

**MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
MONDAY, JULY 18, 2016**

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Monday, July 18, 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 7:00 p.m.

The invocation was given by Reverend Jason Jordan of the Westside Church of God.

The Pledge of Allegiance was led by Aiden Bedell of Troop #4166.

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.

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 not on the printed agenda.

**PROCLAMATIONS
AWARDS &
RECOGNITIONS**

Ms. Gina Cagle, who gave her address as 405 County Road 343, Harviell, Missouri, appeared before the Council. She stated she is here tonight on behalf of the Poplar Bluff Bully Alliance and they wish to address the breed discriminatory legislation in Poplar Bluff. She presented information and statistics to the Council regarding the pit bull breed. She reviewed many stereotypes regarding the pit bull breed with the Council. Ms. Cagle stated the Bully Alliance would like to encourage the Council to reconsider the legislation discriminating against the pit bull breed.

Ms. Nichole White, who gave her address as 1520 Wallace Street, Poplar Bluff, Missouri, appeared before the Council. She shared information and statistics with the Council regarding the pit bull breed. She encouraged the Council to consider a dangerous dog ordinance that is not breed specific.

Ms. Kelly DeFord, who gave her address as 138 Hampton Court, Poplar Bluff, Missouri, appeared before the Council. She stated she chose to move out of the City a few years back in order to keep her dog. Ms. DeFord encouraged the Council to consider removing the ban on pit bulls.

Mr. Monzel Watkins, who gave his address as 1520 Wallace Street, Poplar Bluff,

Missouri, appeared before the Council. He stated his is six years old and lives in Poplar Bluff. He stated he doesn't think it is fair to be told what kind of dog he can have.

At this time, the City Council recognized and introduced the new R-1 School District Superintendent, Mr. Scott Dill, to the community.

Mr. Dill appeared before the Council and stated the community has welcomed him and his family with open arms and he is very pleased to be here. He stated he looks forward to a continued good working relationship between the School District and the City.

**CONSENT
AGENDA**

The minutes of the City Council meetings held June 6, 2016 and June 20, 2016 were presented to the City Council for their approval.

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

The City Clerk reported that each Councilperson had before them a report on fund balances, investments and collections as of June 30, 2016. She reported on funds on deposit in the Commerce Bank in the amount of \$2,904,898.61; in the Peoples Community State Bank \$564,571.85; in the First Midwest Bank \$14,839,672.86; in Sterling Bank \$2,847,752.77, in the Southern Bank \$334,991.08 and in the First Missouri State Bank \$1,000,000.00. She stated this reflects a grand total of all funds in all banks in the amount of \$22,491,887.17. She stated of this amount, total funds on deposit for the account of City Hall is \$7,820,390.37, total amount on deposit for the Coliseum is \$145,771.81, total amount on deposit for the Park Department accounts is \$1,234,454.30 and total funds on deposit for the account of the Municipal Utilities Department is \$13,291,270.69.

**CITY CLERK'S
REPORT**

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

The City Clerk reported that each member of the City Council had before them the following reports for the month of June, 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 June, 2016.

After discussion, motion was made by Councilwoman McVey and seconded by Councilman Johnson to approve the Consent Agenda as presented.

**WORKSHOP
ITEMS FOR
DISCUSSION**

The City Council reviewed a recommendation from the Municipal Utilities Advisory Board regarding the issuance of Series 2016 revenue bonds for the purpose of improvements to the waterworks and sewerage system.

**Series 2016
Revenue Bonds**

Mr. Bill Bach, Municipal Utilities General Manager, appeared before the Council. He stated this item is for the final phase of the bond issue passed by the voters in 2008 in the amount of \$8.5 million for the waterworks and sewerage system improvements. Mr. Bach stated this final phase includes the installation of a UV disinfection system at the Water Plant, the construction of backup wells and the installation of distribution lines on the east side of town. He stated this item was discussed earlier at the Advisory Board meeting and is recommended for Council approval.

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 August 1, 2016.

