

**REGULAR CITY COUNCIL MEETING**  
**JULY 29, 2019**

The regular Sikeston City Council meeting of July 29, 2019 was called to order at 7:30 a.m. in the City Council Chambers, located at 105 East Center, Sikeston. Present at the meeting were: Mayor Steven Burch and Councilmembers Ryan Merideth, Gerald Settles, Ryan Merideth and Onethia Williams. Councilmembers absent were: Karen Evans, Brian Self 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 Safety Director Mike Williams, Assistant Public Safety Director James McMillen, Public Works Director Jay Lancaster, Street Superintendent Brian Dial, Street Supervisor Darren Martin, Parks Director Dustin Care and Code Enforcement Manager Lorenzo Ware.

**ITEMS OF BUSINESS**

**1<sup>st</sup> & 2nd Reading, Emergency Bill #6145, Parking Prohibited At All Times On Certain Streets - Defined**

Councilman Merideth moved for the first reading of Bill Number 6145. The motion was seconded by Councilwoman Williams and the following vote recorded:

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

Counselor Thurman presented the bill for reading. This bill as adopted shall become emergency Ordinance Number 6145 and shall amend Title III, Chapter 365 of the Uniform Traffic Code establishing additional traffic control measures within the City of Sikeston. This will amend the definition of "Parking Prohibited at all Times on Certain Streets" by prohibiting a person to stop, stand or park a vehicle at any time upon any of the streets described by ordinance.

Councilman Merideth moved for the second reading of Bill Number 6145. The motion was seconded by Councilman Settles and the following vote recorded:

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

Counselor Thurman presented the bill for a second reading.

**BILL Number 6145**

**ORDINANCE Number 6145**

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6145 AND SHALL AMEND TITLE III, CHAPTER 365 OF THE UNIFORM TRAFFIC CODE ESTABLISHING ADDITIONAL TRAFFIC CONTROL MEASURES WITHIN 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:** The Traffic Committee did meet on June 20, 2019 and voted favorably to recommend the request to amend the uniform traffic code's definition of "Parking Prohibited at

all Times on Certain Streets” by prohibiting a person to stop, stand or park a vehicle at any time upon any of the streets described by ordinance.

SECTION III: Title III - Chapter 365 – Section 365.030 definition shall be amended to read as follows:

**Section 365.030 – Parking Prohibited At All Times On Certain Streets**

***“When signs are erected giving notice thereof, no person shall **stop, stand or park a vehicle at any time upon any of the streets described by ordinance.**”***

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

SECTION V: 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 VI: Emergency Clause. This ordinance is adopted as an emergency measure so that the effective date would be in place when school starts in August.

SECTION VII: Record of Passage:

- A. Bill Number 6145 was introduced and read the first time this 29<sup>th</sup> day of July, 2019.
- B. Bill Number 6145 was read the second time and discussed this 29<sup>th</sup> day of July, 2019. Following discussion, Councilman Merideth moved to approve Bill Number 6145. The motion was seconded by Councilman Settles, discussed and the following roll call vote was recorded:

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

- C. Ordinance 6145 shall be in full force and effect immediately upon passage.

1<sup>st</sup> & 2nd Reading, Bill #6146, No Stopping, Standing or Parking - Ables from Illinois to Ashley Dr.; Brunt Blvd. from S. Main to Gen. George E. Day; Gen. George E. Day from S.Main to Curve at S. Ingram

Councilman Merideth moved for the first reading of Bill Number 6146. The motion was seconded by Councilman Settles and the following vote recorded:

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

Counselor Thurman presented the bill for reading. This bill as approved shall become emergency ordinance number 6146 and shall amend Title III, Chapter 365 of the Uniform Traffic Code establishing additional traffic control measures within the City of Sikeston, Missouri. This will amend the code by placing no stopping/standing/parking signs on Ables Road from Illinois to Ashley Drive; on Brunt Blvd. from S. Main to Gen. George E. Day; and on Gen. George E. Day from S. Main to curve at S. Ingram Road, on both sides of the street.

Councilman Settles moved for the second reading of Bill Number 6146. The motion was seconded by Councilman Merideth and the following vote recorded:

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

Counselor Thurman presented the bill for a second reading.

