

**MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
MONDAY, AUGUST 15, 2016**

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Monday, August 15, 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 Mr. Danny Ruby of Crossroads Ministries.

The Pledge of Allegiance was led by Trenton Vincent 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.

Mr. Jack Altman, who gave his address as 2404 West Maud Street, Poplar Bluff, Missouri appeared before the Council. Mr. Altman stated he is President of the Butler County Fair Board and would like to address the Council regarding political figures renting booth space at the fair that is held on City property. He stated he understands there is a City ordinance prohibiting this type of political activity on City property but he feels if it is rented they should be free to use it as they please.

City Attorney Mark Richardson stated this is a policy issue rather than a legal issue. He stated the City as the landowner can dictate certain restrictions on the use of the land and has the authority to do so. He stated Mr. Altman is free to bring this issue before Council if he feels this policy should be changed.

After further discussion, there was a consensus of the Council for City Attorney Richardson to further research this item and bring it back before the Council at a later date.

CONSENT AGENDA

The minutes of the City Council meetings held July 5, 2016 and July 18, 2016 were presented to the City Council for their approval.

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

**CITY CLERK'S
REPORT**

**Reports on Fund
Balances,
Investments &
Collections As of
July 31, 2016**

The City Clerk reported that each Councilperson had before them a report on fund balances, investments and collections as of July 31, 2016. She reported on funds on deposit in the Commerce Bank in the amount of \$3,698,908.60; in the Peoples Community State Bank \$564,691.14; in the First Midwest Bank \$16,136,308.24; in Sterling Bank \$2,849,233.76, in the Southern Bank \$335,062.21 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 \$24,584,203.95. She stated of this amount, total funds on deposit for the account of City Hall is \$8,680,784.40, total amount on deposit for the Coliseum is \$145,642.72, total amount on deposit for the Park Department accounts is \$1,340,473.20 and total funds on deposit for the account of the Municipal Utilities Department is \$14,417,303.63.

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

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

**WORKSHOP
ITEMS FOR
DISCUSSION**

**Presentation of the
FY 2015 Audit**

A representative from Kraft, Miles & Tatum appeared before the City Council to present the audit for FY 2015.

Mr. Steve Austin with Kraft, Miles & Tatum appeared before the Council and reviewed the Fiscal Year 2015 audit with them. He reviewed many items with the Council including assets, unrestricted cash, cash equivalents, business type activities, liabilities, long-term debt, statement of net position, statement of activities, internal control and compliance, fund financial statements, governmental funds, non-major funds, proprietary funds, non-major enterprise funds, statements of revenue and expenses, capital assets, grants, Federal expenditures and various other items. Mr. Austin stated the City of Poplar Bluff was determined to be a low-risk auditee and there were no audit findings required to be reported. He stated he appreciates Mr. Massingham and the staff at City Hall and Municipal Utilities for all their help with this year's audit.

After further discussion, motion was made by Councilman Tinsley, seconded by Councilman Johnson and carried to accept the Fiscal Year 2015 audit as presented.

**Telecommunication
Services Bid**

The City Council reviewed a bid received for the City of Poplar Bluff's telecommunication services.

City Manager Massingham addressed the Council and stated only one bid was received for telecommunication services. He stated the bid received was from Big River Communications in the amount of \$4,306.65 per month for a three year agreement.

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.

**Local Law
Enforcement Block**

The City Council reviewed a proposed grant agreement with the Department of Public Safety relative to a Local Law Enforcement Block Grant for the Police

Grant

Department.

Mr. Massingham stated this grant will not be greater than \$9,999.99 and will be used for equipment, technology and other materials directly related to basic law enforcement functions and officer safety.

Captain David Sutton with the Poplar Bluff Police Department addressed the Council and stated there are no matching funds for this grant.

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 tonight.

Street Paving
Project
Supplemental
Agreement No. 2

The City Council reviewed Supplemental Agreement No. 2 from Schultz Engineering for the City Street Paving Project, STP 5100 (009).

City Manager Massingham addressed the Council and stated this agreement would move \$10,383.96 from the design phase to the construction phase of the street paving project that is set to begin around the first part of October.

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

ACTION
REQUIRED ITEMS

Lease Agreement
with Southern Bank

The City Council took action on an ordinance authorizing the Mayor to execute a lease agreement between the City of Poplar Bluff and Southern Missouri Bank. Motion was made by Councilman Johnson, seconded by Mayor Pro Tem Crocker that Bill No. 7936, **AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF POPLAR BLUFF, MISSOURI, TO EXECUTE A LEASE AGREEMENT WITH SOUTHERN BANK FOR PROPERTY LOCATED AT 5TH AND VINE STREETS IN POPLAR BLUFF**, 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. 7936 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.

Councilwoman Fox questioned the clause in the agreement stating no changes could be made to the building. She stated she thought we would be needing some counter space for citizens.

