

**MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
TUESDAY, FEBRUARY 18, 2020**

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Tuesday, February 18, 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 Pastor Curtis Hunter of New Covenant Fellowship Church.

The Pledge of Allegiance was led by Boy Scout Troop #166.

A roll call was as follows: Present: Parson, DeGaris, Horton, Cornman, Black, Smith; Absent: Davis.

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.

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. Jim Chrisman, who gave his address as 464 N. Main Street, Poplar Bluff, Missouri, appeared before the Council. He expressed his concern with the purchase of property on Shelby Road for the new Police Station. He stated this is commercial real estate that will be taken off the tax rolls. He asked where the valuation of over \$1,000,000 of the property came from. Mr. Chrisman stated the appraisal is five years old and includes the property the road was constructed on. He stated he believes the Police Station should be built on property already owned by the City and the citizens should have a vote on it.

Mr. Michael Barrett, who gave his address as 1415 N. 5th Street, Poplar Bluff, Missouri, appeared before the Council. He expressed his concern with crime and violence in his neighborhood. He stated he believes the Police Department is short staffed and he would like a stronger police presence in his neighborhood.

Mayor Smith thanked Mr. Barrett for his time and stated Police Chief Danny Whiteley has agreed to meet with some concerned citizens from the area and discuss this issue.

**CONSENT
AGENDA**

The minutes of the City Council meetings held December 16, 2019, January 6, 2020, January 21, 2020 and January 29, 2020 were presented to the City Council for their approval.

**Approval of
Minutes for
the Month of
January, 2020**

The City Clerk reported that each Councilperson had before them a report on fund balances, investments and collections as of January 31, 2020. She reported on funds on deposit in the Commerce Bank in the amount of \$3,985,639.59; in the Peoples Community State Bank \$568,058.03; in the First Midwest Bank \$22,389,772.71; in Sterling Bank \$50,277.50 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 \$27,993,747.83. She stated of this amount, total funds on deposit for the account of City Hall is \$7,324,313.29, total amount on deposit for the Coliseum is \$50,277.48, total amount on deposit for the Park Department accounts is \$716,329.07 and total funds on deposit for the account of the Municipal Utilities Department is \$19,902,827.94.

**CITY CLERK'S
REPORT**

**Reports on Fund
Balances,
Investments &
Collections as of
January 31, 2020**

The City Clerk reported that each member of the City Council had before them the following reports for the month of January, 2020: 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 January, 2020.

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

**WORKSHOP
ITEMS FOR
DISCUSSION**

The City Council discussed a petition for annexation from Scoore, LLC of 900 North Street. The property, approximately 9.64 acres m/l, is located south of Kanell Boulevard, east of Highway 67 bypass, north of Roxie Road and immediately west of Woodland Hills Subdivision.

**Annexation of
Property**

Mr. Matt Winters, City Planner, appeared before the Council and stated this property is behind New Covenant Fellowship Church. He stated Americare is considering building a nursing home and senior duplex apartments on this parcel of land.

Mr. Neal Slattery with Americare Senior Living, 3300 Bluff Creek Drive, Columbia, Missouri, appeared before the Council and stated their plans are for a 30-unit independent living center as well as some smaller cottages. He reviewed the plans for the facility with the Council along with various services that will be offered to residents.

After further discussion, motion was made by Councilman DeGaris, seconded by Councilman Black and carried to move this item to the voting session to be held March 2, 2020.

**Shelby Road
Property
Acquisition
Financing**

The City Council considered a recommendation for the financing of the Shelby Road property acquisition.

City Manager Mark Massingham addressed the Council and stated requests for proposals for the purchase of the property to all the banks in town. He stated two proposals were received, from Commerce Bank and 1st Midwest Bank. He stated Commerce Bank offered an interest rate of 2.16 percent while 1st Midwest Bank offered 3.65 percent. He stated he originally recommended Commerce Bank but

there is a pre-payment clause in their proposal of up to three percent of the loan if it is paid off early. Mr. Massingham stated we are working on certificates of participation which would eventually pay for the property and construction of the Police Department and once those were done the loan would be paid off which could result in a \$30,000 penalty. He stated because of this reason, he now recommends accepting the proposal from 1st Midwest Bank.

