MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
MONDAY, OCTOBER 17, 2016

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Monday, October 17, 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 7:02 p.m.

The invocation was given by Councilman Peter Tinsley.

The Pledge of Allegiance was led by Mayor Ed DeGaris.

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. Steve Bush of Southeast Missouri Transportation Service, 2510 Kanell Boulevard, Poplar Bluff, Missouri, appeared before the Council. He stated they now have four routes with two buses serving 35 stops. Mr. Bush stated they serve approximately 1,000 people monthly. He stated they will now be offering a day pass for $3 and will also be offering a family pass for $6 per day. He reviewed additional information regarding the program with the Council. Mr. Bush stated he would like to thank the Council for their support of SMTS.

City Manager Massingham stated he appreciates Mr. Bush and his staff and their hard work and dedication.

CONSENT AGENDA

Approval of Minutes for the Month of September, 2016

The minutes of the City Council meetings held September 6, 2016 and September 19, 2016 were presented to the City Council for their approval.

CITY CLERK'S REPORT

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

The City Clerk reported that each Councilperson had before them a report on fund balances, investments and collections as of September 30, 2016. She reported on funds on deposit in the Commerce Bank in the amount of $2,963,106.11; in the Peoples Community State Bank $564,934.56; in the First Midwest Bank $18,525,918.91; in Sterling Bank $1,953,391.25, in the Southern Bank

$335,202.21 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 $25,342,553.04. She stated of this amount, total funds on deposit for the account of City Hall is $7,358,820.11, total amount on deposit for the Coliseum is $146,556.07, total amount on deposit for the Park Department accounts is $1,104,393.69 and total funds on deposit for the account of the Municipal Utilities Department is $16,732,783.17.

The City Clerk reported that each member of the City Council had before them the following reports for the month of September, 2016: a list of Bills Paid, 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 September, 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 an architectural RFQ received for the new City Hall/Police Department Project.

Review RFQ's Received for the City Hall/Police Department Project

City Manager Mark Massingham stated we advertised for proposals for architectural services for the new City Hall/Police Department Project and received one bid from Dille and Traxel Architecture. He stated their fees will be in the amount of seven (7) percent of the total cost of the project. He stated Dille and Traxel has worked on many projects in Poplar Bluff and the surrounding area.

Mr. Ben Traxel of Dille and Traxel Architecture appeared before the Council and thanked them for the opportunity to submit their qualifications for this project. He stated he would be happy to answer any questions the Council may have regarding this matter.

Councilwoman McVey asked if the seven (7) percent fee was negotiable.

Mr. Traxel stated normally the fee would be higher, but they have included the geotechnical engineering and surveying and civil engineering which is normally on top of the percentage fee. He stated he does believe the fee is a fair one.

The timeline for the project was discussed and Mr. Traxel stated he hopes to get started as soon as possible.

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 November 7, 2016.

Voluntary Flood Buyout Policy/Optional Relocation Guides

The City Council reviewed a proposed ordinance adopting the Voluntary Flood Buyout Policy/Optional Relocation Guides.

Mr. Dennis Avery, City Planner, appeared before the Council and stated this is a requirement of the Community Development Block Grant Program to qualify for funding. He stated this project consists of 20 homes in the Hillcrest Park area. Mr. Avery stated this is a standard document for this type of grant program.

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

held tonight.

Repealing Section 210.785 of the Code of Ordinances

The City Council discussed repealing Section 710.785 from the City of Poplar Bluff's Code of Ordinances relative to begging.

City Manager Mark Massingham addressed the Council and stated the section of our Code needs to be repealed as begging and panhandling is not illegal and our law enforcement officers cannot legally remove people from public areas. He stated however, people cannot beg or panhandle on private property without the permission of the property owner. Mr. Massingham stated we do not want to end up in a lawsuit for violating someone's rights.

After further discussion, motion was made by Councilman Tinsley, seconded by Councilwoman McVey and carried to move this item to the voting session to be held November 7, 2016.

Alternate Board Members

The City Council reviewed amendments to City boards relative to alternate board members.

City Clerk Pamela Kearbey addressed the Council and stated there are currently four board with alternate members. She stated these four board's bylaws nor the ordinances creating these boards were ever amended to include these alternate members. She stated the Tree Advisory Board and the Municipal Utilities Advisory Board have not relied on these alternate members to conduct meetings and therefore are null and void as provisions were never made for these appointments. City Clerk Kearbey stated that however the Electrical Wiring Board and the Plumbing Board do rely on their alternates for quorums to conduct their business and the Code of Ordinances needs to be amended to allow for the appointment of alternate members.

