# MINUTES
# OF A REGULAR MEETING
# OF THE CITY COUNCIL OF THE
# CITY OF POPLAR BLUFF, MISSOURI
# MONDAY, JULY 20, 2020

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Monday, July 20, 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 Mayor Pro Tem Steve Davis.

The Pledge of Allegiance was led by Mayor Smith.

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

Also present were City Manager Matt Winters, City Attorney Mark Richardson and City Clerk Nevada J. Young who performed the duties of their respective offices.

**SWEARING IN OF CITY MANAGER**

At this time, City Clerk Nevada Young swore in Mr. Matt Winters as City Manager for the City of Poplar Bluff.

**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 Taylor disclosed a possible conflict of interest with Workshop Item F.

**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.

No members of the audience appeared before the Council.

**CONSENT AGENDA**

The minutes of the City Council meetings held June 11, 2020, June 15, 2020, June 18, 2020 and June 22, 2020 were presented to the City Council for their approval.

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

**CITY CLERK'S REPORT**

**Report on Fund Balances,**

The City Clerk reported that each Councilperson had before them a report on fund balances, investments and collections as of June 30, 2020. She reported on funds on deposit in the Commerce Bank in the amount of $2,325,660.20; in the Peoples Community State Bank $568,176.20; in the First Midwest Bank $21,741,757.32; in Sterling Bank $65,739.66 and in the First Missouri State Bank $1,068,603.64. She stated this reflects a grand total of all funds in all banks in the amount of $25,769,937.02. She stated of this amount, total funds on deposit for the account of City Hall is $4,517,900.53, total amount on deposit for the Coliseum is $65,739.66, total amount on deposit for the Park Department accounts is $685,469.91 and total funds on deposit for the account of the Municipal Utilities

**Investments & Collections as of June 30, 2020**

Department is $20,500,826.92.

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

After discussion, motion was made by Mayor Pro Tem Davis, seconded by Councilwoman Parson and carried to approve the consent agenda as presented.

**WORKSHOP ITEMS FOR DISCUSSION**

A representative of Kraft, Miles & Tatum, CPA appeared before the City Council to present the audit for the City of Poplar Bluff and Municipal Utilities for the fiscal year ended December 31, 2019.

**Presentation of the FY 2019 Audit**

Mr. Steve Austin of Kraft, Miles and Tatum, Certified Public Accountants, 1650 West Harper Street, Poplar Bluff, Missouri, appeared before the Council and reviewed the Fiscal Year 2019 audit with them. He stated he would like to thank the staff at City Hall and Municipal Utilities for their help during the audit process. He stated they have issued an unmodified opinion on the financial statements which means they are presented in all material respects in accordance with generally accepted accounting principles. He reviewed many items with the Council including assets, unrestricted cash, cash equivalents, business type activities, liabilities, long-term debt, statement of net position, statement of activities, internal control and compliance, fund financial statements, governmental funds, non-major funds, proprietary funds, non-major enterprise finds, statements of revenue and expenses, capital assets, grants, Federal expenditures and various other items. Mr. Austin stated no material weaknesses in internal control over financial reporting or in internal control over major programs. He stated the audit did not disclose any noncompliance which is material to the City's financial statements. Mr. Austin stated the audit did not disclose any findings required to be reported in accordance with Federal regulations and the City of Poplar Bluff was not determined to be a low-risk auditee. He stated he would be happy to answer any questions the Council may have regarding the FY 2019 audit tonight or at a later time if needed.

After further discussion, motion was made by Councilman DeGaris, seconded by Councilwoman Parson and carried to accept the FY 2019 audit as presented.

**Procedures for the Disclosure of Potential and Substantial Conflicts of Interest**

The City Council considered a proposed ordinance establishing procedures for the disclosure of potential conflicts of interest and substantial interests for certain municipal officers.

City Manager Matt Winters addressed the Council and stated we adopt this ordinance on an annual basis. He stated since the City's budget is over $1,000,000 it is required by the Missouri Ethics Commission under State Statute. City Manager Winters stated we provide this to the Ethics Commission so they are aware of any potential conflicts of interest of any officers or elected officials of the City.

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

**Spire Gas Company Gas Line Easement**

The City Council considered a proposed gas line easement agreement with Spire Gas Company to allow access across flood buyout properties with services.

City Manager Winters addressed the Council and stated in his position as City Planner Spire Gas reached out to him regarding a gas line easement needed that would cross flood buyout properties. He stated these flood buyout lots cannot be built on again. Mr. Winters stated he received approval from FEMA and SEMA for this request and it has also been reviewed by the City Attorney. He stated this process has slowed down the Spire's ability to provide services, so we are asking this be voted on tonight as well.

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

**Approval of Cell Tower with a Height of 125 Feet**

The City Council reviewed a request for approval of a cell tower height of 125 feet located at 1017 Ridge Avenue, Poplar Bluff, Missouri.

City Manager Winters addressed the Council and stated a few weeks ago the Council approved an 85 feet tall temporary cell tower at this location and this request is for a 125 feet tall permanent tower that will serve AT&T. He stated approval of this request is recommended.