**BILL Number 6146**

**ORDINANCE Number 6146**

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6146 AND SHALL AMEND TITLE III, CHAPTER 365 OF THE UNIFORM TRAFFIC CODE ESTABLISHING ADDITIONAL TRAFFIC CONTROL MEASURES WITHIN 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: The Traffic Committee did meet on June 20, 2019 and voted favorably to amend the uniform traffic code by placing no stopping/standing/parking signs on Ables Road from Illinois to Ashley Drive; on Brunt Blvd. from S. Main to Gen. George E. Day; and on Gen. George E. Day from S. Main to curve at S. Ingram Road, on both sides of the street.

SECTION III: Title III – Chapter 355 – Section 355.010 – Stopping, Standing or Parking Prohibited; Schedule IV, shall be amended by including the following:

<u>Name of Street</u>	<u>From</u>	<u>To</u>	<u>Side of Street</u>
Ables Road	Illinois Ave.	Ashley Drive	Both
Brunt Blvd.	S. Main	General George E. Day	Both
Gen. George E. Day	S. Main	Curve at S. Ingram Road	Both

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

SECTION V: 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 VI: Emergency Clause. This ordinance is adopted as an emergency measure so that it would be in effect when school starts in August.

SECTION VII: Record of Passage:

- A. Bill Number 6146 was introduced and read the first time this 29<sup>th</sup> day of July, 2019.
- B. Bill Number 6146 was read the second time and discussed this 29<sup>th</sup> day of July, 2019. Following discussion, Councilman Merideth moved to approve Bill Number 6146. The

motion was seconded by Councilman Settles, discussed and the following roll call vote was recorded:

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

C. Ordinance 6146 shall be in full force and effect immediately upon passage.

1st & 2nd Reading, Emergency Bill #6147, Four-Way Stop Sign at George E. Day & Brunt Blvd.

Councilman Merideth moved for the first reading of Bill Number 6147. The motion was seconded by Councilman Settles and the following vote recorded:

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

Counselor Thurman presented the bill for reading. This bill as approved shall become emergency Ordinance Number 6147 and shall amend Title III, Chapter 300, Schedule III, Table III-A of the Uniform Traffic Code establishing additional traffic control measures within the City of Sikeston, Missouri. This will authorize installation of stop signs at the intersection of Gen. George E. Day at Brunt Blvd. and Gen. George E. Day at Pine to create a four-way stop.

Councilman Settles moved for the second reading of Bill Number 6146. The motion was seconded by Councilman Merideth and the following vote recorded:

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

Counselor Thurman presented the bill for a second reading.

BILL NUMBER 6147

ORDINANCE NUMBER 6147

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6147 AND SHALL AMEND TITLE III, CHAPTER 300, SCHEDULE III, TABLE III-A OF THE UNIFORM TRAFFIC CODE ESTABLISHING ADDITIONAL TRAFFIC CONTROL MEASURES WITHIN 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: The Traffic Committee did meet on June 20, 2019, and voted unanimously for the installation of stop signs at the intersection of Gen. George E. Day at Brunt Blvd. and Gen. George E. Day at Pine to create a four-way stop.

SECTION III: Title III, Chapter 300, Schedule III, Table III-A-Stop Locations; shall be amended to include as follows:

<u>Stop Sign</u>	<u>Sign Location</u>	<u>Controlled Traffic Movement</u>
Gen. George E. Day at Pine	NE Corner	West
Gen. George E. Day at Brunt	SW Corner	East

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

**SECTION V:** 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 VI:** Emergency Clause. This ordinance is adopted as an emergency measure so that it would be in effect when school starts in August.

**SECTION VII:** Record of Passage:

- A. Bill Number 6147 was introduced and read the first time this 29<sup>th</sup> day of July, 2019.
- B. Bill Number 6147 was read the second time and discussed this 29<sup>th</sup> day of July, 2019. Following discussion, Councilman Merideth moved to approve Bill Number 6147. The motion was seconded by Councilman Settles, discussed and the following roll call vote was recorded:

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

- C. Ordinance 6147 shall be in full force and effect immediately upon passage.

