

**MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
MONDAY, AUGUST 1, 2016**

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Monday, July 5, 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 7:10 p.m.

The invocation was given by Reverend Dave McCormack and his son Beau McCormack of First Baptist Church.

The Pledge of Allegiance was led by Boy Scout Troop 166.

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 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 addressed the Council.

**WORKSHOP
ITEMS FOR
DISCUSSION**

The City Council reviewed a request authorizing the Mayor to issue a letter/resolution of support to the Missouri National Guard Foundation relative to Poplar Bluff Villas income housing tax credits to construct 48 units on Eugene Boulevard.

**Letter of Support to
the Missouri
National Guard
Foundation**

City Manager Mark Massingham addressed the Council and stated this resolution of support to the Missouri National Guard Foundation is for tax credits relative to the construction of 48 housing units on Eugene Boulevard that are specifically for veterans.

Mr. Andrew Danner, a consultant working with the National Guard Foundation, appeared before the Council and reviewed the project with them.

Ms. Janet Brown, who gave her address as 502 Vine Street, Poplar Bluff, Missouri, appeared before the Council. She stated she has been involved in transition programs for veterans for many years. She stated this housing development would

be a great addition to programs already in place to help veterans.

After 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 tonight.

**Review of Bids &
Budget Amendment**

The City Council reviewed bids received for mini pcs for the City of Poplar Bluff and Municipal Court and amending the FY 2016 Budget for the purchase thereof.

City Manager Mark Massingham addressed the Council and stated we spent quite a bit of money in 2014 and 2015 on a computer system that has given us a lot of problems. He stated the Police Department's computer system was down completely last year. He stated they switched to mini pcs and haven't had any problems since and we would like to switch the City Hall offices and Municipal Court to these. Mr. Massingham stated one bid was received from Today's Computers in the amount of \$29,688.02 and is recommended for Council approval along with the budget amendment.

After 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 tonight.

**Disclosure of
Potential Conflicts
of Interest**

The City Council discussed a proposed ordinance establishing procedures for the disclosure of potential conflicts of interest and substantial interests for certain municipal officers.

City Clerk Pamela Kearbey stated we are required to approve this ordinance every two years but have approved it every year for the past 20 years or so. She stated this ordinance is sent to the Missouri Ethics Commission to show our procedures for the disclosure of potential conflicts of interest.

After 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 August 15, 2016.

**Pike Creek
Drainage Study
Engineering
Services**

The City Council reviewed an agreement with S.H. Smith & Company, Inc. for engineering services relative to the Pike Creek Drainage Study.

Mr. Massingham addressed the Council and stated no action was presently needed on this item.

**ACTION
REQUIRED ITEMS**

**National Historic
Registry
Preparation of
Nominations**

The City Council took action on an ordinance authorizing the Mayor to execute a contract with Terri L. Foley for consulting services relative to the preparation of nominations to the National Historic Registry. Motion was made by Councilman Johnson, seconded by Councilman Tinsley that **BILL NO. 7931, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF POPLAR BLUFF, MISSOURI, TO EXECUTE AN AGREEMENT FOR CONSULTING SERVICES BETWEEN THE CITY OF POPLAR BLUFF AND TERRI L. FOLEY RELATIVE TO PREPARATION OF NOMINATIONS TO THE NATIONAL HISTORIC REGISTRY**, 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. 7931** 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 Councilman Tinsley that Bill No. 7931 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. 7725.

**Series 2016
Revenue Bonds**

The City Council took action on an ordinance issuing the Series 2016 revenue bonds for water and sewer improvements. Motion was made by Councilman Johnson and seconded by Councilwoman McVey that Bill No. 7932, **AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,031,000 PRINCIPAL AMOUNT OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS (STATE OF MISSOURI - DIRECT LOAN PROGRAM) SERIES 2016 OF THE CITY OF POPLAR BLUFF, MISSOURI, FOR THE PURPOSE OF EXTENDING AND IMPROVING THE CITY'S COMBINED WATERWORKS AND SEWERAGE SYSTEM PRESCRIBING THE FORM AND DETAILS OF THE BONDS AND THE AGREEMENTS MADE BY THE CITY TO FACILITATE AND PROTECT THEIR PAYMENT AND PRESCRIBING OTHER RELATED MATTERS**, 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 Councilwoman Fox that Bill No. 7932 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. 7932 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. 7726.

**Conditional Use
Permit 2586 N.
Westwood
Boulevard**

The City Council took action on an ordinance granting 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 Boulevard. Motion was made by Councilman Tinsley, seconded by Councilwoman Fox that Bill No. 7933, **AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ASPEN MIDWEST PROPERTIES TO PERMIT THE USE OF A DRIVE-THRU WINDOW FOR THE SALE OF FOOD AND NON-ALCOHOLIC BEVERAGES AT 2586 NORTH WESTWOOD BOULEVARD, 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 Councilman Johnson that Bill No. 7933 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. 7933 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. 7727.

