

**MINUTES
OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF POPLAR BLUFF, MISSOURI
MONDAY, AUGUST 17, 2020**

The City Council of the City of Poplar Bluff, Missouri, convened in a regular meeting on Monday, August 17, 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 Reverend Robert Duckett.

The Pledge of Allegiance was led by Mayor Smith.

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

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 Voting Item DD.

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. Brian Wisdom, who gave his address as 3349 Maple Lane, Poplar Bluff, Missouri, appeared before the Council. He requested Council approval for the discharge of fireworks at the Poplar Bluff Speedway on October 3, 2020.

After discussion, motion was made by Councilman DeGaris, seconded by Councilwoman Horton and carried to approve this request.

CONSENT AGENDA The minutes of the City Council meetings held July 6, 2020 and July 20, 2020 were presented to the City Council for their approval.

Approval of Minutes for the Month of July, 2020

The City Clerk reported that each Councilperson had before them a report on fund balances, investments and collections as of July 31, 2020. She reported on funds on deposit in the Commerce Bank in the amount of \$2,252,808.35; in the Peoples Community State Bank \$568,199.61; in the First Midwest Bank \$22,910,419.01; in Sterling Bank \$5,527.91 and in the First Missouri State Bank \$1,069,136.48. She stated this reflects a grand total of all funds in all banks in the amount of \$26,806,091.36. She stated of this amount, total funds on deposit for the account

CITY CLERK'S REPORT

Report on Fund Balances, Investments & Collections as of July 31, 2020

of City Hall is \$4,748,888.24, total amount on deposit for the Coliseum is \$5,527.91, total amount on deposit for the Park Department accounts is \$594,753.26 and total funds on deposit for the account of the Municipal Utilities Department is \$21,456,921.95.

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

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

WORKSHOP ITEMS FOR DISCUSSION

Change Order No. 1 Hwy 67/I-57 Project

The City Council considered Change Order No. 1 regarding a noise study for the environmental re-evaluation of the Hwy 67/I-57 Project.

City Manager Matt Winters addressed the Council and stated Wood Environmental was chosen to complete the environmental re-evaluation and the change order is for the noise impact study that is required to move forward with the project.

Mr. Bill Robison with the Highway 67 Corporation appeared before the Council and stated a noise study wasn't anticipated at the beginning of the project, but the Federal Highway Department is now requiring it.

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

Conditional Use Permit 1324 N. Westwood Blvd.

The City Council considered a request for a conditional use permit for a drive-thru window for the sale of food and non-alcoholic beverages at 1324 N. Westwood Blvd., Poplar Bluff, MO. The applicant is PAJCO Inc. dba Rally's Drive-Thru Restaurant, 1610 N. Kingshighway, Ste. 301, Cape Girardeau, MO.

City Manager Winters addressed the Council and stated at the last meeting the Council considered removing the requirement of a conditional use permit for drive-thru windows. He stated this request came in before then and did go before the Planning and Zoning Commission. He stated this is for the new Rally's Drive-Thru Restaurant at 1324 N. Westwood and is recommended for Council approval.

Councilwoman Taylor asked what would happen to Pizza Hut that is currently at this location.

Mr. Winters stated it will be demolished.

Mr. Billy Cobb with Smith and Company Engineers, 901 Vine Street, Poplar Bluff, Missouri, appeared before the Council and stated Pizza Hut will be demolished and the new building will go in the center of the lot with the drive-thru on the north side.

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

ACTION
REQUIRED ITEMS

**Bids for the Sale of
Property at Barron
Road & Baugh
Lane**

The City Council took action on an ordinance authorizing the City to solicit bids on property owned by the City of Poplar Bluff located at the corner of Barron Road and Baugh Lane. Motion was made by Councilman DeGaris, seconded by Councilwoman Horton that Bill No. 8252, **AN ORDINANCE AUTHORIZING THE SOLICITATION OF SEALED BIDS FOR THE SALE OF REAL PROPERTY LOCATED AT THE CORNER OF BARRON ROAD AND BAUGH LANE 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. 8252 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 Parson that Bill No. 8252 be adopted. A roll call vote was as follows: Yes: Horton, Taylor, Parson, DeGaris, Smith; No: None; Absent: Cornman, 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 - 51.

**Bid Acceptance for
Network
Maintenance
Equipment**

The City Council took action on an ordinance on a bid recommendation for network maintenance equipment. Motion was made by Councilman DeGaris, seconded by Councilwoman Horton that Bill No. 8253, **AN ORDINANCE ACCEPTING A BID FOR NETWORK MAINTENANCE EQUIPMENT 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 Councilwoman Parson and seconded by Councilwoman Horton that Bill No. 8253 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. 8253 be adopted. A roll call vote was as follows: Yes: Taylor, Parson, DeGaris, Horton, Smith; No: None; Absent: Cornman, 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 - 52.