1st & 2nd Reading, Emergency Bill #6148, No Left Turn on Brunt at Wing Elementary

Councilman Merideth moved for the first reading of Bill Number 6148. The motion was seconded by Councilman Settles and the following vote recorded:

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

Counselor Thurman presented the bill for reading. This bill as approved shall become emergency Ordinance Number 6148 and shall amend Title III, Chapter 325 of the Uniform Traffic Code establishing additional traffic control measures within the City of Sikeston, Missouri. This bill would approve the designation of no left turn in the southwest bound direction on Brunt Blvd. for the entrance to Wing Elementary School. Based on recent changes to the school's traffic plan, this bill will no longer be needed.

No motion was made for a second reading. Bill died for lack of a second motion.

1st & 2nd Reading, Emergency Bill #6149, School Zone Designation for Wing Elementary

Councilman Settles moved for the first reading of Bill Number 6149. The motion was seconded by Councilman Merideth and the following vote recorded:

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

Counselor Thurman presented the bill for reading. This bill as approved shall become emergency Ordinance Number 6149 and shall amend Title III, Chapter 320.050, Schedule I-B, by adding another designated school zone. School zone would be designate Gen. George E. Day from Pine St. to 200' North on Pine, and Brunt Blvd. from Ge. George E. Day to Arches.

Counselor Thurman presented the bill for a second reading.

BILL Number 6149

ORDINANCE Number 6149

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6149 AND SHALL AMEND TITLE III, CHAPTER 320.050 SCHEDULE I-B BY ADDING ANOTHER DESIGNATED SCHOOL ZONE.

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: The Traffic Committee did meet on June 20, 2019 and voted favorably to designate Gen. George E Day from Tulip Trace to curve at S. Ingram Rd., Gen. George E. Day from Pine St. to 200' North on Pine, and Brunt Blvd. from Gen. George E. Day to Arches, as a school zone.

SECTION III: Title III, Schedule I, Table I-B, School Zone Speed Limits, shall be amended to include the following:

<u>Location</u>	<u>Speed Limit</u>
Gen. George E. Day from Tulip Trace to Curve at S. Ingram Rd.	20
Gen. George E. Day from Pine St. to 200' North on Pine St.	20
Brunt Blvd. from Gen. George E. Day to Arches	20

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

SECTION V: 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 VI: Emergency Clause. This ordinance is adopted as an emergency measure so that it would be in effect when school starts in August.

SECTION VII: Record of Passage:

- A. Bill Number 6149 was introduced and read the first time this 29<sup>th</sup> day of July, 2019.
- B. Bill Number 6149 was read the second time and discussed this 29<sup>th</sup> day of July, 2019. Following discussion, Councilman Merideth moved to approve Bill Number 6149. The motion was seconded by Councilman Settles, discussed and the following roll call vote was recorded:

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

C. Ordinance 6147 shall be in full force and effect immediately upon passage.

1st Reading, Bill #6155, Yield Sign to Replace Stop Sign at Linn & Selma

Councilman Settles moved for the first reading of Bill Number 6155. The motion was seconded by Councilman Merideth and the following vote recorded:

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

Counselor Thurman presented the bill for reading. This bill as approved shall become Ordinance Number 6155 and shall amend Title III, Chapter 335 of the Uniform Traffic Code establishing additional traffic control measures within the City of Sikeston, Missouri.

1st Reading, Bill #6156, Four-Way Stop Sign at N. Ranney & Lake St.

Councilman Merideth moved for the first reading of Bill Number 6156. The motion was seconded by Councilwoman Williams and the following vote recorded:

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

Counselor Thurman presented the bill for reading. This bill as approved shall become Ordinance Number 6156 and shall amend Title III, Chapter 300, Schedule III, Table III-A of the Uniform Traffic Code establishing additional traffic control measures within the City of Sikeston, Missouri. The Traffic Committee did not favorably vote to approve the installation of stop signs at the intersection of North Ranney at Lake Street to create a four-way stop.

