

**MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
TUESDAY, JANUARY 21, 2020**

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Tuesday, January 21, 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 Branden Freeland of Twin Rivers General Baptist Church.

The Pledge of Allegiance was led by Mayor Smith.

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

Also present were City Manager Mark Massingham, City Attorney Mark Richardson 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 D and Voting Item DD. Councilman Black disclosed a possible conflict of interest with Workshop Item C and Voting Item CC.

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. Chester Pumphrey, who gave his address as 1119 Spring Street, Poplar Bluff, Missouri, appeared before the Council. He played a recording of him speaking and the recording said a meeting of the City Council candidates will be held January 31, 2020 at 6:00 p.m. at Pizza Inn. In the recording Mr. Pumphrey also expressed his concern regarding the amount of time citizens have to speak during the citizens input portion of the Council meetings.

CONSENT AGENDA

Approval of Minutes for the Month of December, 2019

The minutes of the City Council meetings held December 2, 2019, December 10, 2019 and December 16, 2019 were presented to the City Council for their approval. He played a recording of him speaking which stated there will be a meeting of the City Council candidates on January 31, 2020 at 6:00 p.m. at Pizza Inn. The recording also stated his concern regarding time limits for citizens to speak at Council meetings.

CITY CLERK'S REPORT

Reports on Fund Balances, Investments & Collections as of

The City Clerk reported that each Councilperson had before them a report on fund balances, investments and collections as of December 31, 2019. She reported on funds on deposit in the Commerce Bank in the amount of \$3,452,387.98; in the

December 31, 2019 Peoples Community State Bank \$568,033.79; in the First Midwest Bank \$21,702,348.28; in Sterling Bank \$47,178.76 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 \$26,769,948.81. She stated of this amount, total funds on deposit for the account of City Hall is \$6,743,003.34, total amount on deposit for the Coliseum is \$47,178.76, total amount on deposit for the Park Department accounts is \$679,512.56 and total funds on deposit for the account of the Municipal Utilities Department is \$19,300,254.15.

The City Clerk reported that each member of the City Council had before them the following reports for the month of December, 2019: 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/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, 2019.

After discussion, motion was made by Councilman DeGaris, seconded by Councilman Black and carried to approve the consent agenda as presented.

Motion was made by Mayor Pro Tem Davis, seconded by Councilman Black and carried to put the Police Union Contract that had been previously tabled back on tonight's Workshop Session as Item F.

**WORKSHOP
ITEMS FOR
DISCUSSION**

**Municipal Court
Judge
Reappointment**

The City Council discussed reappointing Dean Million as Municipal Court Judge.

City Manager Massingham addressed the Council and stated this position is one of three appointed by the Council and is done every two years. He stated the recommendation is to reappoint Dean Mission as Municipal Court Judge.

After further discussion, motion was made by Mayor Pro Tem Davis, seconded by Councilman DeGaris and carried to move this item to the voting session to be held February 3, 2020.

**Zoning Designation
Shelby Road Right-
of-Way**

The City Council discussed a recommendation from the Planning and Zoning Commission for the proposed zoning designation of C-2 General Commercial for property to be annexed at Shelby Road right-of-way down to the west side of Business 67 right-of-way (Westwood Boulevard). The property owner is the City of Poplar Bluff.

Mr. Matt Winters, City Planner appeared before the Council and stated the Planning and Zoning Commission recommends this property be designated as C-2 General Commercial for future commercial development.

After further discussion, motion was made by Councilman Black, seconded by Councilwoman Parson to pass this item to the voting session to be held tonight.

**Zoning Designation
3547 North
Westwood Blvd.**

The City Council discussed a recommendation from the Planning and Zoning Commission for the proposed zoning designation of RS-1 Rural Residential for property to be annexed at 3547 North Westwood Boulevard. The property owner is Fellowship General Baptist Church.

At this time, Councilman Black excused himself from the room.

Mr. Winters addressed the Council and stated the Planning and Zoning

Commission recommends this property be designated as RS-1 Rural Residential as requested by the property owner.

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

Councilman Black rejoined the meeting.

At this time, Councilwoman Parson excused herself from the room.

**Insurance
Brokerage Services**

The City Council will discuss a recommendation from City Staff for brokerage services for Health, Dental and Optical Insurance.

City Manager Massingham addressed the Council and stated this was workshopped at the last meeting and is back on the agenda tonight. He stated the Committee formed to review the proposals recommended American Fidelity out of Oklahoma City with the nearest representative in St. Louis. He stated there was concern from the Council with not having someone local. Mr. Massingham stated the Committee's second choice was Sonus out of St. Louis with a local representative. He stated there is a representative from Sonus here tonight as well as a local agency, First Choice Insurance.

Mr. Matthews Phillips, with First Choice Insurance, who gave his address as 213 Puhicah, Puxico, Missouri, appeared before the Council. He stated he feels it is important to keep the brokerage services local. Mr. Phillips stated he thinks its best overall to keep the broker local and even if he didn't get the contract he would rather see his competitors get it than it go out of town.

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

Councilwoman Parson rejoined the meeting.

**Grant
Administration
Agreement with
Ozark Foothills
Regional Planning
Commission**

The City Council discussed a request to enter into an agreement with Ozark Foothills Regional Planning Commission to prepare a proposed grant application for the 2020 MDNR Land and Water Conservation Fund (LWCF) grant cycle.

Mr. Lanny Corcimiglia, Parks and Recreation Director, appeared before the Council and stated this agreement is to allow Ozark Foothills Regional Planning Commission to administer the grant. He stated if awarded, they will be able to make improvements to two City parks.

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

The City Council discussed the Police Union contract.

City Manager Massingham stated this item was tabled several meetings ago. He stated the Council has received a copy of the contract and this simply needs to be moved to the voting session to be held February 3, 2020.

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 February 3, 2020.

ACTION
REQUIRED ITEMS

Ballot Proposition
April 7, 2020

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, 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. Motion was made by Councilman DeGaris, seconded by Councilman Black that Bill No. 8202, **AN ORDINANCE IMPOSING A USE TAX FOR GENERAL REVENUE PURPOSES AT THE RATE OF TWO AND ONE FOURTH PERCENT (2.25%) PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTIONS 144.600 THROUGH 144.761 RSMO; PROVIDING FOR THE USE TAX TO BE REPEALED, REDUCED OR RAISED IN THE SAME AMOUNT AS ANY CITY SALES TAX IS REPEALED, REDUCED OR RAISED; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY OF POPLAR BLUFF FOR THEIR APPROVAL AT THE PRIMARY ELECTION CALLED AND TO BE HELD IN THE CITY ON APRIL 7, 2020**, 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 Councilman Black that Bill No. 8202 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 Councilwoman Parson that Bill No. 8202 be adopted. A roll call vote was as follows: Yes: Parson, DeGaris, Horton, Cornman, Black, 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 - 03.

Shelby Road Right-of-Way Annexation

The City Council took action on an ordinance with respect to the annexation petition of the Shelby Road right-of-way from the south side of existing Highway PP right-of-way down to the west side of existing Business 67 right-of-way (Westwood). Motion was made by Mayor Pro Tem Davis, seconded by Councilman Black that Bill No. 8203, **AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF POPLAR BLUFF, MISSOURI, SUCH PROPERTY BEING DESCRIBED AS SHELBY ROAD RIGHT-OF-WAY FROM THE SOUTH SIDE OF PP HIGHWAY TO THE WEST SIDE OF BUSINESS HIGHWAY 67 AND OWNED BY 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 Councilman DeGaris and seconded by Councilman Black that Bill No. 8203 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. 8203 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 - 04.

At this time, Councilman Black excused himself from the room.

