

**MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
TUESDAY, JANUARY 17, 2023**

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Tuesday, January 17, 2023.

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 501 Vine Street in the City of Poplar Bluff, twenty-four hours prior to this meeting.

The meeting was called to order by Mayor Steve Davis at 7:00 p.m.

The invocation was given by Reverend David Stewart of the First United Methodist Church of Poplar Bluff.

The Pledge of Allegiance was led by Jude Funke of the Boy Scout Troop #4166.

A roll call was as follows: Present: Parson, Fox, Horton, Taylor, Corman and Davis; Absent: Smith.

Also present were City Attorney Mark Richardson and City Clerk Lori J. Phelps 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.

CITIZENS INPUT

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

Ms. Diana Collard, who gave her address at 723 N. 9th Street, Poplar Bluff, Missouri, appeared before the Council and expressed her concern with Jay's Corner Store at 9th Street and Maud Street.

Mr. Joshua Bishop, who gave his address at 945 Ivadene Drive, Poplar Bluff, Missouri, appeared before the Council and expressed his concern with the issues at Jay's Corner Store.

Councilwoman Jerrica Fox stated this is her Ward and she is actively working with the neighborhood for a solution. She stated she has received calls for both Jay's Corner Stores and the Winning Circle on North 10th Street. She stated there were over 200 calls to the Police Department for various issues at these establishments in 2022. She requested the Council to direct the City Manager and City Attorney to use Ordinance No. 22 - 38 and revoke the business licenses of both locations of Jay's Corner Store and the Winning Circle.

There was a consensus of the Council to authorize the City Manager to begin the process of revoking the business licenses of both locations of Jay's Corner Store and the Winning Circle. Mayor Pro Tem Corman and Councilwoman Parson did not participate in the consensus vote.

**CONSENT
AGENDA**

**Approval of
Minutes for the
Month of
December 2022**

**CITY CLERK'S
REPORT**

**Report on Fund
Balances,
Investments &
Collections as of
December 31,
2022**

The minutes of the City Council meetings held December 5, 2022 and December 19, 2022, a public hearing held December 19, 2022 and special meetings held December 7, 2022 and December 15, 2022 were presented to the City Council for their approval.

The City Clerk reported that each Councilperson had before them a report on fund balances, investments and collections as of December 31, 2022. She reported on funds on deposit in the Commerce Bank in the amount of \$5,147,285.59; in the Peoples Community State Bank \$502,943.01; in the First Midwest Bank \$24,761,134.32; in Sterling Bank \$160,020.21 and in the First Missouri State Bank \$1,053,962.78. She stated this reflects a grand total of all funds in all banks in the amount of \$31,625,345.91. She stated of this amount, total funds on deposit for the account of City Hall is \$10,979,980.00, total amount on deposit for the Coliseum is \$160,020.21, total amount on deposit for the Park Department accounts is \$546,396.08 and total funds on deposit for the account of the Municipal Utilities Department is \$19,938,949.62.

The City Clerk reported that each member of the City Council had before them the following reports for the month of December, 2022: a list of Bills Paid, 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 December, 2022.

After discussion, motion was made by Councilwoman Fox, seconded by Councilwoman Chris Taylor and carried to approve the consent agenda as presented.

**WORKSHOP
ITEMS FOR
DISCUSSION**

**2023 Butler
County Hazard
Mitigation Plan**

The City Council considered a resolution adopting the 2023 Butler County Hazard Mitigation Plan.

City Manager Matt Winters addressed the Council and stated Ozark Foothills Regional Planning Commission is contracted by the Missouri Department of Homeland Security, State Emergency Management Agency to update the Butler County Hazard Mitigation Plan every five years. He stated the plan must be adopted by the City to be eligible for certain Federal hazard mitigation grant programs. He stated the plan addresses natural hazards that could potentially impact Butler County including extreme heat, earthquakes, tornadoes, wildfire, sinkholes, flooding, thunderstorms, drought and severe winter weather.

After further discussion, motion was made by Councilwoman Lisa Parson, seconded by Councilwoman Fox and carried to move this item to the voting session to be held February 6, 2023.