1st Reading, Bill #6152, Update to Rental Property Minimum Housing Quality Standards

Councilman Merideth moved for the first reading of Bill Number 6152. The motion was seconded by Councilwoman Williams and the following vote recorded:

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

Counselor Thurman presented this bill for reading. This bill as approved shall become Ordinance Number 6152 and shall amend Title V, Chapter 510, Rental Property Minimum Housing Quality Standards, in the Municipal Code of the City of Sikeston, Missouri.

1st Reading, Bill #6157, Dissolving the Rental Ordinance Review Board

Councilman Merideth moved for the first reading of Bill Number 6157. The motion was seconded by Councilman Settles and the following vote recorded:

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

Counselor Thurman presented this bill for reading. This bill as approved shall become Ordinance Number 6157, providing for the repeal of Article IX of Chapter 130 of the Sikeston Municipal Code, thus dissolving the Rental Ordinance Review Board. Issues with rental inspections will be handled by the Board of Appeals instead of the Rental Ordinance Review Board.

1st & 2nd Reading, Emergency Bill #6158, Medical Marijuana Dispensary Regulations

Councilman Merideth moved for the first reading of Bill Number 6158. The motion was seconded by Councilman Settles and the following vote recorded:

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

Counselor Thurman presented this bill for reading. This bill as approved shall become emergency Ordinance Number 6158 and shall amend Article XII, Chapter 405, of the City Code of the City of Sikeston, Missouri, regarding medical marijuana facilities. Bill #6158 which would establish the following regulations for medical marijuana facilities in Sikeston:

- 1,000 foot distance restriction from schools, churches and day cares for all types of facilities
- Hours of operation for dispensaries of 7:00 a.m. to 7:00 p.m.
- No limitations on hours of operation for other facilities
- Dispensaries allowed in General Commercial (C-2), Highway Commercial (C-3), Light Industrial (IL) and Heavy Industrial (IH) zones
- Infused Products Manufacturing Facilities allowed in IL and IH zones if they utilize combustible gas or CO2 in the extraction process; other Infused Products Manufacturing Facilities allowed in C-2, C-3, and IL zones.
- Cultivation Facilities allowed in IH and Agricultural/Open Space (AG) zones

If adopted, it should allow plenty of time for interested parties to meet State of Missouri deadlines for license applications. The State is accepting applications from August 3 to August 17.

Councilman Settles moved for the second reading of Bill Number 6145. The motion was seconded by Councilman Merideth and the following vote recorded:

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

Counselor Thurman presented the bill for a second reading.

BILL Number 6158

ORDINANCE Number 6158

THIS BILL AS APPROVED SHALL BECOME EMERGENCY ORDINANCE NUMBER 6158 AND SHALL AMEND ARTICLE XII, CHAPTER 405, OF THE CITY CODE OF THE CITY OF SIKESTON, MISSOURI, REGARDING MEDICAL MARIJUANA FACILITIES.

**WHEREAS**, the City of Sikeston, Missouri, acknowledges voters passed an Amendment to Article XIV of the Missouri Constitution enabling licensed citizens the right to the use, cultivation,



manufacturing, dispensing, testing, transportation, administration and storage of Medical Marijuana and Medical Marijuana-Infused Products; and,

**WHEREAS**, the Code Enforcement/Planning Department of the City of Sikeston was adopted for the purpose of promoting the public health, safety, comfort, morals, convenience, and general welfare of the City; and,

**WHEREAS**, the City desires to protect the public health and safety by establishing reasonable regulations on medical marijuana related businesses regarding noise, air quality, neighborhood safety, security, other health and safety concerns, and reasonable time, place and manner restrictions on medical marijuana facility operations; and,

**WHEREAS**, the City has tasked the City Code Enforcement/Planning Department to amend the existing City of Sikeston Zoning Ordinances to include applicable ordinances regarding the implementation of medical marijuana regulations consistent with the State Constitution; therefore,

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: Article XII, Chapter 405, of the City Code of the City of Sikeston, Missouri, shall be amended as follows:

**Section 405.010. Definitions.**

"Definitions" of the Code of Sikeston, Missouri is amended to add the following definitions. If any of the new definitions adopted herein conflict with any preexisting definitions, the definitions in this Ordinance shall supersede any preexisting definitions:

**Child day-care center**

A child day care center or center, whether known or incorporated under another title or name, is a child care program conducted in a location other than the provider's permanent residence, or separate from the provider's living quarters, and licensed by the Department of Health and Senior Services of the state of Missouri where care is provided for children not related to the child care provider for any part of the twenty-four (24)-hour day.

**Church**

At a minimum, a church includes a body of believers or communicants that assembles regularly in order to worship. Unless the organization is reasonably available to the public in its conduct of worship, its educational instruction, and its promulgation of doctrine, it cannot fulfill the associational role that Courts have increasingly adopted as a threshold for determining when an organization qualifies as a church. Other key factors to consider include whether the organization has a distinct legal existence, recognized creed and form of worship, definite and distinct ecclesiastical government, a formal code of doctrine and discipline, distinct religious history, membership not associated with any other church or denomination, organization of ordained ministers, ordained ministers selected after completing prescribed studies, literature of its own, established places of worship, regular congregations, and regular religious services. No single factor is controlling but having regular meetings with a regular congregation should be weighted more heavily than some of the other factors. They City may use a combination of these

characteristics, together with other facts and circumstances, to determine whether an organization is considered a church for the purposes of this section.

**Marijuana or Marihuana**

Means Cannabis Indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as seed thereof and resin extracted from the plant and marijuana-infused products. Marijuana does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

**Marijuana-Infused Products**

Means products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.

**Medical Marijuana Cultivation Facility**

Means a facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a Medical Dispensary Facility, Medical Marijuana Testing Facility, or to a Medical Marijuana-Infused Products Manufacturing Facility.

**Medical Marijuana Dispensary Facility**

Means a facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient, a primary caregiver, another Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or a Medical Marijuana- Infused Projects Manufacturing Facility.

**Medical Marijuana-Infused Products Manufacturing Facility**

Means a facility licensed by the State of Missouri, to acquire, store, manufacture, transport, and sell marijuana-infused products to a Medical Marijuana Dispensary Facility, a Medical Marijuana Test Facility, or to another Medical Marijuana-Infused Projects Manufacturing Facility.

**Medical Marijuana Testing Facility**

Means a facility certified by the State of Missouri, to acquire, test, certify, and transport marijuana.

**Qualifying Patient**

Means a Missouri resident diagnosed with at least one qualifying medical Condition.

**School**

Any building which is regularly used as a public, private or parochial elementary and/or secondary school or high school.

SECTION III: Section 405.020 Permitted Use, is hereby amended to add Subsection 405.020.A, which shall hereafter be read as follows:

A. Medical Marijuana Dispensaries

1. "Commercial-2 (C-2) and Commercial-3 (C-3) Zones" of **Section 405.920 Tables-Use, Height and Area Regulations** Code of Sikeston, Missouri is hereby amended to add a new Section *Medical Marijuana Dispensary Facility*
2. "Light Industrial (IL) and Heavy Industrial (IH) Districts" of **Section 405.1130 Tables-Use, Height and Area Regulations** Code of Sikeston, Missouri is hereby amended to add a new Section *Medical Marijuana Dispensary Facility*
3. **Standard for *Medical Marijuana Dispensaries***

No building shall be constructed, altered or used for a Medical Marijuana Dispensary without complying with the following regulations this subchapter.

- a) No Medical Marijuana Dispensary shall be located within one thousand (1,000) feet of a then existing elementary or secondary school, child day care center, or church\*. Measurements shall be in a method consistent with the following:
  - a. In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest point of the property line of the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.
  - b. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.
  - c. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.

**\*Then existing" shall mean any school, child day-care center, or church with a written building permit from the city to be constructed, or under construction, or completed and in use at the time the Medical Marijuana Dispensary first applies for either zoning or a building permit, whichever comes first.**

b) **Onsite Usage Prohibited** No marijuana may be smoked, ingested, or otherwise consumed on the premises of a Medical Marijuana Dispensary building.

c) **Hours of Operation** All sales or distribution of Medical Marijuana and any other products sold to the public through a Medical Marijuana Dispensary shall take place between the hours of 07:00 AM and 07:00 PM, Monday – Sunday. Medical Marijuana Dispensaries shall be secured and closed to the public after the hours listed in this subsection and no persons not employed by the Medical Marijuana Dispensary may be present in such a facility at any time it is closed to the public.