Mr. Jake Sprague, who gave his address as 5055 Highway NN, St. Charles, Missouri appeared before the Council. He stated he is with Network Real Estate which is a registered agent of AT&T. He stated coverage in this location is not as good as they'd like it to be and hopefully this tower will alleviate the problem.

After further discussion, motion was made by Councilman DeGaris, seconded by Councilwoman Parson and carried to move this item to the voting session to be held August 3, 2020.

**Code of Ordinances Section 110.100 Amendment**

The City Council considered an amendment to Section 110.100 Procedures at Meetings, (4) (a).

City Manager Winters addressed the Council and stated several Council Members expressed interest in reducing the amount of time citizens can speak from ten minutes to five minutes. He stated the City Clerk polled several other cities and found the majority allow five minutes for citizens input, while some allow even less. Mr. Winters stated he believes five minutes would allow ample time for citizens to express their concerns to the Council.

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

**Options for Budget Issues**

The City Manager presented options for budget issues.

City Manager Winters addressed the Council and presented the following options for reducing the deficit: an FAA COVID-19 Airport Grant for Airport salaries, reducing hours and staff for the Pool and Fitness Center, reducing the Art Museum Director's hours to three days per week and eliminating benefits for this position, a hiring freeze for the position of City Planner, part-time staff for the Black River Coliseum, Street Department and Police Department, the not realized need of temporary staff at the Black River Coliseum because of COVID-19 and the not realized need of part-time

staff at the Cemetery.

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

**ACTION REQUIRED ITEMS**

**MTFC Loan Agreement**

The City Council took action on an ordinance authorizing the City of Poplar Bluff to enter into a loan agreement with the Missouri Transportation Finance Corporation in regard to the Highway 67/I-57 Project. Motion was made by Mayor Pro Tem Davis, seconded by Councilwoman Parson that Bill No. 8244, **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A LOAN AGREEMENT BETWEEN THE CITY OF POPLAR BLUFF AND MISSOURI TRANSPORTATION FINANCE CORPORATION RELATIVE TO THE HIGHWAY 67/I-57 PROJECT,** 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. 8244 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. 8244 be adopted. A roll call vote was as follows: Yes: Taylor, 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 - 43.

**Spire Gas Company Gas Line Easement**

The City Council took action on an ordinance relative to a gas line easement agreement with Spire Gas Company. Motion was made by Mayor Pro Tem Davis, seconded by Councilwoman Horton that Bill No. 8245, **AN ORDINANCE GRANTING AN EASEMENT TO SPIRE MISSOURI, INC. FOR AN UNDERGROUND NATURAL GAS LINE ALONG SOUTH ELEVENTH STREET 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 Councilman DeGaris and seconded by Councilwoman Parson that Bill No. 8245 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. 8245 be adopted. A roll call vote was as follows: Yes: Parson, DeGaris, Horton, Cornman, Taylor, 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 - 44.

**Engineering Services for CDBG Grant for Street Paving**

The City Council took action on an ordinance selecting an engineering firm for services regarding street paving for a CDBG grant application. Motion was made by Mayor Pro Tem Davis, seconded by Councilwoman Parson that Bill No. 8246, **AN ORDINANCE SELECTING AND APPOINTING AN ENGINEERING FIRM FOR THE CITY OF POPLAR BLUFF 2020 STREET PAVING GRANT APPLICATION FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM,** 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 Councilwoman Parson and seconded by Councilwoman Horton that Bill No. 8246 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 Taylor that Bill No. 8246 be adopted. A roll call vote was as follows: Yes: DeGaris, Horton, Cornman, Taylor, 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 - 45.

**Code of Ordinances Section 110.100 Procedures at Meetings, (4) (a)**

The City Council took action on an ordinance amending Section 110.100 Procedures at Meetings, (4) (a). Motion was made by Councilman DeGaris, seconded by Councilwoman Parson that Bill No. 8247, **AN ORDINANCE AMENDING THE CITY OF POPLAR BLUFF, MISSOURI CODE OF CITY ORDINANCES, SECTION 110.100 (4) (a) RELATING TO PROCEDURES AT COUNCIL MEETINGS FOR THE CITY OF 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 Cornman that Bill No. 8247 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 Cornman and seconded by Mayor Pro Tem Davis that Bill No. 8247 be adopted. A roll call vote was as follows: Yes: Horton, Cornman, Taylor, 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 - 46.

**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 Mayor Pro Tem Davis 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, Taylor, 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 Winters addressed the Council and stated he looks forward to working with the Council in his new position as City Manager. He stated the request to speak forms for Council meetings will now include a requirement of appropriate dress to be determined by the Mayor. Mr. Winters stated Councilwoman Horton and Ward 3 will be hosting a workshop on homelessness awareness at the Black River Coliseum on Thursday, July 23, 2020 at 1:00 p.m. and 5:30 p.m.

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

Mayor Smith declared the meeting adjourned at 7:45 p.m.

Respectfully submitted,

Nevada J Young

Nevada J. Young
City Clerk

**APPROVED BY THE CITY COUNCIL**

**OF THE CITY OF POPLAR BLUFF,**

**MISSOURI, THIS** 17th **DAY**

**OF** August**, 2020.**