that each Councilperson had before them a report on fund balances, investments and collections as of April 30, 2016. She reported on funds on deposit in the Commerce Bank in the amount of $2,376,394.34; in the Peoples Community State Bank $564,339.33; in the First Midwest Bank $17,672,448.53; in Sterling Bank $3,323,902.73 and in the Southern Bank $334,851.16. She stated this reflects a grand total of all funds in all banks in the amount of $24,271,936.09. She stated of this amount, total funds on deposit for the account of City Hall is $9,681,478.35, total amount on deposit for the Coliseum is $125,637.95, total amount on deposit for the Park Department accounts is $1,047,794.93 and total funds on deposit for the account of the Municipal Utilities Department is $13,417,024.86.

The City Clerk reported that each member of the City Council had before them the following reports for the month of April, 2016: a list of Bills Paid, a report from Downtown Poplar Bluff, Inc., a report from the Fire Department, a Municipal Court

report, a Payroll report by departments, a report from the Planning Department, a Police Department/Animal Control/Code Enforcement report, a Street Department report and a list of payments from the Police and Fire Pension Fund for the month of April, 2016.

**Applications for Board Appointments**

The City Council reviewed board appointments for City Boards.

After discussion, motion was made by Councilwoman McVey and seconded by Mayor Pro Tem Crocker to approve the Consent Agenda as presented. Councilwoman McVey withdrew her motion as she disclosed a conflict with Consent Agenda Item "C".

Motion was made by Mayor Pro Tem Crocker, seconded by Councilwoman Fox and carried to approve the Consent Agenda as presented. Councilwoman McVey abstained from voting on this item.

**WORKSHOP ITEMS FOR DISCUSSION**

**Rezoning of Property Located at 2490 S. 11th Street**

The City Council discussed a recommendation from the Planning and Zoning Commission to rezone property from RS-3, central area residential, to M-2, general industrial to construct a body shop. The applicant is Gary Reynolds, and the property is located at 2490 S. 11th Street.

Mr. Dennis Avery, City Planner, appeared before the Council and reviewed the Staff Report with them. He stated this item has been recommended for Council approval by staff and the Planning and Zoning Commission.

There being no further discussion, motion was made by Councilman Tinsley, seconded by Councilman Johnson and carried to move this item to the voting session to be held June 6, 2016.

**Conditional Use Permit for 408 Vine Street**

The City Council discussed a recommendation from the Planning and Zoning Commission to approve a conditional use permit to have a caretaker's residence on the ground floor in a CX-3, central commercial mixed use district. The applicant is Steven Honomichl and the property is located at 408 Vine Street.

Mr. Avery appeared before the Council and reviewed the Staff Report with them. He stated this item has been recommended for Council approval by staff and the Planning and Zoning Commission with the stipulations that the conditional use permit goes with the property owner and it may be revoked if more than immediate family members reside in this space.

After further discussion, motion was made by Councilman Johnson, seconded by Councilwoman McVey and carried to move this item to the voting session to be held June 6, 2016.

**Purchase of Real Estate for the Municipal Utilities Administration Offices**

The City Council reviewed a recommendation from the Municipal Utilities Advisory Board regarding the purchase of real estate for the Municipal Utilities Administration offices.

Mr. Bill Bach, Municipal Utilities General Manager, appeared before the Council and stated this property is located at 1902 Sunset Drive and is the current location of First Missouri State Bank. He stated the property appraised at $1,832,500 which is also the asking price. Mr. Bach stated the bank will donate $932,500 and Municipal Utilities will pay the remaining $900,000. He stated the Utilities Advisory Board voted unanimously to recommend Council approval of this purchase.

After further discussion, motion was made by Councilman Tinsley, seconded by Mayor Pro Tem Crocker and carried to move this item to the voting session to be held June 6, 2016.

**Sale of Antiquated Equipment**

The City Council reviewed a request from the Street Department to seek bids on the sale of antiquated equipment.

City Manager Mark Massingham addressed the Council and stated the Street Department has a 1974 semi-truck they don't use anymore and would like to advertise for bids. He stated Street Superintendent Denis Kearbey thinks we can get approximately $2,000 for this equipment that is no longer being used.

There being no further discussion, motion was made by Councilman Tinsley, seconded by Councilman Crocker and carried to move this item to the voting session to be held tonight.

**Fair Street Bridge Project Change Order No. 2**

The City Council reviewed Change Order No. 2 to the Fair Street Bridge Project.

Mr. Massingham addressed the Council and stated this change order is for an underrun of $2,775.00 on the Fair Street Bridge Project which brings the total overrun down to $8,720.00.

There being no 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 tonight.

**ACTION REQUIRED ITEMS**

**Fair Street Bridge Project Change Order No. 2**

The City Council took action on an ordinance approving Change Order No. 2 to the Fair Street Bridge Project. Motion was made by Councilman Johnson, seconded by Councilman Tinsley that Bill No. 7911, **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CHANGE ORDER RELATING TO THE FAIR STREET BRIDGE PROJECT,** 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 Mayor Pro Tem Crocker that Bill No. 7911 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 DeGaris asked if there was any discussion of this bill. There being no discussion, motion was made by Councilman Tinsley and seconded by Councilman Johnson that Bill No. 7911 be adopted. A roll call vote was as follows: Yes: McVey, Horton, Tinsley, Johnson, Fox, Crocker, DeGaris; 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. 7707.

**Sale of Antiquated Equipment**

The City Council took action on an ordinance authorizing the Clerk to seek bids on antiquated equipment for the Street Department. Motion was made by Councilman Tinsley, seconded by Councilwoman Fox that Bill No. 7912, **AN ORDINANCE AUTHORIZING THE DISPOSAL OF OBSOLETE OR SURPLUS EQUIPMENT,** 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 Mayor Pro Tem Crocker and seconded by Councilman Johnson that Bill No. 7912 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 DeGaris asked if there was any discussion of this bill. There being no discussion, motion was made by Councilman Johnson and seconded by Mayor Pro Tem Crocker that Bill No. 7912 be adopted. A roll call vote was as follows: Yes: Horton,

Tinsley, Johnson, Fox, McVey, Crocker, DeGaris; 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. 7708.

**Call for a Closed Session**

The City Council of the City of Poplar Bluff called for a closed meeting in which they would discuss such matters which are exempted under the open meetings law Section 610.021.1, RSMo, Section 610.021.2, RSMo, Section 610.021.3, RSMo, Section 610.021.9, RSMo, Section 610.021.11, RSMo, Section 610.021.12, RSMo, Section 610.021.13, RSMo, and Section 610.021.14, RSMo. Motion was made by Councilman Tinsley, seconded by Mayor Pro Tem Crocker and carried that the City Council move into a closed meeting immediately after this regular meeting of the City Council.

**City Manager's Report**

City Manager Massingham addressed the Council and stated the two new fire trucks are in and one is operational and the other will be soon. He stated he will be bringing the two old fire trucks before the Council in the near future to decide what to do with them. He stated we also have a new street sweeper in the Street Department. Mr. Massingham stated he will be speaking with the City Planner to discuss the extension of High Street through the Poplar Bluff Square parking lot. He stated he would also like to congratulate the Poplar Bluff Mules baseball team for their Semo Conference win.

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

Mayor DeGaris declared the meeting adjourned at 7:55 p.m.

Respectfully submitted,

Pamela S. Kearbey

Pamela S. Kearbey
City Clerk

**APPROVED BY THE CITY COUNCIL**

**OF THE CITY OFPOPLAR BLUFF,**

**MISSOURI, THIS** 20th **DAY**

**OF** June **, 2016.**