

REGULAR CITY COUNCIL MEETING
FEBRUARY 3, 2020

The regular Sikeston City Council meeting of January 6, 2020 was called to order at 5:00 p.m. in the City Council Chambers, located at 105 East Center, Sikeston. Present at the meeting were: Mayor Pro Tem Karen Evans and Councilmembers Brian Self, Ryan Merideth, Gerald Settles, Brandon Sparks and Onethia Williams. Mayor Steven Burch was absent. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Carroll Couch, City Treasurer Karen Bailey, Deputy City Clerk Rhonda Council, Public Works Director Jay Lancaster, Public Works Superintendent Brian Dial, Street Supervisor Darren Martin, Airport Manager Chris Hart, Public Safety Captains Ryan Smith and Austin Henley, Public Safety Detective Ben Quick, Code Enforcement Manager Lorenzo Ware and City Collector Vicky Lewis.

APPROVAL OF CITY COUNCIL MINUTES

City Council minutes of January 6, 2020 were presented for approval. Councilman Sparks moved to approve the minutes as presented. Councilman Self seconded the motion and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Absent, thereby being passed.

ACCEPTANCE OF BOARD AND COMMISSION MINUTES

None were presented.

PRESENTATION

American Legion Henry Meldrum Post 114 presented the City of Sikeston and the Parks & Recreation Department with a plaque and Letters of Appreciation for the City's continuous support of the Veterans in this community.

ITEMS OF BUSINESS

Amending Sikeston Public Housing Authority Supplemental Police Services

Sikeston Public Housing Authority seeks to amend their agreement with the City of Sikeston for provision of supplemental police services for 20 hours per week at the cost of \$19,580 per year (salary only). Previous agreements included salary, FICA, the City's cost for employee benefits such as health and life insurance, workers compensation insurance, retirement and annual uniform allowance totaling \$74,669.33. Council would like to possibly seek to negotiate this agreement with the Housing Authority and get more information before making a final decision.

2nd Reading, Bill #6181, Rental Registration & Inspection Program

Councilman Merideth moved for the second reading of Bill Number 6181. The motion was seconded by Councilman Sparks and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Absent, thereby being passed.

City Counselor Thurman presented the bill for reading.

BILL Number 6181**ORDINANCE Number 6181**

THIS BILL AS APPROVED SHALL BECOME ORDINANCE NUMBER 6181 AND SHALL AMEND TITLE V, CHAPTER 510, RENTAL PROPERTY MINIMUM HOUSING QUALITY STANDARDS IN THE MUNICIPAL CODE OF THE CITY OF SIKESTON, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIKESTON, MISSOURI AS FOLLOWS:

SECTION I: This Ordinance shall be codified in the City Municipal Code.

SECTION II: Chapter 510 Rental Property Minimum Housing Quality Standards shall be amended to read as follows:

Section 510.010. Generally.

The City Council of the City of Sikeston, Missouri, has found it to be in the best interest of its citizens to preserve the quality of its housing inventory and to protect its neighborhoods from neglect and deterioration which act as a threat to health, safety and the welfare of its people and places.

Section 510.020. Definitions.

As used in this Chapter, the following terms shall have these prescribed meanings:

IPMC

International Property Maintenance Code

IFC

International Fire Code

OCCUPANT

Any person living or sleeping in a building or having possession of a space within a building.

OPERATOR

Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER

See "PROPERTY OWNER".

PERSON

An individual, corporation, partnership or any other group acting as a unit.

PREMISES

A lot, plot or parcel of land including any structures thereon.

PROPERTY OWNER

Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the State, County or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person and the executor

or administrator of the estate of such person if ordered to take possession of real property by a court.

RENTAL PROPERTY

Any premise(s) that is not occupied by the owner including those premises that are subject to agreements providing for contracts for deeds, including both vacant and occupied units.

TENANT

A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

Section 510.030. Compliance Standards.

- A. All residential rental units must conform to Housing Quality Standards (HQS) established by the U.S. Department of Housing and Urban Development as well as the following sections of the IPMC and IFC:
- 1) 302.3 IPMC
 - 2) 302.7 IPMC
 - 3) 304.3 IPMC
 - 4) 704 IPMC
 - 5) 602.2 IPMC
 - 6) 908.7 IFC
 - 7) 908.7.1 IFC

Section 510.040. Inspection Personnel/Administration.