d) **Display of License Required** The Medical Marijuana Dispensary license issued by the state of Missouri shall be prominently in a highly visible location, easily seen by patients on the dispensary's sales floor.

e) **Zoning Limitations** Medical Marijuana Dispensaries shall be in any Commercial-2 (C-2), Commercial-3 (C-3) Zones, Light Industrial Districts (IL) and Heavy Industrial (IH) Districts located in the City of Sikeston.

f) **Site Plan Review** Any plans for a Medical Marijuana Dispensary shall meet the standard new construction or new business requirements of all General Business and Commercial District construction outlined in this Title and approved subject to the standard procedures of the 2012 International Code Council and Local Ordinances of the City of Sikeston general business and commercial zoning code.

B. Medical Marijuana-Infused Products Manufacturing Facility.

1. "Light Industrial (IL) District and Heavy-Industrial (IH) District of the City Code of Sikeston, Missouri is hereby amended to add to **Section 405.1130 Tables-Use, Height and Area Regulations** *Standards for Medical Marijuana-Infused Products Facilities*, which shall state the following:

2. No building shall be constructed, altered or used for a Medical Marijuana-Infused Products Manufacturing Facility without complying with the following regulations:

a) **Distance Requirement** No Medical Marijuana-Infused Products Manufacturing Facility using any combustible gases or CO<sub>2</sub> in the extraction process shall be located within one thousand (1,000) feet of a then existing elementary or secondary school, licensed child day care center, or church. Any other Medical Marijuana -Infused Products Manufacturing Facility may be located in any location where a Medical Marijuana Dispensary may be located as detailed above. Measurements shall be in a method consistent with the following:

a. In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest point of the property line of the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.

b. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.

c. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.

**\*"Then existing" shall mean any school, child day-care center, or church with a written building permit from the city to be constructed, or**

**under construction, or completed and in use at the time the Medical Marijuana-Infused Products Manufacturing Facility first applies for either zoning or a building permit, whichever comes first.**

- b) **Outdoor Operations or Storage** All operations and all storage of materials, products, or equipment shall be within a fully secured area inside the building structure or outdoors on the property in an area enclosed by a razor wire fence at least ten (10) feet in height, not including the razor wire.
- c) **Onsite Usage Prohibited** No marijuana may be smoked, ingested, or otherwise consumed on the premises of any Medical Marijuana-Infused Products Manufacturing Facility during regular business hours.
- d) **Hours of Operation** All Medical Marijuana-Infused Products Manufacturing Facilities shall be closed to the public and no persons not employed by the business shall be on the premises at any time without being approved entry and logged in by building security personnel and are required to obtain a visitor pass.
- e) **Display of Licenses Required** The Medical Marijuana-Infused Products Manufacturing Facility license issued by the State of Missouri shall be displayed in a prominent place in plain view near the front desk of the facility.
- f) **Site Plan Review Required** Any plans for a Medical Marijuana-Infused Products Facility using combustible gases or CO<sub>2</sub> in the extraction process shall meet the standard new construction requirements of the "Light Industrial District" outlined in this Title and approved subject to the standard procedures of 2012 International Building Code and Local Ordinances of the City of Sikeston for "Light Industrial Districts (IL)" or "Heavy Industrial Districts (IH)." The city shall not impose any additional requirements on the type of medical facility described in this Section. Furthermore, this Section clarifies that Medical Marijuana-Infused Products Facility may be built in either a "Light Industrial (IL)" or "Heavy Industrial District (IH)."

#### C. Medical Marijuana Cultivation Facility

- 1. "Heavy Industrial (IH) District" and "Agricultural/Open Space (AG) District" of the City Code of Sikeston, Missouri is hereby amended to add a new Permitted Use Section 405.700 Standards for Standards for Medical Marijuana Cultivation Facilities, which shall state the following:
- 2. No building shall be constructed, altered or used for a Medical Marijuana Cultivation Facility without complying with the following regulations of the Heavy Industrial (IH) District and Agricultural/Open Space (AG) District or the City Code of Sikeston, Missouri.
  - a) **Distance Requirement** No Medical Marijuana Cultivation Facility shall be located within one thousand (1,000) feet of a then existing elementary or secondary school, state licensed child day-care center or church\*. Measurements shall be consistent with the following:
    - a. In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest point of the property line of

the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.

