

**MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
MONDAY, JULY 17, 2023**

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

The invocation was given by Councilwoman Lisa Parson.

The Pledge of Allegiance was led by Mayor Shane Cornman.

A roll call was as follows: Present: Parson, Horton, Smith, Massingham, Fox, Cornman; Absent: None.

Also present were City Attorney Mark Richardson, City Manager Matt Winters 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. Linda Moore appeared before the Council on behalf of Mr. Jeremy Roth and Poplar Bluff Motorsports and stated Mr. Roth was previously given permission by the Council for the discharge of fireworks on July 1, 2023 after the race. She stated due to rain, the race and fireworks were cancelled on that date. She stated Mr. Roth was unable to appear himself tonight due to an emergency. She is requesting approval from the Council for the discharge of fireworks on July 28, 2023 after the race.

After further discussion, motion was made by Councilman Mark Massingham, seconded by Councilwoman Lisa Parson to approve the fireworks display. With all in favor and none opposed, the motion was approved.

**CONSENT
AGENDA**

The minutes of the City Council meetings held June 5, 2023 and June 19, 2023 were presented to the City Council for their approval.

**Approval of
Minutes for the
Month of June
2023**

The City Clerk reported that each Councilperson had before them a report on fund balances, investments, and collections as of June 30, 2023. She reported on funds on deposit in the Commerce Bank in the amount of \$3,806,720.18; in the Peoples Community State Bank \$437,012.17; in the First Midwest Bank \$22,020,251.58; in Sterling Bank \$230,698.30 and in the First Missouri State Bank \$1,057,646.88. She

**CITY CLERK'S
REPORT**

**Report on Fund
Balances,
Investments &
Collections as of
June 30, 2023**

stated this reflects a grand total of all funds in all banks in the amount of \$27,552,329.11. She stated of this amount, total funds on deposit for the account of City Hall is \$10,978,519.12, total amount on deposit for the Coliseum is \$230,698.30, total amount on deposit for the Park Department accounts is \$530,275.60 and total funds on deposit for the account of the Municipal Utilities Department is \$15,812,836.09.

The City Clerk reported that each member of the City Council had before them the following reports for the month of June, 2023: 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 report, a Street Department report and a list of payments from the Police and Fire Pension Fund for the month of June, 2023.

After discussion, motion was made by Councilman Robert Smith, seconded by Councilwoman Barbara Horton and carried to approve the consent agenda as presented.

**WORKSHOP
ITEMS FOR
DISCUSSION**

**Patriot
Transportation
Taxicab business**

The City Council considered a request to grant a license for a taxicab business to Mr. Robert Neal, Patriot Transportation.

City Manager Matt Winters addressed the Council and stated Mr. Robert Neal has applied for a taxicab business license. He stated per City Ordinance, a certified letter was sent to the only existing cab company in town, Jay Jay's Cab Company. He stated a letter in response from Jay Jay's was received stating they did not oppose the application. He stated as per City Ordinance, the Council has the authority to deny or approve the application.

Mr. Robert Neal addressed the Council and stated he has been a taxicab driver for thirteen (13) years. He stated he has worked for nearly every cab company in town. He stated the citizens of Poplar Bluff deserve a better experience while using cab services. He stated he will start with two vehicles including a 2012 Kia Soul and a 2016 Nissan Altima which have full coverage commercial insurance.

After further discussion, motion was made by Mayor Pro Tem Fox, seconded by Councilman Smith and carried to move this item to the voting session to be held August 7, 2023.

**Amendment to
City Ordinances**

The City Council considered amending the City of Poplar Bluff Code of Ordinances Article XIII, Sections 210.2100 "Definitions", 210.2105 (A & C), 210.2110 (A, B & H), 210.2120 (A & B), 210.2140 (A-1) and 210.2160 (A & B) relative to the age of minors.

City Manager Matt Winters addressed the Council and stated this section of the Code of Ordinances deals with the purchase of tobacco by minors. He stated the Federal minimum age to purchase tobacco products has been raised to twenty-one (21). He stated the current ordinance is outdated and prohibits the sale of tobacco products to anyone under the age of eighteen (18). He stated this change is to raise the minimum age to purchase tobacco products from eighteen (18) to twenty-one (21).

After further discussion, motion was made by Councilwoman Parson, seconded by Mayor Pro Tem Fox and carried to move this item to the voting session to be held August 7, 2023.

**Conditional Use
Permit
2318 N. Main St.**

The City Council considered a request from the Planning and Zoning Commission to approve a conditional use permit for the operation of an archery tag field business located at 2318 North Main Street; the applicant is Brady Nichol.

City Manager Matt Winters addressed the Council and stated this request is to allow an archery tag business to operate at 2318 North Main Street, which is currently used for a commercial paintball operation. He stated the archery tag is being requested to be added to this location. He stated soft arrows are used to shoot at one another. Mr. Winters stated the owner is ready to open and requests this item be workshopped and voted on tonight.

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

**Conditional Use
Permit
2217 Fair Street**

The City Council considered a request from the Planning and Zoning Commission to approve a conditional use permit to operate a daycare facility for up to twenty-five (25) children in a C-2 General Commercial District located at 2217 Fair Street; the applicant is Jeffrey Hampton.

City Manager Matt Winters addressed the Council and stated this request is for a conditional use permit to allow a daycare facility at 2217 Fair Street. He stated this building is a former church that had previously served as a daycare center. He stated this building is currently vacant. Mr. Winters stated the Planning and Zoning Commission recommends approval of this request.

After further discussion, motion was made by Mayor Pro Tem Fox, seconded by Councilwoman Lisa Parson and carried to move this item to the voting session to be held August 7, 2023.

**Conditional Use
Permit
2227 Maud Street**

The City Council considered a request from the Planning and Zoning Commission to approve a conditional use permit to operate a plumbing business in a C-1 Neighborhood Commercial District located at 2227 Maud Street; the applicant is James Bruce Peterson.

City Manager Matt Winters addressed the Council and stated this building is currently vacant. He stated it was rezoned to C-1 in 2009. He stated the applicant is a City Licensed Master Plumber and would use the building for office space and storage of materials and equipment. He stated the Planning and Zoning Commission recommends approval of this request.

Mr. James Bruce Peterson addressed the Council and stated he is currently adding a new roof, new garage door and security system. He stated it will be used to store his equipment. He stated the building is around 11,000 square feet total.

After further discussion, motion was made by Councilman Massingham, seconded by Mayor Pro Tem Fox and carried to move this item to the voting session to be held August 7, 2023.

**Police Officer
Training
Employment
Agreement**

The City Council considered a request from the Poplar Bluff Police Department to approve a Police Officer Training Employment Agreement.

Chief of Police Mike McClain addressed the Council and stated the Council had received a copy of the contract and he would answer any questions they may have.

City Manager Matt Winters stated this will help with the recruitment of new officers. He stated he is requesting this be workshopped and voted on tonight due to the new academy starting August 7, 2023.

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

**Kay Porter Fund
Police
Department
purchase**

The City Council considered a request from the Poplar Bluff Police Department to purchase equipment using monies from the Kay Porter Fund.

Chief of Police Mike McClain addressed the Council and stated two items are being requested. He stated the first item is sixty (60) high visibility vests. He stated the last time these were purchased was 2010. He stated total cost for the vests will be \$3,480.00. Mr. McClain stated the second item requested is fifty (50) flashlights for all officers. He stated the last time these were replaced was 2015. He stated the cost for the flashlights are on State Contract with the cost of \$7,278.00.

After further discussion, motion was made by Mayor Pro Tem Fox, seconded by Councilwoman Parson and carried to move this item to the voting session to be held August 7, 2023.

**Department of
Homeland
Security
Assistance to
Firefighters Grant**

The City Council considered accepting a grant award from the Department of Homeland Security Assistance to Firefighters Grant for the Poplar Bluff Fire Department.

Fire Chief Mike Moffitt addressed the Council and stated the Fire Department has been awarded a \$25,000 grant through the American Firefighters Grant (AFG). He stated the money will be used to purchase 3 new washer extractors, one for each station. He stated the department currently has one washer which is about 12 years old. He stated the grant must be accepted by July 23, 2023 and would need to be voted on tonight as well.

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

**Qualifying
Facilities
Interconnection
Agreement**

The City Council considered a request from the Municipal Utilities Advisory Board regarding a Qualifying Facilities Interconnection Application/Agreement.

Municipal Utilities General Manager Bill Bach addressed the Council and stated to fulfill any Qualifying Facilities request, the City will need to include the Qualifying Facility Interconnection Agreement in the policy manual. He stated this has been discussed at the Municipal Utilities Advisory Board meeting and is recommended for Council approval.

After further discussion, motion was made by Councilwoman Parson, seconded by Councilman Massingham and carried to move this item to the voting session to be held August 7, 2023.

**Street Dept
Truck purchase
ARPA funds**

The City Council considered bids received for the purchase of trucks for the Poplar Bluff Street Department and a request to use monies from the American Rescue Plan Act Fund for the purchase.

Street Superintendent Jerry Lawson addressed the Council and stated the Street Department needs new work trucks to help phase out older trucks purchased in the 1990's. He stated the older trucks would be moved to secondary trucks and would continue to be used with snowplows and spreader beds. He stated he has worked with local dealerships to secure the best available pricing on four trucks. He stated Baldwin GMC had the lowest quote. He stated three of the four trucks are on the lot and requested this be voted on tonight.

