

**MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
MONDAY, JANUARY 6, 2020**

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Monday, January 6, 2020.

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 Robert L. Smith at 7:00 p.m.

The invocation was given by Reverend Greg Gilberto of Northpoint Nazarene Church.

The Pledge of Allegiance was led by Mr. Richard Deason of Amvets Post No. 29

A roll call was as follows: Present: Parson, DeGaris, Horton, Cornman, Black, Davis, and Smith; Absent: None.

Also present were City Manager Mark Massingham and City Clerk Nevada J. Young 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.

Councilwoman Parson disclosed a possible conflict of interest with Workshop Item B.

CITIZENS INPUT

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

Mr. Spencer Jones, who gave his address as 903 North Garfield, Poplar Bluff, Missouri, appeared before the Council and discussed with them the recruitment of African American police officers and firefighters. He stated he spoke with a gentleman at the Missouri Department of Transportation regarding naming Business 60 from the courthouse to the intersection of Business 60/Business 67 after Dr. Martin Luther King, Jr.

City Manager Mark Massingham stated he spoke with Mr. David Wyman with MoDOT and he said the City Council could vote to change the name of Business 60 but on State records it would still officially be Business Highway 60. He stated the City would be responsible for changing the signage at all intersections. Mr. Massingham stated the second option would be for Special Legislation to be passed by the Missouri House to designate a section of Business Highway 60 as a memorial boulevard. He stated there would be a signs at each end of the thoroughfare the City would be required to purchase. He stated these memorial boulevards are normally set aside for members of the military but Mr. Wyman felt the legislature would probably be inclined to do it for Dr. King. He stated the last option would be for a group to Adopt-a-Highway in memory of Dr. Martin Luther King, Jr. which would require cleaning 4 times a year and the State

would take care of the signage. Mr. Massingham stated it will be officially designated Business Highway 60 regardless of which option is chosen.

Mr. Jones stated he appreciates the effort of the City regarding this item.

**WORKSHOP
ITEMS FOR
DISCUSSION**

**Local Use Tax
Ballot Proposition**

The City Council discussed the City of Poplar Bluff authorizing and directing the submission of a ballot proposition to the qualified voters of the City of Poplar Bluff, Missouri, to consider imposing a local use tax at the same rate as the local sales tax of the City of Poplar Bluff for purchases from Out-of-State vendors that exceed two thousand dollars at the general municipal election to be held in the City on April 7, 2020.

City Manager Massingham addressed the Council and stated this is the local use tax that would allow for the collection of sales tax on internet sales by the City. He stated he cannot stress enough how important this is for the City. He stated if approved by Council this item will be placed on the April 7, 2020 ballot.

Mr. Jim Chrisman, who gave his address as 464 N. Main Street, Poplar Bluff, Missouri, appeared before the Council. He expressed his concern for spending the money to place this item on the ballot when in his opinion it will more than likely be defeated again. He stated he believes the last time it was voted down because of the unpopular decision the Council made regarding the purchase of property.

Mr. Massingham stated the cost to place this on the ballot will be very little as we already have Council vacancies on the ballot.

Councilman Black stated he agrees with Mr. Chrisman that the property purchase did hurt the ballot initiative, but he doesn't believe the two should be grouped together. He stated this is desperately needed for the City and he hopes voters can separate the two issues.

Mayor Pro Tem Davis stated he knows this is an issue facing cities all across the State. He stated these tax revenues are legitimately needed to keep the City running.

Mr. Spencer Jones came before the Council and stated he feels the public needs to be educated and informed on the use tax. He stated he thinks most people just don't understand it.

After further discussion, motion was made by Councilwoman Parson, seconded by Councilman Black and carried to move this item to the voting session to be held January 21, 2020.

**Health, Dental &
Optical Insurance
Brokerage
Services**

The City Council discussed a recommendation from City Staff for brokerage services for health, dental and optical insurance.

City Manager Massingham stated a request for qualifications was sent out for insurance brokerage services. He stated a committee was formed including himself, Human Resources Director Tim Edington, Municipal Utilities General Manager Bill Bach and Internal Auditor Terri Leslie to review the qualifications. Mr. Massingham stated the committee interviewed five companies and they were all very good. He stated it was narrowed down to two companies, American Fidelity and Sonus. He stated the majority of the committee chose American Fidelity although they don't have a local representative. He stated Sonus does have a local representative.

Councilman Black stated he would like to have a local broker.

Mr. Jeff Qualls, who gave his address as 3663 McClane, Poplar Bluff, Missouri appeared before the Council. He stated his company is the incumbent broker for the City and did not bid since they had a contract and didn't feel the RFQ was structured in the best interest of the City. Mr. Qualls reviewed the City's insurance financials with the Council. He stated his company has done a good job and has saved the City over \$1.7 million. He stated a City employee posted something on Facebook that made him look like a liar and was damaging to his reputation and he has retained legal counsel regarding this matter. Mr. Qualls stated there were discrepancies in the payroll deductions and someone in administration used a different set of numbers and didn't give him the numbers. He stated he does believe it was an error and not done intentionally. Mr. Qualls stated unlabeled transfers were in and out of one of the accounts for the City's health plan. He stated he found discrepancies in the amounts of \$100,000, \$43,000 and \$4,500 and also \$99,000 in income not listed on revenue and expense reports.

City Manager stated there is a big difference in governmental accounting and normal accounting. He stated it is all accounted for and the auditors have been through it.

Mr. Qualls stated it is not.