City Manager Massingham stated he believes we will be able to make minor modifications to the building.

Councilwoman Horton stated she was pleased to see the lease amount dropped from the original price.

There being no further discussion, motion was made by Councilman Tinsley and seconded by Mayor Pro Tem Crocker that Bill No. 7936 be adopted. A roll call vote was as follows: Yes: McVey, Horton, Tinsley, Fox, Crocker; No: Johnson, DeGaris; 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. 7730.

Tax Levy

The City Council took action on an ordinance providing for the levy and collection of property taxes for the year beginning January 1, 2016, and ending on December 31, 2016, for the following purposes; (1) General Revenue and (2) Policemen and Firemen's Pension Fund; to be levied and collected as to all property in the City of Poplar Bluff, Missouri, both personal and real except household goods located in private homes. Motion was made by Councilman Tinsley, seconded by Councilman Johnson that Bill No. 7937, **AN ORDINANCE OF THE CITY OF POPLAR BLUFF, MISSOURI, PROVIDING FOR THE LEVY AND COLLECTION OF PROPERTY TAXES FOR THE YEAR BEGINNING JANUARY 1, 2016, AND ENDING ON DECEMBER 31, 2016, FOR THE FOLLOWING PURPOSES; (1) GENERAL REVENUE AND (2) POLICEMEN AND FIREMEN'S PENSION FUND; TO BE LEVIED AND COLLECTED ON PROPERTY IN THE CITY OF POPLAR BLUFF, MISSOURI, BOTH PERSONAL AND REAL EXCEPT HOUSEHOLD GOODS LOCATED IN PRIVATE HOMES**, 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. 7937 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. 7937 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. 7731.

Disclosure of Conflicts of Interest

The City Council took action on an ordinance establishing a procedure for the disclosure of potential conflicts of interest and substantial interests for certain municipal officers. Motion was made by Councilman Tinsley, seconded by Mayor Pro Tem Crocker that Bill No. 7938, **AN ORDINANCE ESTABLISHING A PROCEDURE FOR THE DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICERS**, 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. 7938 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. 7938 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. 7732.

Telecommunication Services Bid

The City Council took action on an ordinance accepting a bid from Big River Telephone Company for the City's telecommunication services. Motion was made by Councilman Johnson, seconded by Mayor Pro Tem Crocker that Bill No. 7939, **AN ORDINANCE ACCEPTING A BID FOR TELECOMMUNICATION SERVICES FOR THE CITY OF POPLAR BLUFF**, 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. 7939 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. 7939 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. 7733.

**Street Paving
Project
Supplemental
Agreement No. 2**

The City Council took action on an ordinance authorizing the Mayor to execute Supplemental Agreement No. 2 for the City Street Paving Project, STP 5100(009). Motion was made by Councilman Tinsley, seconded by Councilman Johnson that Bill No. 7940, **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 2 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 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 Johnson and seconded by Councilman Tinsley that Bill No. 7940 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. 7940 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. 7734.

**Local Law
Enforcement Block
Grant**

The City Council took action on a resolution authorizing the Mayor to submit an application to the Missouri Department of Public Safety relative to a Local Law Enforcement Block Grant for the Police Department. Motion was made by Councilman Tinsley and seconded by Councilman Johnson that Resolution No. 1849, **A RESOLUTION OF THE CITY OF POPLAR BLUFF, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A GRANT APPLICATION WITH THE MISSOURI DEPARTMENT OF PUBLIC SAFETY RELATIVE TO A LOCAL LAW ENFORCEMENT BLOCK GRANT FOR THE POPLAR BLUFF POLICE DEPARTMENT**, 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 Johnson and seconded by Councilman Tinsley that Resolution No. 1849, 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. 1849 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 stated there was a "Back the Blue" fish fry at the Black River Coliseum in appreciation of local law enforcement. He stated there were officers and retirees there from the Poplar Bluff Police Department, Butler County Sheriff's Office and Missouri State Highway Patrol in attendance for a total of approximately 120. Mr. Massingham stated the Daily American Republic provided the food and volunteers did the cooking and it was greatly appreciated. He stated he would like to thank all those involved with helping with the fire downtown last week.

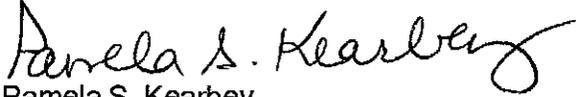
Councilman David Johnson stated there will be public forums on September 7, 8 and

13 at noon and 5:30 p.m. relative to downtown where citizens may come and voice their opinions. He stated he would like to invite the Council to attend these meetings if possible.

There being no further business to come before this meeting of the City Council, motion was made by Councilman Crocker, seconded by Councilwoman Fox 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 19th DAY

OF September, 2016.