

**MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
MONDAY, JUNE 18, 2018**

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Monday, June 18, 2018.

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 Susan McVey at 7:00 p.m.

The invocation and Pledge of Allegiance was given by Mayor Susan McVey.

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

Also present were City Manager Mark Massingham, City Attorney Mark Richardson and City Clerk Pamela Kearbey 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.

CONSENT AGENDA

No one from the audience appeared before the Council.

Approval of Minutes for the Month of May, 2018

The minutes of the City Council meetings held May 7 and May 21, 2018 were provided to the City Council for their approval.

CITY CLERK'S REPORT

Reports on Fund Balances, Investments & Collections As of May 30, 2018

The City Clerk provided each Councilperson with a copy of her report on fund balances, investments and collections as of May 31, 2018. It detailed each account as follows: Commerce Bank - \$2,521,742.07; Peoples Community State Bank - \$567,281.31; First Midwest Bank - \$16,613,460.06; Sterling Bank - \$1,390,510.46; and First Missouri State Bank - \$1,000,000.00. This reflects a grand total of all funds in all banks in the amount of \$22,092,993.90, of which total funds on deposit for the account of City Hall is \$5,460,513.28, total funds on deposit for the Coliseum is \$137,245.37, total funds on deposit for the Park Department accounts are \$1,090,712.68 and total funds on deposit for Municipal Utilities Department is \$15,404,522.57.

The City Clerk provided to the Council the following reports for the month of May, 2018 in their packets: a Bills Paid Report, a report from Downtown Poplar Bluff, Inc., a Fire Department Report, a Municipal Court report, a Payroll report, a Planning Department Report, a Police Department/Animal Control/Code Enforcement report, a Street Department report and a Police and Fire Pension Report.

WORKSHOP
ITEMS FOR
DISCUSSION

**Approval for the
Discharge of
Fireworks in the
City Limits**

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

Downtown Poplar Bluff, Inc. Executive Director Jerrica Fox appeared before the City Council to request approval for the discharge of fireworks in the City limits on July 4, 2018.

Jerrica Fox, Downtown Poplar Bluff, Inc. Executive Director appeared before the Council and stated she requests permission from the City Council for the discharge of fireworks on Wednesday, July 4, 2018 at Ray Clinton Park.

After further discussion, motion was made by Councilman Smith, seconded by Councilman Black and carried to give verbal approval for the discharge of fireworks at Ray Clinton Park on Wednesday, July 4, 2018.

**Vacation of
Property Located
Near 2801 Oak
Grove Road and
2911 North
Westwood Blvd.**

The City Council reviewed a request from the Planning and Zoning Commission to vacate a 540' X 30' portion of an abandoned right-of-way lying west of North Westwood and south of 2801 Oak Grove Road and 2911 North Westwood Boulevard. The applicant is First Community Bank c/o Smith & Company Engineers, 901 Vine Street, Poplar Bluff, Missouri.

City Planner Matt Winters appeared before the Council and reviewed the Staff Report with them. He stated in 2012 the City agreed to return portions of rights-of-way to the property owners that were used for improvements to the intersection of Oak Grove Road. Mr. Winters stated the right-of-way does have several utility services and the City will retain this as a utility easement if approved.

After further discussion, motion was made by Mayor Pro Tem Davis, seconded by Councilman Black and carried to move this item to the voting session to be held July 2, 2018.

**Rezoning of
Property Near
Cravens Road and
Industrial Park
Road**

The City Council reviewed a request from the Planning and Zoning Commission to rezone property located west of Cravens Road and north of Industrial Park Road (County Road 302) from C-2, General Commercial to M-2, General Industrial and to approve a conditional use permit for a trash transfer station. The applicants are Chad and Sara Henson, Rt. 4 Box 1024, Piedmont, Missouri, 63957.

Mr. Matt Winters appeared before the Council and stated this request is to rezone property from C-2, General Commercial to M-2, General Industrial and also for a conditional use permit to operate a trash transfer station. He stated the property is approximately 8.61 acres and trash transfer stations are strictly regulated by the Missouri Department of Natural Resources. Mr. Winters stated this item went through Planning and Zoning Commission with no opposition from the public and is recommended for Council approval with the stipulations that an eight foot fence be installed around the perimeter of the property and if ownership changes a new conditional permit must be applied for.

Mr. Billy Cobb of Smith and Company Engineers and the applicant, Mr. Chad Henson, appeared before the Council and stated there is a lengthy process to go through with the Department of Natural Resources to open a business of this nature. He stated Mr. Henson also is required to put up a bond as well. Mr. Cobb stated the trash cannot stay there for more than a 24 hour period. He also presented to the Council a drawing and map of the proposed facility.

Mr. Henson stated this facility will be open to the public for disposal of trash,

construction materials, etc. He stated the trash will be moved out daily. He stated DNR highly regulates this type of business and their records will also be inspected. He stated they will also have different containers there for recycling.