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 November 7, 2016.

Disposition of Antiquated Vehicles

The City Council discussed the disposition of antiquated vehicles from City departments.

City Manager Massingham addressed the Council and stated these vehicles are no longer in service and are from various City departments. He stated he is simply asking for permission from the Council to dispose of these vehicles. He stated he would like to pursue the possibility of selling these vehicles at the Poplar Bluff Auto Auction.

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 November 7, 2016.

Transportation Alternative Program Application

The City Council reviewed a Transportation Alternative Program (TAP) application to the Missouri Highways and Transportation Commission for grant funds relative to the Walking Trails Project.

City Manager Massingham addressed the Council and stated this grant would allow for the expansion of the Park Department's trails system and would also provide a foot bridge over Pike Creek. He stated this is an 80/20 grant for $500,000 with the Park Department picking up our portion of the cost share amount of

$100,000. He stated this is a voting item also tonight as the application is due November 1, 2016. Mr. Massingham stated if the grant application is approved by MoDOT it will come back before the Council for acceptance.

Mr. Bob Summers of Horner Shifrin Engineering appeared before the Council and reviewed the Trails Project with them.

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

ACTION REQUIRED ITEMS

Health Insurance Fund Broker/Agent

The City Council took action on an ordinance selecting a broker/agent for the City's health insurance fund. Motion was made by Councilwoman McVey, seconded by Councilman Tinsley that Bill No. 7948, **AN ORDINANCE ACCEPTING AND APPROVING THE SELECTION OF STRATEGIC BENEFIT PARTNERS AS AGENT AND BROKER FOR THE CITY OF POPLAR BLUFF HEALTH INSURANCE FUND,** 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. 7948 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. 7948 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. 7742.

Disposal of Antiquated Records

The City Council took action on an ordinance disposing of antiquated records from the Police Department and Municipal Court. Motion was made by Councilwoman McVey, seconded by Mayor Pro Tem Crocker that Bill No. 7949, **AN ORDINANCE AUTHORIZING THE DESTRUCTION OF ANTIQUATED RECORDS BY THE POPLAR BLUFF POLICE DEPARTMENT AND MUNICIPAL COURT,** 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. 7949 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 Councilwoman McVey and seconded by Councilman Johnson that Bill No. 7949 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. 7743.

Voluntary Flood Buyout Policy

The City Council took action on an ordinance adopting a Voluntary Flood Buyout Policy for the City of Poplar Bluff relative to the Community Development Block Grant, Disaster Recovery Fund. Motion was made by Councilman Johnson, seconded by Councilman Tinsley that Bill No. 7950, **AN ORDINANCE ADOPTING A VOLUNTARY FLOOD BUYOUT POLICY FOR THE CITY OF POPLAR BLUFF RELATIVE TO THE COMMUNITY DEVELOPMENT BLOCK GRANT, DISASTER RECOVERY FUND,** 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. 7950 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. 7950 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. 7744.

Transportation Alternative Program Application

The City Council took action on a resolution authorizing the Mayor to execute a Transportation Alternative Program (TAP) application for grant monies relative to the Walking Trails project. Motion was made by Councilman Johnson and seconded by Mayor Pro Tem Crocker that Resolution No. 1850, **A RESOLUTION OF THE CITY OF POPLAR BLUFF, MISSOURI, STATING INTENT TO SEEK FUNDING THROUGH THE TRANSPORTATION ALTERNATIVE PROGRAM AND AUTHORIZING THE MAYOR/PRESIDING COMMISSIONER TO PURSUE ACTIVITIES IN AN ATTEMPT TO SECURE FUNDING,** 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. 1850, 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. 1850 and was thereupon duly signed and approved by the Mayor and attested to by the City Clerk.

Call for a 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, and Section 610.021.14, RSMo. Motion was made by Councilwoman McVey and seconded by Councilman Johnson 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: McVey, Horton, Tinsley, Johnson, Fox, Crocker, DeGaris; 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 Massingham addressed the Council and stated the FY 2017 Budget is progressing slowing but he would like to get it to the Council for review at the end of November. He stated Airport Manager Mike Smith will be retiring at the end of this year and that position will be advertised in the next week or so.

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 7:39 p.m.

Respectfully submitted,

Pamela S. Kearbey

Pamela S. Kearbey
City Clerk

APPROVED BY THE CITY COUNCIL

OF THE CITY OFPOPLAR BLUFF,

MISSOURI, THIS 21st **DAY**

OF November**, 2016.**