- A. Inspections of residential rental property shall be conducted by staff designated by the City Manager as Rental Housing Inspectors. The Rental Housing Inspector duties of these employees shall be independent of and may be in addition to other duties of said employees. Rental Housing Inspectors shall inspect residential rental property to ensure compliance with this Chapter.
- B. Rental Housing Inspectors shall have the authority to enter into and inspect residential rental properties at any time with the consent of the property owner, operator, or occupant, or pursuant to any warrant.
- C. The City Manager is directed to develop any appropriate forms, applications and other materials in order to accommodate this Chapter.
- D. The City shall annually send a letter to all known residential rental unit physical addresses informing tenants of the provisions of this Chapter.

Section 510.050. Registration Fees and Procedures.

- A. All property owners of residential rental property shall be required to fill out and submit a Landlord Registration Form on or before the effective date of the ordinance enacting this chapter, then annually on or before January thirty-first (31st) of each year, with the appropriate fee for the rental property or properties as designated in this Chapter.
- B. The Landlord Registration Form shall contain owner and operator contact information, the physical address of the residential rental property or properties, and any other information deemed necessary by the City Manager.

- C. The property owner shall submit said application to the City Planning and Development Office together with the Landlord Registration Fee which shall be as follows:
 - 1) Fifty dollars (\$50.00) total if the property owner is registering 25 or fewer rental units, or;
 - 2) One hundred dollars (\$100.00) total if the property owner is registering more than 25 rental units.
- D. Failure to timely submit a completed Landlord Registration Form with the requisite fees set by this Chapter will result in the property owner being found in violation of this Chapter and subject to a fine of not less than five hundred dollars (\$500.00).

Section 510.060. Inspections, Enforcement, Correction of Violations, and Penalties.

- A. Interior inspections of residential rental properties shall take place at the request of the property owner, operator, or occupant, or pursuant to any warrant. No regular schedule of required inspections is established by this Chapter.
- B. Exterior inspections of residential rental properties shall take place on a complaint basis or upon self-initiated activity by Planning and Development staff, per the same basis and procedures as any other private property in the City, regardless of owner- or renter-occupied status.
- C. The property owner shall have thirty (30) days within which to correct violations of the Compliance Standards defined in Section 510.030, unless the violations present an immediate and serious threat to the life and health of the occupant(s), as determined by the City Manager, in which case immediate correction of the violations shall be required or the property shall be condemned as unfit for occupation. The City Manager's determination shall be stayed only by judicial injunction.
- D. Failure by the property owner to remedy violations within the time frames defined in Section 510.060(C) shall result in the filing of a complaint. Convictions on said charges will result in a minimum fine of one hundred dollars (\$100.00) for every thirty (30) days or portion thereof the violation goes un-remedied, up to a maximum fine of five hundred (\$500.00).

Section 510.070. Appeals Board.

- A. Any violation of this Chapter, except violations that present an immediate and serious threat to the life and health of the occupant(s) as determined by the City Manager per Section 510.060(C), may be appealed to the City of Sikeston Board of Appeals, within 10 days of the date the notice of violation is mailed to the property owner.
- B. Enforcement of this Chapter shall be stayed until any properly filed appeal is pending before the Board of Appeals.
- C. Meetings of the Board of Appeals will be called upon receipt of a completed Board of Appeals Application Form or at the direction of the Chairperson of said Board.
- D. Notice of meetings of the Board of Appeals will be posted at City Hall with the members receiving first class mail notice of same.
- E. Meetings will be conducted as soon after filing an appeal as is reasonably possible.

SECTION III: General Repealer Section: Any ordinance or parts thereof inconsistent herewith are hereby repealed.

SECTION IV: Severability: Should any part or parts of this ordinance be found or held to be invalid by any court of competent jurisdiction, then the remaining part or parts shall be severable and shall continue in full force and effect.

SECTION V: Record of Passage:

- A. Bill Number 6181 was introduced and read the first time this 27th day of January 2020.
- B. Bill Number 6181 was read the second time and discussed on this 3rd day of February 2020. Following discussion, Councilman Merideth moved to approve Bill Number 6181. The motion was seconded by Councilman Sparks, discussed and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Absent, thereby being passed.

- C. Upon passage by a majority of the Council, this Bill shall become Ordinance 6181 and shall be in full force and effect from and after April 3, 2020.

Approve Airport Farm Lease

Staff released a request for proposals for a 3-year, fixed term cash farm lease of 103.61 acres located adjacent to the Sikeston Municipal Memorial Airport for the term of March 1, 2020 through December 31, 2023. Half the rent shall be paid on or before April 1 and the remainder paid prior to December 1 of each year.