**FY 2016 Budget
Amendment**

The City Council reviewed a recommendation from the Municipal Utilities Advisory Board regarding an amendment to the FY 2016 budget.

Mr. Bach addressed the Council and stated this budget adjustment is relative to the replacement of a 1990 forklift which is out of commission. He stated this piece of equipment is used to unload chemicals at the Water Plant. He stated three quotes were obtained for a new forklift with the lowest being from Forklifts of Cape out of Cape Girardeau in the amount of \$21,800.39 which is lower than State contract pricing. Mr. Bach stated this was discussed earlier at the Advisory Board meeting and is recommended for Council approval.

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

**Flood Buyout
Project**

The City Council reviewed a proposed ordinance authorizing the Mayor to execute a grant agreement between the City of Poplar Bluff and the Department of Economic Development for Project No. 2013-DS-07 relative to the flood buyout project.

Mr. Dennis Avery, City Planner, appeared before the Council. He stated this agreement is for the Flood Buyout Project for the acquisition and demolition of approximately 20 or so houses damaged by flooding in the Hillcrest Park area. He stated the amount of the project is \$910,000.00 and will also assist families in this area with relocation costs.

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

**Conditional Use
Permit for 2586 N.
Westwood Blvd.**

The City Council reviewed a request from the Planning and Zoning Commission for a conditional use permit to operate a drive-thru window for the sale of food and non-alcoholic beverages in a C-2 general commercial district for property located at 2586 N. Westwood Blvd. The applicant is Aspen Midwest Properties, 2586 N. Westwood Blvd., Poplar Bluff, MO.

Mr. Avery addressed the Council and stated this conditional use permit is for a drive-thru window for the Bread Company that is relocating from the Mansion Mall Shopping Center to 2586 N. Westwood Blvd. He stated there was no opposition at the Planning and Zoning Commission meetings and is recommended for Council approval.

After further discussion, motion was made by Councilman Johnson, seconded by Mayor Pro Tem Crocker and carried to move this item to the voting session to be held August 1, 2016.

**Conditional Use
Permit for 1337 N.
Westwood Blvd.**

The City Council reviewed a request from the Planning and Zoning Commission for conditional use permit to operate a drive-thru window for the sale of food and non-alcoholic beverages in a C-2, general commercial district for property located at 1337 N. Westwood Blvd. The applicant is MMLS Properties, LLC, 624 N. Westwood Blvd., Poplar Bluff, Missouri.

Mr. Avery addressed the Council and stated this conditional use permit is for a drive-thru window for a new commercial building being constructed in the Mansion Mall Shopping Center by MMLS Properties c/o Mr. Jim Bailey. He stated it has not

been disclosed what business is going in at this location. Mr. Avery stated there was no opposition to this request at the Planning and Zoning Commission meetings and is recommended for Council approval.

After further discussion, motion was made by Mayor Pro Tem Crocker, seconded by Councilman Tinsley and carried to move this item to the voting session to be held August 1, 2016.

**Lease Agreement
with Southern Bank**

The City Council reviewed a lease agreement between the City of Poplar Bluff and Southern Bank for property located at Vine and 5th Streets.

City Manager Mark Massingham addressed the Council and stated they had previously asked him to look at a place to temporarily move the City Hall offices not including Municipal Court. He stated there are health as well as flooding concerns with the current building. He stated this building owned by Southern Bank is on the corner of 5th and Vine Streets. He stated the lease is in the amount of \$3,000 monthly for one year. Mr. Massingham stated it would be monthly after that and if we decided to purchase the building they would apply a year of lease payments toward the purchase price of building.

After further discussion, motion was made to move this item to the voting session to be held August 1, 2016.

ACTION
REQUIRED ITEMS

**Consulting
Services Contract**

After discussion, motion was made by Councilwoman McVey and seconded by Mayor Pro Tem Crocker to table Bill No. 7928, an ordinance authorizing the Mayor to execute a grant contract with Terri L. Foley for consulting services relative to preparation of nominations to the National Historic Registry. A roll call vote was as follows: Yes: McVey, Horton, Tinsley, Johnson, Fox, Crocker, DeGaris; No: None; Absent: None; Abstained: None. The motion carried unanimously.