**Grant Agreement
for Upgraded 911
System**

The City Council took action on an ordinance authorizing the City of Poplar Bluff to enter into a grant agreement with the Missouri Department of Public Safety, Office of Homeland Security for the purchase of an upgraded 911 System. Motion was made by Councilwoman Taylor, seconded by Councilwoman Horton that Bill No. 8254, **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A GRANT AGREEMENT BETWEEN THE CITY OF POPLAR BLUFF AND THE MISSOURI DEPARTMENT OF PUBLIC SAFETY, OFFICE OF HOMELAND SECURITY RELATIVE TO AN UPGRADED 911 SYSTEM**, 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. 8254 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 Councilwoman Taylor and seconded by Councilman DeGaris that Bill No. 8254 be adopted. A roll call vote was as follows: Yes: Parson, DeGaris, Horton, Taylor, Smith; No: None; Absent: Cornman, 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 - 53.

Tax Levy

The City Council took action on an ordinance providing for the levy and collection of property taxes for the year beginning January 1, 2020, and ending on December 31, 2020, for the following purposes; (1) General Revenue and (2) Policemen and Firemen's Pension Fund; to be levied and collected as to all property in the City of Poplar Bluff, Missouri, both personal and real except household goods located in private homes. Motion was made by Councilman DeGaris, seconded by Councilwoman Horton that Bill No. 8255, **AN ORDINANCE OF THE CITY OF POPLAR BLUFF, MISSOURI, PROVIDING FOR THE LEVY AND COLLECTION OF PROPERTY TAXES FOR THE YEAR BEGINNING JANUARY 1, 2020, AND ENDING ON DECEMBER 31, 2020, FOR THE FOLLOWING PURPOSES; (1) GENERAL REVENUE AND (2) POLICEMEN AND FIREMEN'S PENSION FUND; TO BE LEVIED AND COLLECTED ON PROPERTY IN THE CITY OF POPLAR BLUFF, MISSOURI, BOTH PERSONAL AND REAL EXCEPT HOUSEHOLD GOODS LOCATED IN PRIVATE HOMES**, 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. 8255 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. 8255 be adopted. A roll call vote was as follows: Yes: DeGaris, Horton, Parson, Smith; No: None; Absent: Cornman, Davis; Abstained: Taylor. There being a favorable vote the Mayor thereupon declared such ordinance duly adopted and the bill was thereupon duly numbered Ordinance No. 20 - 54.

Change Order No. 1 Highway 67/I-57 Project

The City Council took action on an ordinance approving Change Order No. 1 relative to the re-evaluation of the Highway 67/I-57 Project. Motion was made by Councilman DeGaris, seconded by Councilwoman Parson that Bill No. 8256, **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NUMBER 1 RELATING TO THE U.S. 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 Councilwoman Parson and seconded by Councilwoman Taylor that Bill No. 8256 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 Parson that Bill No. 8256 be adopted. A roll call vote was as follows: Yes: Horton, Taylor, Parson, DeGaris, Smith; No: None; Absent: Cornman, 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 - 55.

Conditional Use Permit 1324 N. Westwood Blvd.

The City Council took action on an ordinance granting a conditional use permit for the sale of food and non-alcoholic beverages at 1324 N. Westwood Blvd. Motion was made by Councilwoman Taylor, seconded by Councilman DeGaris that Bill No. 8257, **AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO PAJCO, INC., D/B/A RALLY'S DRIVE-THRU RESTAURANT TO PERMIT THE USE OF A DRIVE-THRU WINDOW FOR THE SALE OF FOOD AND NON-ALCOHOLIC BEVERAGES AT 1324 NORTH WESTWOOD BLVD, 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 Councilwoman Parson and seconded by Councilwoman Horton that Bill No. 8257 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 Parson that Bill No. 8257 be adopted. A roll call vote was as follows: Yes: Taylor, Parson, DeGaris, Horton, Smith; No: None; Absent: Cornman, 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 - 56.

Call for a Closed Session

City Manager Winters stated there is no need for a closed session.

City Manager's Report

City Manager Winters addressed the Council and stated he has nothing to report at this time.

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

Mayor Smith declared the meeting adjourned at 7:25 p.m.

Respectfully submitted,


Nevada J. Young
City Clerk

APPROVED BY THE CITY COUNCIL

OF THE CITY OF POPLAR BLUFF,

MISSOURI, THIS 21st DAY

OF September, 2020.