**Conditional Use
Permit 1337 N.
Westwood
Boulevard**

The City Council took action on an ordinance granting 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 1337 N. Westwood Boulevard. Motion was made by Councilman Johnson, seconded by Councilman

Tinsley that Bill No. 7934, **AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO MMLS PROPERTIES, LLC TO PERMIT THE USE OF A DRIVE-THRU WINDOW FOR THE SALE OF FOOD AND NON-ALCOHOLIC BEVERAGES AT 1337 NORTH WESTWOOD BOULEVARD, 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 Councilman Johnson that Bill No. 7934 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 Councilman Tinsley that Bill No. 7934 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 ordinance duly adopted and the bill was thereupon duly numbered Ordinance No. 7728.

**Bid Acceptance &
Budget Amendment**

The City Council took action on an ordinance accepting a bid for mini pc's for City Hall and Municipal Court and amending the budget for the purchase thereof. Motion was made by Councilman Tinsley, seconded by Councilman Johnson that Bill No. 7935, **AN ORDINANCE AMENDING THE 2016 FY BUDGET OF THE POPLAR BLUFF MUNICIPAL COURT AND CITY HALL AND ACCEPTING A BID FOR THE PURCHASE OF MINI PERSONAL COMPUTERS**, 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 Johnson that Bill No. 7935 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. 7935 be adopted. A roll call vote was as follows: Yes: Fox, McVey, Horton, Tinsley, Johnson, 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. 7729.

**Missouri National
Guard Foundation
Resolution of
Support**

The City Council took action on a resolution issuing support to the Missouri National Guard Foundation relative to Poplar Bluff Villas income housing tax credits to construct 48 units on Eugene Boulevard. Motion was made by Councilman Johnson and seconded by Councilman Tinsley that Resolution No. 1848, **A RESOLUTION OF THE CITY OF POPLAR BLUFF, MISSOURI, ISSUING SUPPORT FOR THE MISSOURI NATIONAL GUARD FOUNDATION RELATIVE TO POPLAR BLUFF VILLAS INCOME HOUSING TAX CREDITS TO CONSTRUCT 48 UNITS ON EUGENE BOULEVARD 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. 1848 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 resolution duly adopted and was thereupon duly numbered Resolution No. 1848 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 read aloud a memo regarding a new City Hall, Police Station and Municipal Court. The memo read as follows: "As

all of you know, we have been discussing the building of a new city hall, police station and municipal court now for well over a year. In 2015 the City created a Feasibility Study Committee to come up with a location for the structures. The committee consisted of several department heads and citizens and met on four different occasions, spending many hours of their time looking at different options. A meeting of the committee was held in December, 2015. At this meeting, the committee recommended by vote to the Council that the police station could be located separate from City Hall as long as the City was not going to be out any more money for that location. The college had offered a site on its campus for the police station only with the understanding that they would not be donating the property but rather that it would be a one hundred (100) year lease with the stipulation that at any time during the one hundred (100) years, if the police station would move to a different location, the building would revert to the college. Also if the Police Department is built on the college campus, Three Rivers Boulevard would need to be widened all the way to Westwood Boulevard or we would need to purchase two or three houses and construct a street to connect to Kingsland that runs parallel to the new Hampton Inn. Either way this could be a very expensive endeavor.

As City Manager, I must recommend to you the most cost effective solution for the construction of a new city hall/police station/municipal court and at the same time protect our citizens the best way we can. In my opinion and from what I have learned from talking to most of you, the police station, city hall and municipal court should be located together. I have always been an advocate of city hall being located where we are currently located on the two acre site on Oak Street. It is more cost effective to build and maintain one building opposed to two buildings. I have gone back and forth on where the police station should be located. The police station has been located on Second Street for twenty five (25) years and the location seemed to work fine. Our officers are set up in zones and now that we have computers in the patrol cars there is very little need for them to return to the station except for booking a prisoner. I think we have one of the best police departments in the State of Missouri. We have well trained officers that are proactive and quick to respond to a call. The station itself can only be located in one place and we cannot be every place at the same time. No one knows where an incident may happen--it could be at the high school, at Walmart or at City Hall. In my opinion the most cost effective solution is to build on the two acres we already own.

I'm asking the Council to give me the authority to proceed with requesting qualifications for an architect for this project and to set up a selection committee made up of one representative from the police department, one from the municipal court, the city clerk, the mayor, one other council member and myself and to bring a recommendation back to the council for an architect to proceed and let's not waste any more time. I appreciate the Council putting your trust in me when you hired me and renewing my contract last month and let's move forward on this project."

After discussion, motion was made by Councilman Johnson, seconded by Councilwoman Fox and carried unanimously to authorize City Manager Massingham to proceed with this project as described in his memo.

Mayor DeGaris stated he would like to take a moment to thank Larry Hillis Dodge for providing cars once again for the Council to ride in for the annual 4th of July Parade. He stated he would also like to thank the Street Department for their work on Linda Lane ad 14th Street. Mayor DeGaris stated he would also like to recognize the Police Department for all the hard work they do and the service they provide to the community.

There being no further business to come before this meeting of the City Council, motion was made by Councilwoman McVey, seconded by Councilman Tinsley and carried to adjourn this regular session of the City Council.

Mayor DeGaris declared the meeting adjourned at 7:40 p.m.

Respectfully submitted,



Pamela S. Kearbey
City Clerk

APPROVED BY THE CITY COUNCIL

OF THE CITY OF POPLAR BLUFF,

MISSOURI, THIS 19th DAY

OF September, 2016.