**Flood Buyout
Project Grant
Agreement**

The City Council took action on an ordinance authorizing the Mayor to execute a grant agreement between the City of Poplar Bluff and Missouri Department of Economic Development for Project No. 2013-DS-07 relative to the flood buyout project. Motion was made by Councilman Tinsley, seconded by Councilman Johnson that Bill No. 7929, **AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF POPLAR BLUFF TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POPLAR BLUFF, MISSOURI, AND THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT FOR PROJECT NO. 2013-DS-07 RELATIVE TO THE FLOOD BUYOUT 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 Councilwoman McVey and seconded by Councilman Johnson that Bill No. 7929 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 Councilwoman McVey that Bill No. 7929 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. 7723.

**FY 2016 Budget
Amendment**

The City Council took action on an ordinance accepting a bid and making an amendment to the Municipal Utilities 2016 FY budget. Motion was made by Councilman Johnson, seconded by Mayor Pro Tem Crocker that Bill No. 7930, **AN ORDINANCE AMENDING THE 2016 FY BUDGET OF THE POPLAR BLUFF**

MUNICIPAL UTILITIES DEPARTMENT AND ACCEPTING A BID FOR THE PURCHASE OF A FORK LIFT, 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 Councilwoman McVey and seconded by Councilman Tinsley that Bill No. 7930 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 Mayor Pro Tem Crocker and seconded by Councilman Johnson that Bill No. 7930 be adopted. A roll call vote was as follows: Yes: Tinsley, Johnson, Fox, McVey, Horton, 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. 7724.

Poplar Bluff Senior Villas Resolution of Support

The City Council took action on a resolution issuing support to Housing Plus, LLC, d/b/a Poplar Bluff Senior Villas for low income housing tax credits to construct 36 1 and 2 bedroom apartments. Motion was made by Councilwoman McVey and seconded by Mayor Pro Tem Crocker that Resolution No. 1847, **A RESOLUTION OF THE CITY OF POPLAR BLUFF, MISSOURI, ISSUING SUPPORT FOR LOW INCOME HOUSING TAX CREDITS TO CONSTRUCT THIRTY SIX, ONE AND TWO BEDROOM APARTMENTS ON OAK GROVE ROAD IN POPLAR BLUFF, MISSOURI**, be read by caption only. Said bill was then placed upon its reading and was read by caption only and duly passed by unanimous vote. At this time Mayor DeGaris asked if there was any discussion of this resolution. There being none, motion was made by Councilman Tinsley and seconded by Councilman Johnson that Resolution No. 1847, be adopted. A roll call vote was as follows: Yes: Johnson, Fox, McVey, Horton, Tinsley, Crocker, DeGaris; No: None; Absent: None; Abstained: None. There being a favorable vote the Mayor thereupon declared such resolution duly adopted and was thereupon duly numbered Resolution No. 1847 and was thereupon duly signed and approved by the Mayor and attested to by the City Clerk.

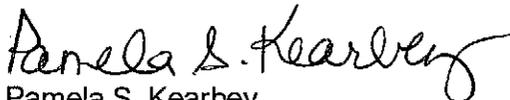
City Manager's Report

City Manager Massingham addressed the Council and gave an update on the intersection of PP Highway and Maud Street. He stated he requested for the Missouri Department of Transportation to look into this matter and it was their engineer's recommendation that no signage is needed here. He stated MoDOT will however place intersection signs from both directions at the request of the City. Mr. Massingham stated they are also currently conducting a speed study at this site. He stated the City applied for grant funding a while back for the demolition of some dangerous and derelict houses but was not approved. He stated we will be applying for this grant again next year and hope to be approved at that time.

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
City Clerk

APPROVED BY THE CITY COUNCIL
OF THE CITY OF POPLAR BLUFF,
MISSOURI, THIS 15th DAY
OF August, 2016.