

**MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
MONDAY, MARCH 16, 2020**

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Monday, March 16, 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 Councilman Ron Black.

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.

**PRESENTATION
OF
PROCLAMATION**

Mayor Robert L. Smith presented a proclamation to Ms. Judy Cantoni, representative of the U.S. Census 2020 proclaiming April 1, 2020 as Census Day.

**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.

Mrs. Rhonda Hillis, who gave her address as 366 College Street, Poplar Bluff, Missouri, appeared before the Council. She expressed her concern with the lack of safety in her neighborhood. She stated there is a lot of traffic at night, fights, loitering and people asking for money and rides. She stated she has been in contact with Chief of Police Danny Whiteley and he is aware of the problem. Mrs. Hillis asked what can be done to keep the residents in this area safe.

City Manager Mark Massingham stated he will contact Chief Whiteley regarding this matter.

Mr. Chester Pumphrey, who gave his address as 1119 Spring Street, Poplar Bluff, Missouri, appeared before the Council. He expressed his concern regarding misreporting in the newspaper that he owned 421 Valley. He stated this was reported as uninhabitable and the location of a man's death. Mr. Pumphrey stated he does not own the property located at 421 Valley. He stated the Daily American Republic did print a retraction on the error.

Mr. Jim Chrisman, who gave his address as 464 North Main Street, Poplar Bluff, Missouri, appeared before the Council. He expressed his concern with the public not being able to view or comment on voting items prior to them being presented. Mr. Chrisman stated it is intimidating to have no less than six police officers in attendance to those who are opposing the location of the proposed new Police Station.

**CONSENT
AGENDA**

The minutes of the City Council meetings held February 3, 2020 and February 18, 2020 were presented to the City Council for their approval.

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

The City Clerk reported that each Councilperson had before them a report on fund balances, investments and collections as of February 29, 2020. She reported on funds on deposit in the Commerce Bank in the amount of \$3,439,034.09; in the Peoples Community State Bank \$568,082.06; in the First Midwest Bank \$22,704,983.39; in Sterling Bank \$62,778.90 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 \$27,774,878.41. She stated of this amount, total funds on deposit for the account of City Hall is \$6,907,521.23, total amount on deposit for the Coliseum is \$62,778.90, total amount on deposit for the Park Department accounts is \$803,203.88 and total funds on deposit for the account of the Municipal Utilities Department is \$20,001,374.40.

**CITY CLERK'S
REPORT**

**Reports on Fund
Balances,
Investments &
Collections as of
February 29, 2020**

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

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

**WORKSHOP
ITEMS FOR
DISCUSSION**

The City Council reviewed a grant application between the City of Poplar Bluff and the Missouri Department of Public Safety, Office of Homeland Security for the purchase of an upgraded 911 system.

**Missouri
Department of
Public Safety Grant
Application**

Patrolman Austin Lemonds with the Police Department appeared before the Council. He stated this grant, if awarded, will be used for software, hardware and hosted services for the 911 system. Officer Lemonds stated the grant will be funded at 60 percent with the City being responsible for 40 percent. He stated the two estimated quotes received are between \$200,000 and \$250,000. He stated the deadline for the application is March 31, 2020.

Mr. Robert Durbin asked if this is the advanced 911 system that allows texting.

Officer Lemonds stated yes.

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

**Property Assessed
Clean Energy
Program**

The City Council reviewed a proposal for the PACE (Property Assessed Clean Energy) program.

Mr. John Harris, Director of Finance for the Missouri Clean Energy District,

appeared before the Council and stated the District was created for the purpose of operating a PACE District. He stated the purpose of the District is to provide capital for energy improvement projects. Mr. Harris every community in the State can become a member of the PACE District by adopting an ordinance or resolution. He stated membership would allow property owners within the community to qualify for low-interest loans for commercial and residential energy efficiency improvements. Mr. Harris stated there is no cost or administrative burden to the City with this program.

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 April 6, 2020.

**Sycamore Street
CID Board
Appointments**

The City Council reviewed a request from the Sycamore Street Community Improvement District Board of Directors relative to the appointment of directors for a three-year term.

City Manager Massingham addressed the Council and stated the City appoints these board members by State Statute. He stated the District is requesting Jeralyn Goodman and Amelia Taylor be reappointed to the Board with terms expiring March 6, 2023.

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 April 6, 2020.

**Architectural
Services Contract
with Dille and
Traxel Architects**

The City Council considered an amendment to the existing contract for architectural services between the City of Poplar Bluff and Dille and Traxel Architects for the proposed City Hall building.

City Manager Massingham stated the City previously entered into an agreement with Dille and Traxel for architectural services for a new City Hall and Police Station downtown. He stated since a different location has been selected for the Police Station the contract needs to be amended to reflect these services will only be for the City Hall facility located downtown.

Mr. Mike Pollard with Dille and Traxel Architects, who gave his address as 849 Wilcox Road, Poplar Bluff, Missouri, appeared before the Council and reviewed the changes made to the contract with them. He stated the rate in the previous contract was seven percent and the new contract reflects a fee of eight percent which he believes is a fair market rate.

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 tonight.

**Zoning Designation
for Property to be
Annexed at 3392
Kanell Boulevard**

The City Council reviewed a recommendation from the Planning and Zoning Commission for the approval of a proposed zoning designation of RS-1 Rural Residential for property to be annexed at 3392 Kanell Boulevard. The property owner is Score, LLC. The applicant is the Planning Department, c/o Matt Winters, City Planner.

Mr. Matt Winters, City Planner, appeared before the Council and stated reviewed the Staff Report with them. He stated the Planning and Zoning Commission recommends Council approval of this zoning designation.

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 April 6, 2020.

Conditional Use Permit for an Assisted Living Facility at 3392 Kanell Boulevard

The City Council reviewed a request for a Conditional Use Permit to operate an independent and assisted living facility for up to 70 patrons located at 3392 Kanell Boulevard. The applicant is Neal R. Slattery, Americare Senior Living, 214 N. Scott, Sikeston, Missouri, 63801.

City Planner Matt Winters addressed the Council and stated this conditional use permit is to operate a senior housing facility once the property is annexed. He stated Council approval is recommended by the Planning and Zoning Commission.

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 April 6, 2020.

Rezoning of Vacant Property Located Between Katy Lane and Barron Road

The City Council reviewed a request to rezone property from RS-2 General Residential to O-1 Office Professional for future commercial use. The property is vacant land lying between Katy Lane and Barron Road, lying east of 2700 Katy Lane and north of 2438 Katy Lane, 1.61 acres m/l. The applicant is John D. Barbour and the Barbour Family, P.O. Box 91, Poplar Bluff, Missouri.

Mr. Winters addressed the Council and reviewed the Staff Report with them. He stated the property fronts Katy Lane and Barron Road and they would like to subdivide the property with the Katy Lane frontage being zoned for office professional and the Barron Road frontage remaining residential. He stated staff as well as the Planning and Zoning Commission recommend Council approval.

Councilwoman Horton asked how this request is different from the last time the request was presented.

Mr. Winters stated he believes the split is more clearly defined. He stated several residents who were previously opposed to the rezoning are now in support of this request.

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 April 6, 2020.

Tobacco-Free Policy for City-Owned Outdoor Recreational Areas

The City Council discussed a proposed ordinance implementing a Tobacco-Free Policy for City owned outdoor recreation areas.

Mr. Winters addressed the Council and stated Councilman DeGaris and several others have recently expressed concern with smoking and other tobacco use in City parks. He stated he has worked with Parks and Recreation Director Lanny Corcimiglia and Health Department Director Emily Goodin to put this proposal together. Mr. Winters stated the restriction is for all tobacco use including electronic cigarettes in all parks except Clinton Park and Sportsman Park.

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 April 6, 2020.

**Administrative
Services
Agreement
Addendum**

The City Council reviewed an addendum to the Administrative Services Agreement by and between the City of Poplar Bluff and Ozark Foothills Regional Planning Commission.

Mr. Matt Winters appeared before the Council and stated this reflects changes needed to meet the requirements for the Community Development Block Grant Program. He stated the changes are relative to the termination of the contract and the compensation and method of payment clause.

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 April 6, 2020.