Three proposals were received:

- 1.) Pete Wimberley dba Wimberly Farms- \$5,000.00
- 2.) T & B Wade Farms- \$5,665.00
- 3.) N. Farms, LLC- \$10,464.61

Councilman Settles motioned to award the bid to N. Farms (Newman Farms), LLC in the amount of \$10,464.61. The motion was seconded by Councilwoman Williams, discussed and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Absent, thereby being passed.

1st Reading, Bill #6182, Allowing the Use of Fireworks in the City of Sikeston

Councilman Settles moved for the first reading of Bill Number 6182. The motion was seconded by Councilman Merideth and the following vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Absent, thereby being passed.

Counselor Thurman presented the bill for reading. This bill as approved shall become Ordinance Number 6182 and shall amend Article IV, Chapter 210 of the City Code establishing offenses within the City of Sikeston, Missouri.

On January 27th the City Council adopted Ordinance Number 6166, changing the Sikeston City Code to allow the sale of fireworks within the city limits. The ordinance made no change to the existing ban on the shooting of fireworks within city limits. During the meeting several City Council members asked that the staff bring back an agenda item for the City Council to discuss allowing the shooting of fireworks. Bill Number 6182 is an update to the bill considered in June and July of 2019, which was ultimately tabled.

Receive Annual Financial FY2019 Audit

Every year, the city undergoes an independent audit of its financial statements by a certified public accountant. The audit of the Fiscal Year 2019 financials has been completed by Essner, Miles, and Modde L.L.C. and is available for review by the City Council and the public.

Some highlights of the financial statements and auditor's report include the following:

- In the auditor's opinion, the City's financial statements "present fairly, in all material respects, the respective financial position" of the city's funds (see p.2).
- The audit "did not identify any deficiencies in internal controls that we consider to be material weaknesses" (p.113).
- The audit also notes "no transactions entered into by the City of Sikeston during the year for which there is a lack of authoritative guidance or consensus," (cover letter).
- Net position increased by \$76,000, or 0.23% during the year (p.4).
- Capital assets were acquired at a cost of \$1.37 million during the year. These were primarily comprised of improvements at the Recreation Complex, improvements on the Cotton Belt Trail (rail-trail), and vehicles (pp.1, 48-50, 62).
- Long term debt was decreased by \$352,000 (pp.1, 14).
- Combined ending fund balances increased by \$360,000 over the previous year (pp.5, 22).
- Total expenditures were under appropriations (i.e. under budget) by approximately \$116,000 (p.12).

Other Items

Missouri Department of Transportation (MoDOT) needs access to an easement on Route ZZ west of the Industrial Park which is owned by the City of Sikeston. The City would like to grant MoDOT access to this easement.

Councilman Sparks motioned to approve granting the easement to MoDOT. The motion was seconded by Councilwoman Williams, discussed and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Absent, thereby being passed.

ADJOURNMENT INTO EXECUTIVE SESSION

There being no further business before the City Council, Councilman Self moved to adjourn into executive session per RSMo 610.021(18) – Disclosure would impair the public governmental body's ability to protect the security or safety of persons, and the public interest in non-disclosure outweighs the public interest in disclosure. The motion was seconded by Councilman Sparks and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye,
Williams Aye, and Burch Absent, thereby being passed.

Mayor Pro Tem Evans called the executive session to order. Present were: Councilmembers Brian Self, Onethia Williams, Gerald Settles, Ryan Merideth and Brandon Sparks. Staff in attendance were: City Manager Jonathan Douglass, City Counselor Tabatha Thurman, City Clerk Carroll Couch, City Treasurer Karen Bailey, Deputy City Clerk Rhonda Council, Public Works Director Jay Lancaster, Public Safety Director James McMillen and DPS Captains Ryan Smith, Austin Henley and Detective Ben Quick.

No action was taken in executive session.

ADJOURNMENT OUT OF EXECUTIVE SESSION

Councilman Sparks moved to adjourn from executive session. The motion was seconded by Councilwoman Evans and the following roll call vote recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye, Williams Aye, and Burch Absent, thereby being passed.

ADJOURNMENT

There being no further business before the City Council, Councilman Self moved to adjourn. The motion was seconded by Councilman Settles and the following roll call vote was recorded:

Sparks Aye, Merideth Aye, Self Aye, Settles Aye, Evans Aye, Williams Aye, and Burch Absent, thereby being passed.

APPROVED:

STEVEN BURCH, MAYOR

ATTEST:

CARROLL L. COUCH, CITY CLERK

SEAL: