

**MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
MONDAY, MARCH 2, 2020**

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Monday, March 2, 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 Minister Adam Noles of the Green Forest Church of Christ.

The Pledge of Allegiance was led by Mr. Ralph Innes of the VFW Post #6477.

A roll call was as follows: Present: Parson, DeGaris, Horton, Cornman, Black, Davis, and 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 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. Robert Durbin, who gave his address as 1609 N. 13th Street, Poplar Bluff, Missouri, appeared before the Council. He stated it appears to him the job qualifications for the opening for the Downtown Poplar Bluff, Inc. Executive Director's position were written specifically with someone in mind. He stated that is the perception people have of City government. Mr. Durbin stated the information put out about the upcoming use tax election seems to be threatening stating services may be cut if it does not pass. Mr. Durbin expressed his concern regarding the purchase of property on Shelby Road for the location of the new Police Station.

Mr. Spencer Jones, who gave his address as 903 Garfield, Poplar Bluff, Missouri, appeared before the Council. He stated he has been in contact with the Missouri Department of Transportation regarding the designation of Dr. Martin Luther King, Jr. Road. He stated he is in support of the use tax and feels education is needed for the voters to fully understand it.

City Manager Mark Massingham stated he would like to thank Mr. Jones for his support on the use tax. He stated he also is continuing to work with the Missouri Department of Transportation regarding the designation of a Dr. Martin Luther King, Jr. thoroughfare.

Councilman Ron Black stated he would like to clarify that the information put out to the public regarding services being cut if the use tax does not pass was not intended to be a threat.

Mr. Massingham stated there is a \$283,000 deficit in the budget this year. He stated there are essential services that have to be provided for citizens such as police protection, fire protection and the maintenance of streets. He stated there are non-essential services that are nice and do bring tax revenue to the City but with the deficit budget may have to be cut if the use tax does not pass.

**WORKSHOP
ITEMS FOR
DISCUSSION**

**Architectural
Services for the
Proposed Police
Station Building**

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

City Manager Massingham addressed the Council and stated the committee formed to review firms for architectural services for the new Police Station selected Police Facility Design Group. He stated representatives with Police Facility Design Group are here to give a presentation regarding their services.

Mr. James Estes, President of Police Facility Design Group, appeared before the Council and gave a slide show presentation relative to services provided by his firm. His presentation included information about Police Facility Design Group, examples of law enforcement buildings designed by them, information on officer and public safety in the building, quality assurance and control and various other items.

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

**Short Term Loan
Agreement for the
Acquisition of
Property**

The City Council discussed a recommendation authorizing the Mayor to enter into a loan agreement with First Midwest Bank of Poplar Bluff for a short term loan for the acquisition of the real estate along Shelby Road in Poplar Bluff for the construction of a Police Station; authorizing the Mayor to execute all documents necessary and appropriate to secure the loan from First Midwest Bank, and further to execute all documents necessary and appropriate acquire said property by partial gift and purchase from First Missouri State Bank of Poplar Bluff.

City Manager Massingham addressed the Council and stated an ordinance was passed at the last meeting for a lease purchase agreement and the ordinance needs to be changed to reflect a direct loan to match the loan documents.

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

**Option and Lease
Agreement with
New Cingular
Wireless PCS,
LLC**

The City Council discussed a recommendation from the Municipal Utilities Advisory Board regarding an Option and Lease Agreement between the City of Poplar Bluff and New Cingular Wireless PCS, LLC.

Mr. Bill Bach, Municipal Utilities General Manager, appeared before the Council and stated this proposed lease is for 3,600 square feet of property located on the north side of County Road 550 for the purpose of installing, operating and maintaining a communication facility and other improvements. He stated the initial lease will be for five years with the option of three successive automatic five-year options to renew. Mr. Bach stated the tenant will pay \$1,000 within ninety days of the effective lease date and \$700 monthly on the first day of the month following construction with a 7.5

percent increase if the five-year agreements is renewed. He stated this was discussed at the Municipal Utilities Advisory Board meeting and is recommended for Council approval.

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 March 16, 2020.

Police Union Contract

The City Council considered a proposal for the Police Union Contract.

City Manager Massingham addressed the Council and stated the contract now reflects the correction relative to dependent care insurance and retiree insurance to correspond with the City ordinance. Mr. Massingham stated new employees hired after August 31, 2019 will be responsible for 100 percent of the premium for dependent care coverage and those hired after August 31, 2019 will not receive retiree insurance paid for by the City. He stated the contract also states should these benefits be reinstated by ordinance the agreement will automatically be amended to reflect this.

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 March 16, 2020.

Channon Drive Conveyance of Right-of-Way

The City Council discussed a recommendation to abandon certain Right-of-Way on a portion of the old Channon Drive, and accepting a conveyance of a new Right-of-Way for Channon Drive at the intersection of Channon Drive and Barron Road in the City of Poplar Bluff.

City Manager Massingham addressed the Council and stated there were drainage issues at Channon Drive and Barron Road and it was also a very dangerous intersection. He stated property was swapped with Westside Church of God for the relocation of the intersection and it is currently much safer.

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

ACTION REQUIRED ITEMS

Short Term Loan Agreement for the Acquisition of Property

The City Council took action on an ordinance authorizing the Mayor to enter into a loan agreement with First Midwest Bank of Poplar Bluff for a short term loan for the acquisition of the real estate along Shelby Road in Poplar Bluff for the construction of a police station; authorizing the Mayor to execute all documents necessary and appropriate to secure the loan from First Midwest Bank, and further to execute all documents necessary and appropriate to acquire said property by partial gift and purchase from First Missouri State Bank of Poplar Bluff. Motion was made by Councilman Black, seconded by Mayor Pro Tem Davis that Bill No. 8214, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH FIRST MIDWEST BANK OF POPLAR BLUFF FOR A SHORT TERM LOAN FOR THE ACQUISITION OF THE REAL ESTATE ALONG SHELBY ROAD IN POPLAR BLUFF FOR THE CONSTRUCTION OF A POLICE STATION; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND APPROPRIATE TO SECURE THE LOAN FROM FIRST MIDWEST BANK; AND FURTHER AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND APPROPRIATE TO ACQUIRE SAID PROPERTY BY PARTIAL GIFT AND PURCHASE FROM FIRST MISSOURI STATE BANK 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 Mayor Pro Tem Davis and seconded by Councilman DeGaris that Bill

No. 8214 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. 8214 be adopted. A roll call vote was as follows: Yes: Horton, Cornman, Black, Parson, Davis; No: DeGaris, Smith; 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 - 14.

**Channon Drive
Conveyance of
Right-of-Way**

The City Council took action on an ordinance abandoning certain Right-of-Way on a portion of the old Channon Drive, and accepting a conveyance of a new Right-of-Way for Channon Drive at the intersection of Channon Drive and Barron Road in the City of Poplar Bluff. Motion was made by Mayor Pro Tem Davis, seconded by Councilman DeGaris that Bill No. 8215, **AN ORDINANCE RE-ALIGNING A PORTION OF CHANNON DRIVE IN POPLAR BLUFF BY ABANDONING AN EXISTING RIGHT-OF-WAY AND ACCEPTING A NEW RIGHT-OF-WAY FROM THE WESTSIDE CHURCH OF GOD AT 2807 CHANNON DRIVE 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 Councilman DeGaris and seconded by Councilwoman Horton that Bill No. 8215 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. 8215 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 - 15.

**Petition of
Annexation for
Property Located
at 3392 Kanell
Blvd.**

The City Council took action on a resolution with respect to the annexation of a certain unincorporated area to the City of Poplar Bluff, such property being located at 3392 Kanell Blvd. and owned by Scoore, LLC. Motion was made by Councilman DeGaris and seconded by Mayor Pro Tem Davis, that Resolution No. 1918, **A RESOLUTION WITH RESPECT TO THE ANNEXATION OF A CERTAIN UNINCORPORATED AREA TO THE CITY OF POPLAR BLUFF, MISSOURI, SUCH PROPERTY BEING LOCATED AT 3392 KANELL BOULEVARD AND OWNED BY SCOORE, LLC**, 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 Councilman Black that Resolution No. 1918 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. 1918 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 stated this weekend is the Bulls and Bands events at the Coliseum. He encouraged everyone to attend. Mr. Massingham stated the bid for the bridge over the tunnel under Broadway and Main Street came in at around \$230,000 which was about \$100,00 more than expected. He stated the Street Department hauled dirt in that was donated and filled in the tunnel and made it level with Broadway and put gravel down. He stated it will be gravel for about a year to allow it to settle then we hope to overlay the street from Business 60 to Main. He stated the Main Street side is not in as bad of condition but the same will be done there eventually. Mr. Massingham stated the only money the City spent on this project was for labor, gravel, fuel and equipment costs. His stated this saved the City an enormous amount of money and he would like to express his appreciation to the Street Department.

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 8:25 p.m.

Respectfully submitted,


Nevada J. Young
City Clerk

APPROVED BY THE CITY COUNCIL

OF THE CITY OF POPLAR BLUFF,

MISSOURI, THIS 4th DAY

OF May, 2020.