3547 North

The City Council took action on an ordinance with respect to the annexation of a

**Westwood Blvd.
Annexation**

certain unincorporated area to the City of Poplar Bluff, such property being located at 3547 N. Westwood and owned by Fellowship General Baptist Church. Motion was made by Mayor Pro Tem Davis, seconded by Councilwoman Horton that Bill No. 8204, **AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF POPLAR BLUFF, MISSOURI, SUCH PROPERTY BEING LOCATED AT 3547 NORTH WESTWOOD BOULEVARD AND OWNED BY THE FELLOWSHIP GENERAL BAPTIST CHURCH**, 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 Mayor Pro Tem Davis that Bill No. 8203 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 Councilwoman Parson that Bill No. 8203 be adopted. A roll call vote was as follows: Yes: Horton, Cornman, Parson, DeGaris, Davis, Smith; No: None; Absent: None; Abstained: Black. There being a favorable vote the Mayor thereupon declared such ordinance duly adopted and the bill was thereupon duly numbered Ordinance No. 20 - 05.

Councilman Black rejoined the meeting.

At this time, Councilwoman Parson excused herself from the room.

**Insurance
Brokerage Services**

The City Council took action on an ordinance with respect to selecting a brokerage service for Health, Dental and Optical Insurance. Motion was made by Councilman Black, seconded by Councilman Cornman that Bill No. 8204, **AN ORDINANCE SELECTING A BROKERAGE SERVICE FOR THE HEALTH, DENTAL AND OPTICAL INSURANCE PROGRAM 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 Councilman DeGaris and seconded by Mayor Pro Tem Davis that Bill No. 8204 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 DeGaris and seconded by Councilman Cornman that Bill No. 8204 be adopted. A roll call vote was as follows: Yes: Cornman, Black, DeGaris, Horton, Davis, Smith; No: None; Absent: None; Abstained: Parson. There being a favorable vote the Mayor thereupon declared such ordinance duly adopted and the bill was thereupon duly numbered Ordinance No. 20 - 06.

Councilwoman Parson rejoined the meeting.

**2020 MDNR LWCF
Grant Application**

The City Council took action on a resolution relative to the City's submission of an application for the 2020 MDNR Land and Water Conservation Fund (LWCF) grant cycle. Motion was made by Councilman DeGaris and seconded by Councilwoman Horton, that Resolution No. 1915, **A RESOLUTION OF THE CITY OF POPLAR BLUFF, MISSOURI, AUTHORIZING THE PARKS AND RECREATION DEPARTMENT TO APPLY FOR FUNDING FROM THE MISSOURI DEPARTMENT OF NATURAL RESOURCES LAND AND WATER CONSERVATION FUND, FOR THE SELECTION OF OZARK FOOTHILLS REGIONAL PLANNING COMMISSION FOR PROFESSIONAL SERVICES RELATIVE TO THE GRANT APPLICATION, AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS 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 Mayor Pro Tem Davis and seconded by Councilwoman Parson that Resolution No. 1915 be adopted. A roll call vote was as follows: Yes: Parson, DeGaris, Horton, Cornman, Black, 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. 1915 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 Councilwoman Parson 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.

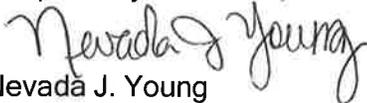
City Manager's Report

City Manager Massingham addressed the Council and gave an update on the Highway 67 Project. He stated the project has been awarded grants funds in the total amount of \$20,000,000. He stated that will take care of the first four miles from the interchange at Highway 160 going south on Highway 67. Mr. Massingham stated an environmental study is required for the project. He stated a special meeting of the City Council may need to be held to select an engineer in order to meet the grant timeline. Mr. Massingham stated the City's portion will be paid from the Highway 67 tax that was passed by the voters last August.

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

Mayor Smith declared the meeting adjourned at 7:35 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.**