**Change Order
No. 4 Industrial
Infrastructure
Project No.
2020-ED-01**

The City Council considered Change Order No. 4 relative to the Industrial Park Infrastructure Project No. 2020-ED-01.

City Manager Matt Winters addressed the Council and stated this change order is for the Industrial Infrastructure Project that is the future site of True Manufacturing. He stated there are two items in this change order including adding 3,270 square yards of soil stabilization using lime at a cost of \$71,940. He stated this project is 100% grant funded and this increase would be paid for with grant funds. He stated the second item is a time extension for the completion date. He stated the original completion date was 12/15/22 and he is requesting the completion date extended through 03/30/2023.

After further discussion, motion was made by Councilwoman Fox, seconded by Councilwoman Taylor and carried to move this item to the voting session to be held February 6, 2023.

City Code of Ordinances - Stormwater Management - Amendment

The City Council considered amending the City of Poplar Bluff Code of Ordinances Sections 425.020, 425.140 and 425.150 relative to Stormwater Management.

City Planner James Sisk addressed the Council and stated the City's MS4, Municipal Separate Storm Sewer System, permit with the State needs to be updated to match the new permit issued in October, 2022. He stated Smith and Co. has been working on this and has an updated version matching what the State is looking for. He requested this item be voted on tonight as well.

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

Vacate alleyway between Kinzer and Mengel's Subdivision

The City Council considered a recommendation from the Planning and Zoning Commission to approve a request to vacate a 10' x 100' alleyway lying between Lots 7, 8, 11 and 12 of Kinzer and Mengel's Subdivision. The applicant is the United Gospel Rescue Mission.

City Planner James Sisk addressed the Council and stated the United Gospel Rescue Mission has acquired the old Strenfel's Muffler Building and would like to vacate the alleyway behind the building. He stated the Mission is aware of the sewer service located in this alleyway and understands they would be responsible for the cost associated with moving and dismantling the sewer service. He stated the Planning and Zoning Commission's recommendation is to vacate the alleyway.

After further discussion, motion was made by Councilwoman Fox, seconded by Councilwoman Parson and carried to move this item to the voting session to be held February 6, 2023.

Code of City Ordinances - Eating and Drinking Establishments - Amendment

The City Council considered amending the City of Poplar Bluff Code of Ordinances Section 605.210 relative to inspection requirements for eating and drinking establishments by the Butler County Health Department.

City Manager Matt Winters addressed the Council and stated all establishments within City limits that sell food and/or beverages must be inspected by the Butler County Health Department within 90 days of their annual renewal of business licenses. He stated all business licenses expire on June 30th of each year. He stated with the increase of businesses in the City, it has become overwhelming for the two health department inspectors to complete all of the inspections within the 90 day timeframe. He stated he has had discussions with Mrs. Emily Goodin, Director of the Butler County Health Department, and he is recommending the City modify the requirement for inspections to be extended out to 12 months from the current 90 days.

After further discussion, motion was made by Councilwoman Parson, seconded by Councilwoman Fox and carried to move this item to the voting session to be held February 6, 2023.

Work Swap Agreement - Missouri Highways and

The City Council considered authorizing the Mayor to enter into a Work Swap Agreement with the Missouri Highways and Transportation Commission.

**Transportation
Commission**

City Manager Matt Winters addressed the Council and stated this is a renewal and modification of an existing agreement between the City and the Missouri Highways and Transportation Commission. He stated as part of the agreement, the City agrees to operate the street sweeper four times per year on MoDOT maintained routes. He stated in exchange for the street sweeping, MoDOT agrees to repaint the centerline and edge line striping on Oak Grove Road and Shelby Road. He stated the only change is the extension of Shelby Road.

After further discussion, motion was made by Councilwoman Taylor, seconded by Councilwoman Fox and carried to move this item to the voting session to be held February 6, 2023.

**Ballot Proposition
for Local Use Tax**

The City Council considered authorizing and directing the submission of a ballot proposition to the qualified voters of the City of Poplar Bluff, Missouri at the general municipal election to be held April 4, 2023 to consider imposing a local use tax at the same rate as the total sales tax rate, provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action.