**ACTION
REQUIRED ITEMS**

**Architectural Firm
Contract for the
New Police Station**

The City Council took action on an ordinance selecting an architectural firm and authorizing the Mayor to enter into a contract for the construction of the new Police facility. Motion was made by Mayor Pro Tem Davis, seconded by Councilwoman Parson that Bill No. 8216, **AN ORDINANCE OF THE CITY OF POPLAR BLUFF, MISSOURI, SELECTING AN ARCHITECTURAL FIRM FOR THE POPLAR BLUFF POLICE STATION PROJECT, AND FURTHER AUTHORIZING THE MAYOR OF THE CITY OF POPLAR BLUFF TO ENTER INTO AN AGREEMENT WITH POLICE FACILITIES DESIGN GROUP OF KANSAS CITY, MISSOURI FOR THE CONSTRUCTION OF THE NEW POLICE STATION**, 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 DeGaris that Bill No. 8216 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. 8216 be adopted. A roll call vote was as follows: Yes: Black, Parson, DeGaris, Horton, Cornman, 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 - 16.

**New Cingular
Wireless PCS, LLC
Agreement**

The City Council took action on an ordinance in regard to 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. Motion was made by Councilman DeGaris, seconded by Mayor Pro Tem Davis that Bill No. 8217, **AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF POPLAR BLUFF, MISSOURI, TO EXECUTE AN OPTION AND LAND USE AGREEMENT BETWEEN THE CITY OF POPLAR BLUFF AND NEW CINGULAR WIRELESS, PSC, LLC RELATING TO INSTALLING AND MAINTAINING A COMMUNICATIONS FACILITY 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 Mayor Pro Tem Davis and seconded by Councilwoman Parson that Bill No. 8217 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 DeGaris that Bill No. 8217 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 - 17.

**Police Union
Contract**

The City Council took action on an ordinance in regard to the Police Union Contract. Motion was made by Councilman Black, seconded by Mayor Pro Tem Davis that Bill No. 8218, **AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF POPLAR BLUFF AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 702 FOR ITS EMPLOYEES AT THE POPLAR BLUFF POLICE DEPARTMENT, AND AUTHORIZING THE MAYOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE PARTIES**, 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. 8218 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. 8218 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 - 18.

**Architectural
Services Contract
with Dille and
Traxel Architects**

The City Council took action on an ordinance approving an amendment to an existing contract for architectural services between the City of Poplar Bluff and Dille and Traxel Architects for the proposed City Hall building. Motion was made by Councilman DeGaris, seconded by Councilman Black Davis that Bill No. 8219, **AN ORDINANCE AMENDING AN AGREEMENT WITH DILLE AND TRAXEL ARCHITECTURAL FIRM RELATIVE TO THE NEW CITY HALL**, 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 Councilwoman Parson that Bill No. 8219 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. 8219 be adopted. A roll call vote was as follows: Yes: Horton, Black, Parson, DeGaris, Davis, Smith; No: Cornman; 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 - 19.

**Missouri
Department of
Public Safety Grant
Application**

The City Council took action on a resolution authorizing the Mayor to submit a grant application to the Missouri Department of Public Safety, Office of Homeland Security's 2019 Fiscal Year 911 Grant Program. Motion was made by Mayor Pro Tem Davis and seconded by Councilman DeGaris, that Resolution No. 1919, **A RESOLUTION OF THE CITY OF POPLAR BLUFF, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE AN APPLICATION FOR A GRANT FROM THE MISSOURI DEPARTMENT OF PUBLIC SAFETY, OFFICE OF HOMELAND SECURITY, FOR THE PURCHASE OF AN UPGRADED 911 SYSTEM FOR THE CITY OF POPLAR BLUFF**, 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. 1919 be adopted. A roll call vote was as follows: Yes: Cornman, Parson, DeGaris, Horton, 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. 1919 and was thereupon duly signed and approved by the Mayor and attested to by the City

Clerk.

Mayor Smith stated he would like to take this time to encourage everyone to be mindful of others and not to hoard items when shopping.

Call For a Closed Session

Mayor Smith stated there is no need for a Closed Session tonight.

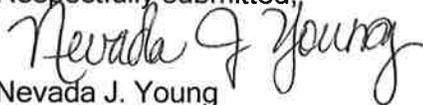
City Manager's Report

City Manager Massingham addressed the Council and gave an update on precautions being taken in the City regarding the COVID-19 health threat issue.

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 8:18 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.