Councilman Black stated Mr. Qualls seems to believe nothing is his fault and all the mistakes are on the City. He asked Mr. Massingham if Mr. Qualls has talked down to employees and actually made them cry.

City Manager Massingham stated yes, Mr. Qualls has made two female employees cry.

Mayor Pro Tem Davis asked Mr. Massingham what his recommendation is.

City Manager Massingham stated he will get the Council all the proposals and he recommends it be passed to the voting session January 21, 2020. He stated if the Council needs more time to review the proposals, it can be tabled at that meeting.

After further discussion, motion was made by Mayor Pro Tem Davis, seconded by Councilman Cornman and carried to move this item to the voting session to be held January 21, 2020. Councilwoman Parson abstained from the vote.

**Taxable Industrial
Revenue Bonds -
Briggs & Stratton**

The City Council discussed a resolution of official intent of the City Council of the City of Poplar Bluff, Missouri, for the issuance of the City's taxable industrial revenue bonds in an aggregate principal amount not to exceed \$28,900,000.00 to finance a project for the benefit of Briggs and Stratton Corporation; and authorizing certain actions relating thereto.

City Manager Massingham addressed the Council and stated these incentives are to keep Briggs and Stratton in Poplar Bluff and move it's Murray, Kentucky operations here. He stated we kept 500 jobs and will be gaining 350 - plus jobs. He stated other entities gave Briggs & Stratton incentives as well.

Ms. Angela Oldham of Armstrong and Teasdale Law Firm appeared before the Council and stated they will be representing the City regarding these Chapter 100 Industrial Revenue Bonds. She stated all the taxing districts need to be notified of the tax changes. She stated Council authorization in the form of a resolution is needed to proceed. Ms. Oldham stated Briggs and Stratton will responsible to pay the bonds off and cover all costs.

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

**ACTION
REQUIRED
ITEMS**

**Residential
Housing Advisory
Board Revision of
Composition**

The City Council took action on an ordinance revising board composition for the Residential Housing Advisory Board. Motion was made by Mayor Pro Tem Davis, seconded by Councilman DeGaris that Bill No. 8200, **AN ORDINANCE AMENDING THE CITY OF POPLAR BLUFF, MISSOURI, CODE OF CITY ORDINANCES, ORDINANCE NUMBER 7855 RELATING TO THE COMPOSITION OF THE RESIDENTIAL HOUSING ADVISORY BOARD**, 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 DeGaris and seconded by Councilwoman Parson that Bill No. 8200 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 Smith asked if there was any discussion of this bill. There being no discussion, motion was made by Mayor Pro Tem Davis and seconded by Councilman Black that Bill No. 8200 be adopted. A roll call vote was as follows: Yes: DeGaris, Horton, Cornman, Black, Parson, Davis, Smith; 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. 20 - 01.

**Rezoning of
Property Located
at 462 N. Main
Street**

The City Council took action on an ordinance to rezone property located at 462 N. Main Street from RD-1 Residential Duplex to O-1 Office Professional to operate an attorney's office. The applicant is Theodore E. Liszewski, Liszewski Law Firm. Motion was made by Councilman Black, seconded by Councilman DeGaris that Bill No. 8201, **AN ORDINANCE REZONING PROPERTIES LOCATED AT 462 N. MAIN STREET IN 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 Mayor Pro Tem Davis and seconded by Councilman DeGaris that Bill No. 8201 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 Smith asked if there was any discussion of this bill. There being no discussion, motion was made by Councilman Black and seconded by Mayor Pro Tem Davis that Bill No. 8201 be adopted. A roll call vote was as follows: Yes: Horton, Cornman, Black, Parson, DeGaris, Davis, Smith; 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. 20 - 02.

**Taxable Industrial
Revenue Bonds -
Briggs & Stratton**

The City Council took action on a resolution for the issuance of the City's taxable industrial revenue bonds in an aggregate principal amount not to exceed \$28,900,000.00 to finance a project for the benefit of Briggs and Stratton Corporation; and authorizing certain actions relating thereto. Motion was made by Mayor Pro Tem Davis and seconded by Councilman Black, that Resolution No. 1914, **A RESOLUTION OF OFFICIAL INTENT OF THE CITY COUNCIL OF THE CITY OF POPLAR BLUFF, MISSOURI, FOR THE ISSUANCE OF THE CITY'S TAXABLE INDUSTRIAL REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$28,900,000 TO FINANCE A PROJECT FOR THE BENEFIT OF BRIGGS AND STRATTON CORPORATION; AND AUTHORIZING CERTAIN ACTIONS RELATING THERETO**, 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 Smith asked if there was any discussion of this resolution. There being none, motion was made by Councilman Black and seconded by Councilman DeGaris that Resolution No. 1914 be adopted. A roll call vote was as follows: Yes: Cornman, Black, Parson, DeGaris, Horton, Davis, Smith; 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. 1914 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 Councilman Black and seconded by Mayor Pro Tem Davis 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, DeGaris, Horton, Cornman, Black, Davis, Smith; 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 he would like to have the City Attorney give a presentation on annexations and annexation laws. He stated when Mr. Richardson returns from vacation he hopes to have it presented possibly the first meeting in February.

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

Mayor Smith declared the meeting adjourned at 8:00 p.m.

Respectfully submitted,



Nevada J. Young
City Clerk

APPROVED BY THE CITY COUNCIL

OF THE CITY OF POPLAR BLUFF,

MISSOURI, THIS 18th DAY

OF February, 2020.