Motion was made by Councilman Black and seconded by Councilman Cornman to move this item to the voting session to be held tonight.

Mr. Robert Durbin, who gave his address as 1609 North 13th Street, Poplar Bluff, Missouri, appeared before the Council and expressed his concern regarding the property purchase. He asked the Council to reconsider purchasing the Shelby Road property.

Mr. Robert Duckett, who gave his address as 2317 Pike Street, Poplar Bluff, Missouri, appeared before the Council and asked the Council to consider their vote wisely regarding this purchase of property.

Mr. Tim Funke, who gave his address as 341 Woodland Hills, Poplar Bluff, Missouri, appeared before the Council and expressed his concern with the purchase of the Shelby Road property. He asked that this decision be delayed 60 days until after the Council election.

Councilman Black stated there is a big difference in the appraisal of the property and the purchase price.

City Manager Massingham stated the appraisal is \$4,300,000 and the sale price is \$1,000,050.

Mr. Jim Chrisman appeared before the Council and stated the appraisal was done to purchase the road and not done on the entire property which includes the lowlands that do not have much value. He stated the Assessor has the appraised value at \$1,600 and the \$4,300,000 appraisal is invalid.

Mr. Durbin stated he doesn't believe the property is worth even the purchase price of \$1,000,050.

The previous motion made and seconded to move this item to the voting session to be held tonight with the recommendation of the City Manager carried unanimously.

**Architectural
Services for the
Proposed Police
Station**

The City Council considered a recommendation for architectural services for the proposed Police Station building.

City Manager Massingham stated seven bids were received in response to the request for qualifications for architectural services for the new Police Station and 911 Center. He stated one firm did not provide the required prerequisite information and was disqualified. He stated the remaining six firms were rated on police station expertise, project understanding and record of performance. He stated a committee of Police Chief Danny Whiteley, Deputy Police Chief Mike McClain, City Planner Matt Winters and himself was formed and they scored the firms separately. Mr. Massingham stated three firms scored substantially higher than the rest and were chosen for interviews. He stated it was a unanimous decision of the committee that Police Facility Design Group out of Kansas City Missouri, has the best qualifications as they specialize in police stations and have

designed over 300 in several states. Mr. Massingham stated he would like to begin fee and contract negotiations with Police Facility Design Group and if terms can't be reached then we would move on to the second highest rated firm, FGM. He stated after negotiations are completed with the firm, he would like to place it on the March 2, 2020 workshop session to allow them to give a presentation and also allow for citizen input and it would go to the voting session March 16, 2020.

After further discussion, motion was made by Councilman Black, seconded by Councilman Cornman and carried to move this item to the workshop session to be held March 2, 2020.

ACTION
REQUIRED ITEMS

**Mow to Own
Program**

The City Council took action on an ordinance for the "Mow to Own" program. Motion was made by Councilman DeGaris, seconded by Councilman Black that Bill No. 8209, **AN ORDINANCE CREATING A "MOW TO OWN" 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 Black and seconded by Councilwoman Horton that Bill No. 8209 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 Councilman DeGaris that Bill No. 8209 be adopted. A roll call vote was as follows: Yes: Parson, DeGaris, Horton, Cornman, Black, Smith; No: None; Absent: Davis; 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 - 09.

**Annual Net
Metering
Disclosure**

The City Council took action on an ordinance with respect to the Municipal Utilities annual net metering disclosure. Motion was made by Councilman Black, seconded by Councilman DeGaris that Bill No. 8210, **AN ORDINANCE APPROVING AND ADOPTING AN ANNUAL NET METERING REPORT FOR THE CITY OF POPLAR BLUFF MUNICIPAL UTILITIES 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 DeGaris and seconded by Councilman Black that Bill No. 8210 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 Councilman DeGaris that Bill No. 8210 be adopted. A roll call vote was as follows: Yes: DeGaris, Horton, Cornman, Black, Parson, Smith; No: None; Absent: Davis; 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 - 10.

**Agreement with the
Department of
Conservation**

The City Council took action on an ordinance authorizing the Mayor to enter into an agreement between the City of Poplar Bluff and the Department of Conservation concerning Sportsman's Park. Motion was made by Councilman DeGaris, seconded by Councilwoman Horton that Bill No. 8211, **AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF POPLAR BLUFF, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POPLAR BLUFF AND THE MISSOURI DEPARTMENT OF CONSERVATION REGARDING MAINTENANCE OF SPORTSMAN PARK IN 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 Black and seconded by Councilman Cornman that Bill No.

8211 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 Councilwoman Horton that Bill No. 8211 be adopted. A roll call vote was as follows: Yes: Horton, Cornman, Black, Parson, DeGaris, Smith; No: None; Absent: Davis; 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 - 11.

**Professional
Consultant
Services for the
Aviation Grant
Project 20-075A-1**

The City Council took action on an ordinance with respect to the selection of professional consultant services for the Aviation Grant Project 20-075A-1. Motion was made by Councilman Black, seconded by Councilman DeGaris that Bill No. 8212, **AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF POPLAR BLUFF, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POPLAR BLUFF AND S.H. SMITH AND COMPANY FOR PLANNING CONSULTANT SERVICES FOR THE POPLAR BLUFF AIRPORT, AVIATION PROJECT 20-075A-1**, 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. 8212 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 Councilman DeGaris that Bill No. 8212 be adopted. A roll call vote was as follows: Yes: Cornman, Black, Parson, DeGaris, Horton, Smith; No: None; Absent: Davis; 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 - 12.

**Shelby Road
Property
Acquisition
Financing**

The City Council took action on an ordinance accepting a financing proposal for the Shelby Road land acquisition. Motion was made by Councilman Black, seconded by Councilman Cornman that Bill No. 8213, **AN ORDINANCE ACCEPTING A PROPOSAL FOR FINANCING OF THE SHELBY ROAD REAL ESTATE ACQUISITION PROJECT FROM 1ST MIDWEST BANK OF POPLAR BLUFF RELATING TO THE POPLAR BLUFF POLICE DEPARTMENT PROJECT**, be read for the first time by caption only.

City Attorney Mark Richardson stated the ordinance was prepared according to the initial recommendation which was Commerce Bank. He stated he will re-draft the ordinance with the new recommendation of 1st Midwest Bank and will read the ordinance tonight to include 1st Midwest Bank as well.

Mr. Jim Chrisman addressed the Council and stated this should be postponed as the correct ordinance was not provided to the Council or the public.

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 Cornman and seconded by Councilwoman Parson that Bill No. 8213 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 Councilman Cornman that Bill No. 8213 be adopted. A roll call vote was as follows: Yes: Black, Parson, Horton, Cornman; No: DeGaris, Smith; Absent: Davis; 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 - 13.

**Residential
Housing Advisory
Board
Appointments**

The City Council took action on a resolution appointing a citizen representative and a realtor representative to the Residential Housing Advisory Board. Motion was made by Councilman DeGaris and seconded by Councilwoman Parson, that Resolution No. 1917, **A RESOLUTION OF THE CITY OF POPLAR BLUFF, MISSOURI, MAKING APPOINTMENTS TO THE RESIDENTIAL HOUSING BOARD**, 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 Councilwoman Parson that Resolution No. 1917 be adopted. A roll call vote was as follows: Yes: Parson, DeGaris, Horton, Cornman, Black, Smith; No: None; Absent: Davis; Abstained: None. There being a favorable vote the Mayor thereupon declared such resolution duly adopted and was thereupon duly numbered Resolution No. 1917 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 Councilman DeGaris 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, Smith; No: None; Absent: Davis; 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 Valentine's for Veterans concert at the Black River Coliseum was very well attended last Friday night. He stated he spoke to Fire Chief Ralph Stucker today and he is doing well but will be out for a while. Mr. Massingham stated he will be appointing a captain or battalion chief as Interim Fire Chief during Chief Stucker's absence.

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

Mayor Smith declared the meeting adjourned at 8:13 p.m.

Respectfully submitted,


Nevada J. Young
City Clerk

APPROVED BY THE CITY COUNCIL

OF THE CITY OF POPLAR BLUFF,

MISSOURI, THIS 16th DAY

OF March, 2020.