City Manager Matt Winters addressed the Council and stated he is requesting the Council place the Internet Use Tax on the ballot for the April election.

After further discussion, motion was made by Councilwoman Parson, seconded by Mayor Pro Tem Shane Cornman and carried to move this item to the voting session to be held tonight.

**ACTION
REQUIRED
ITEMS**

**City Code of
Ordinances -
Stormwater
Management -
Amendment**

The City Council took action on an ordinance amending the City of Poplar Bluff Code of Ordinances Section 425.020, 425.140 and 425.150 relative to Stormwater Management. Motion was made by Councilwoman Fox and seconded by Councilwoman Parson that Bill No. 8444, **AN ORDINANCE AMENDING THE CITY OF POPLAR BLUFF, MISSOURI CODE OF CITY ORDINANCES, SECTION 425.020, 425.140, AND 425.150 BY DELETING SAID SECTIONS AND REPLACING THEM WITH NEW SECTIONS 425.020, 425.140, AND 425.150 RELATING TO STORMWATER MANAGEMENT**, 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 Parson and seconded by Councilwoman Barbara Horton that Bill No. 8444 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 Davis asked if there was any discussion of this bill. There being no discussion, motion was made by Councilwoman Fox and seconded by Councilwoman Parson that Bill No. 8444 be adopted. A roll call vote was as follows: Yes: Parson, Fox, Horton, Taylor, Cornman, Davis; No: None; Absent: Smith; Abstained: None. There being a favorable vote the Mayor thereupon declared such ordinance adopted and the bill was thereupon duly numbered Ordinance No. 23 - 01.

**Ballot Proposition
for Local Use Tax**

The City Council took action on an ordinance authorizing and directing the submission of a ballot proposition to the qualified voters of the City of Poplar Bluff, Missouri at the general municipal election to be held April 4, 2023 to consider imposing a local use tax at the same rate as the total sales tax rate, provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action. Motion was made by Councilwoman Parson and seconded by Councilwoman Horton that Bill No. 8445, **AN ORDINANCE IMPOSING A USE TAX FOR GENERAL REVENUE PURPOSES AT THE SAME RATE AS THE TOTAL LOCAL SALES TAX RATE; PROVIDED THAT IF THE LOCAL SALES TAX IS REDUCED OR RAISED BY VOTER APPROVAL, THE LOCAL USE TAX WILL BE**

REDUCED OR RAISED BY THE SAME ACTION; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY OF POPLAR BLUFF FOR THEIR APPROVAL AT THE GENERAL MUNICIPAL ELECTION CALLED AND TO BE HELD IN THE CITY ON APRIL 4TH, 2023, 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 Parson and seconded by Councilwoman Horton that Bill No. 8445 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 Davis asked if there was any discussion of this bill.

Councilwoman Fox stated she would like to see public meetings held to educate voters regarding what the funds will be used for and how improvements will be made to our City.

City Managers Winters agreed with Councilwoman Fox.

Mayor Davis stated he believes this will be a good thing for our City.

After further discussion, motion was made by Councilwoman Parson and seconded by Councilwoman Fox that Bill No. 8445 be adopted. A roll call vote was as follows: Yes: Fox, Horton, Taylor, Parson, Cornman, Davis; No: None; Absent: Smith; Abstained: None. There being a favorable vote the Mayor thereupon declared such ordinance adopted and the bill was thereupon duly numbered Ordinance No. 23 - 02.

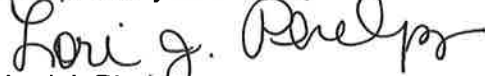
Call for a Closed Session Mayor Davis stated no closed session is needed tonight.

City Manager's Report City Manager Matt Winters stated he had nothing to report tonight.

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

Mayor Davis declared the meeting adjourned at 7:31 p.m.

Respectfully submitted,



Lori J. Phelps
City Clerk

APPROVED BY THE CITY COUNCIL

OF THE CITY OF POPLAR BLUFF,

MISSOURI, THIS 17th DAY

OF January, 2023.