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

**ACTION
REQUIRED
ITEMS**

**Conditional Use
Permit
2318 N. Main St.**

The City Council took action on an ordinance approving a conditional use permit for the operation of an archery tag field business located at 2318 North Main Street. Motion was made by Councilman Massingham and seconded by Mayor Pro Tem Fox that Bill No. 8484, **AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO BRADY NICHOL TO OPERATE AN OUTDOOR ARCHERY TAG BUSINESS AT 2318 NORTH MAIN STREET 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 Councilwoman Parson and seconded by Councilwoman Horton that Bill No. 8484 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 Cornman asked if there was any discussion of this bill. There being no discussion, motion was made by Councilwoman Parson and seconded by Councilman Massingham that Bill No. 8484 be adopted. A roll call vote was as follows: Yes: Parson, Horton, Smith, Massingham, Fox, Cornman; No: None; Absent: None; Abstained: None. There being a favorable vote the Mayor thereupon declared such ordinance adopted and the bill was thereupon duly numbered Ordinance No. 23 - 41.

**Police Officer
Training
Employment
Agreement**

The City Council took action on an ordinance approving a Police Officer Training Employment Agreement. Motion was made by Councilwoman Parson and seconded by Mayor Pro Tem Fox that Bill No. 8485, **AN ORDINANCE CREATING A POLICE OFFICER TRAINING PROGRAM FOR THE CITY OF POPLAR BLUFF, MISSOURI POLICE DEPARTMENT**, 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 Massingham and seconded by Mayor Pro Tem Fox that Bill No. 8485 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 Cornman asked if there was any discussion of this bill. There being no discussion, motion was made by Councilwoman Parson and seconded by Councilman Smith that Bill No. 8485 be adopted. A roll call vote was as follows: Yes: Horton, Smith, Massingham, Parson, Fox, Cornman; No: None; Absent: None; Abstained: None. There being a favorable vote the Mayor thereupon declared such ordinance adopted and the bill was thereupon duly numbered Ordinance No. 23 - 42.

**Department of
Homeland
Security
Assistance to
Firefighters Grant**

The City Council took action on an ordinance accepting a grant award from the Department of Homeland Security Assistance to Firefighters Grant for the Poplar Bluff Fire Department. Motion was made by Councilman Massingham and seconded by Mayor Pro Tem Fox that Bill No. 8486, **AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY FIRE FIGHTERS ASSISTANCE PROGRAM FOR A GRANT RELATIVE TO EQUIPMENT FOR THE POPLAR BLUFF FIRE DEPARTMENT**, 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 Massingham and seconded by Mayor Pro Tem Fox that Bill No. 8486 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 Cornman asked if there was any discussion of this bill. There being no discussion, motion was made by Councilwoman Parson and seconded by Councilwoman Horton that Bill No. 8486 be adopted. A roll call vote was as follows: Yes: Smith, Massingham, Parson, Horton, Fox, Cornman; No: None; Absent: None; Abstained: None. There being a favorable vote the Mayor thereupon declared such ordinance adopted and the bill was thereupon duly numbered Ordinance No. 23 - 43.

**Street Dept
Truck purchase
ARPA funds**

The City Council took action on an ordinance accepting a bid for the purchase of trucks for the Poplar Bluff Street Department and approving the use of monies from the American Rescue Plan Act Fund for the purchase. Motion was made by Mayor Pro Tem Fox and seconded by Councilwoman Horton that Bill No. 8487, **AN ORDINANCE AMENDING THE 2023 FISCAL YEAR BUDGET FOR THE CITY OF POPLAR BLUFF AND ACCEPTING LOWEST AND BEST BID FOR SERVICE TRUCKS FOR THE POPLAR BLUFF STREET DEPARTMENT**, 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 Fox and seconded by Councilman Smith that Bill No. 8487 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 Cornman asked if there was any discussion of this bill. There being no discussion, motion was made by Councilwoman Parson and seconded by Councilman Smith that Bill No. 8487 be adopted. A roll call vote was as follows: Yes: Massingham, Parson, Horton, Smith, Fox, Cornman; No: None; Absent: None; Abstained: None. There being a favorable vote the Mayor thereupon declared such ordinance adopted and the bill was thereupon duly numbered Ordinance No. 23 - 44.

**Call for 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, Section 610.021.14, RSMo. Motion was made by Councilman Massingham and seconded by Councilman Smith that the City Council move into a closed meeting immediately after this regular meeting of the City Council. A roll call vote was as follows: Yes: Parson, Horton, Smith, Massingham, Fox, Cornman; No: None; Absent: None; Abstained: None. The motion carried unanimously to move into closed session immediately after this regular meeting of the City Council.

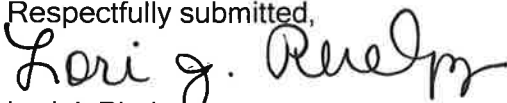
**City Manager's
Report**

City Manager Matt Winters addressed the Council and stated he had nothing further for the Council at this time.

There being no further business to come before this meeting of the City Council, motion was made by Councilman Smith, seconded by Mayor Pro Tem Fox and carried to adjourn this regular session of the City Council.

Mayor Cornman declared the meeting adjourned at 7:33 p.m.

Respectfully submitted,



Lori J. Phelps
City Clerk

APPROVED BY THE CITY COUNCIL
OF THE CITY OF POPLAR BLUFF,
MISSOURI, THIS 21st DAY
OF August, 2023.