After further discussion, motion was made by Councilman Smith, seconded by Councilman DeGaris and carried to move this item to the voting session to be held July 2, 2018.

**ACTION
REQUIRED ITEMS**

**Second
Amendment to the
Agreement with
First Missouri State
Bank**

The City Council took action on ordinance regarding a second amendment to the agreement between the City of Poplar Bluff and First Missouri State Bank. Motion was made by Councilman DeGaris, seconded by Councilman Smith that Bill No. 8080, **AN ORDINANCE AUTHORIZING A SECOND AMENDMENT TO A REAL ESTATE PURCHASE AGREEMENT BETWEEN THE CITY OF POPLAR BLUFF AND FIRST MISSOURI STATE BANK**, 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 Smith that Bill No. 8080 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 McVey asked if there was any discussion of this bill. There being none, motion was made by Councilman Black and seconded by Councilman DeGaris that Bill No. 8080 be adopted. A roll call vote was as follows: Yes: DeGaris, Horton, Cornman, Smith, Black, Davis, McVey; 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. 7867.

**Second
Amendment to the
Agreement with
Westar Energy**

The City Council took action on an ordinance regarding a second amendment to the agreement between the City of Poplar Bluff and Westar Energy. Motion was made by Councilman Black, seconded by Councilman Davis that Bill No. 8081, **AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF POPLAR BLUFF, MISSOURI, TO EXECUTE A SECOND AMENDMENT TO A CONTRACT FOR MANAGEMENT SERVICES BETWEEN THE CITY OF POPLAR BLUFF AND WESTAR ENERGY**, 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. 8081 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 McVey asked if there was any discussion of this bill. There being none, motion was made by Councilman DeGaris and seconded by Councilman Smith that Bill No. 8081 be adopted. A roll call vote was as follows: Yes: Horton, Cornman, Smith, Black, DeGaris, Davis, McVey; 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. 7868.

**Cripple Creek
Sewer Easement
Vacation**

The City Council took action on ordinance vacating a portion of a sewer easement at Cripple Creek. Motion was made by Councilman DeGaris, seconded by Councilman Black that Bill No. 8082, **AN ORDINANCE VACATING A PORTION OF A SEWER EASEMENT LOCATED IN CRIPPLE CREEK SUBDIVISION 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 Black that Bill No. 8082 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 McVey asked if there was any discussion of this bill. There

being none, motion was made by Mayor Pro Tem Davis and seconded by Councilman Black that Bill No. 8082 be adopted. A roll call vote was as follows: Yes: Cornman, Smith, Black, DeGaris, Horton, Davis, McVey; 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. 7869.

**Southwest Power
Pool Transmission
Services
Designated Official**

The City Council took action on a resolution authorizing the General Manager as the designated official for Southwest Power Pool transmission services. Motion was made by Councilman DeGaris and seconded by Mayor Pro Tem Davis that Resolution No. 1881, **A RESOLUTION OF THE CITY OF POPLAR BLUFF, MISSOURI, APPOINTING THE MUNICIPAL UTILITIES DEPARTMENT GENERAL MANAGER AS THE DESIGNATED OFFICIAL FOR SOUTHWEST POWER ADMINISTRATION POOL TRANSMISSION SERVICES**, 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 McVey 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. 1881 be adopted. A roll call vote was as follows: Yes: Smith, Black, DeGaris, Horton, Cornman, Davis, McVey; 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. 1881 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 DeGaris and seconded by Councilman Black 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: DeGaris, Horton, Cornman, Smith, Black, Davis, McVey; 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 wanted to thank the Fire Department, Police Department, Street Department and Municipal Utilities for their hard work at the fire on South 11th Street this past Friday. He stated he also wanted to thank Butler County EMS for providing their services during the fire as well as citizens who brought water to the first responders. Mr. Massingham stated starting June 25, 2018 Roxie Road will be shut down for a couple of weeks due to the construction of Shelby Road Phase II.


Mayor McVey stated the SEMO Amateur Ham Radio Association will have their annual meeting June 23 and 24, 2018 at Pavilion 2 at Whitely Park with a barbeque on the 24th. She encouraged all those interested to attend. Mayor McVey asked Ms. Jerrica Fox to give an update on the 4th of July parade and activities.

Jerrica Fox stated the parade is on July 4th will line up at Hydro Adventures at 9:00 a.m. She stated the pageants will be at the Coliseum at 10:30 a.m. She stated there will be food trucks, local food vendors and a live DJ with music at the Farmer's Market as well that evening.

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 McVey declared the meeting adjourned at 7:37 p.m.

Respectfully submitted,


Pamela S. Kearbey
City Clerk

APPROVED BY THE CITY COUNCIL

OF THE CITY OF POPLAR BLUFF,

MISSOURI, THIS 16th DAY

OF July, 2018.