- b. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.
- c. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.

**“Then existing” shall mean any school, child day-care center, or church with a written building permit from the city to be constructed, or under construction, or completed and in use at the time the Medical Marijuana Cultivation Facility first applies for either zoning or a building permit, whichever comes first.**

- b) **Outdoor Operations or Storage** All operations and all storage of materials, products, or equipment shall be within a fully secured area inside the building structure or outdoors on the property in an area enclosed by a razor wire fence at least 10 feet in height, not including the razor wire.
- c) **Onsite Usage Prohibited** No marijuana may be smoked, ingested, or otherwise consumed on the premises of any Medical Marijuana Cultivation Facility during regular business hours.
- d) **Hours of Operation** All Medical Marijuana Cultivation Facility shall be closed to the public and no persons not employed by the business shall be on the premises at any time without being approved entry and logged in by building security personnel and are required to obtain a visitor pass.
- e) **Display of Licenses Required** The Medical Marijuana Cultivation Facility license issued by the State of Missouri shall be displayed in a prominent place in plain view near the front entrance of the facility.
- f) **Site Plan Review Required** Any plans for an indoor “Medical Marijuana Cultivation Facility” shall meet the standard new construction requirements of the “Heavy Industrial (IH) District” outlined in this Title and approved subject to the standard procedures of 2012 International Code Council and Local Ordinances of the City of Sikeston “Agricultural/Open Space (AG) District” Any outdoor “Medical Marijuana Cultivation Facility” shall meet the standard requirements for of any other crop, except as otherwise set forth herein.

**SECTION IV:** Chapter 405, Article VII, Division 11. “C-1”, “C-2”, and “C-3” commercial districts – Section 405.920. TABLES – USE, HEIGHT AND AREA REGULATIONS, is amended to add the following the following to the Category Use-Commercial, miscellaneous (b)(c)

A	B			
	<b>Zoning District-Conditional Or Permitted Use</b>			
<b>CATEGORY USE</b>	<b>“C-1”, “C-2”, “C-3”, “DT”</b>			
P = Permitted as a matter of right				<b>“DT”</b>
	<b>“C-1”</b>	<b>“C-2”</b>	<b>“C-3”</b>	
CU = May be permitted by the Board of Adjustment	<b>Neighborhood</b>	<b>General</b>	<b>Highway</b>	<b>Downtown District</b>
<b>Commercial, miscellaneous (b)(c)</b>				
Medical Marijuana Dispensaries		P	P	

SECTION V: Chapter 405, Article VII, Division 14. “IL” and “IH” Industrial Districts – Section 405.1130. TABLES – USE, HEIGHT AND AREA REGULATIONS, is amended to add the following to the Category Chemical and Allied Products, and Food Beverage and Products

**Table Of Uses**

P = Permitted as a matter of right  
 CU = May be permitted by the Board of Adjustment  
 NA = Not Allowed

	<b>“IL”</b>	<b>“IH”</b>	<b>“DT”</b>
<b>CATEGORY USE</b>	<b>Light Industrial</b>	<b>Heavy Industrial</b>	<b>Downtown</b>
<b>District</b>			
<b>Chemical and Allied Products</b>			
Medical Marijuana Cultivation Facility	P	P	NA
<b>Food Beverage and Products</b>			
Medical Marijuana-Infused Products manufacturing facility	P	P	NA

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

SECTION VII: 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 VIII: Emergency Clause. This ordinance is adopted as an emergency measure so that the effective date corresponds with the State requirements.

SECTION IX: Record of Passage:

- A. Bill Number 6158 was introduced and read the first time this 29<sup>th</sup> day of July, 2019.
- B. Bill Number 6158 was read the second time and discussed this 29<sup>th</sup> day of July, 2019. Following discussion, Councilman Settles moved to approve Bill Number 6158. The motion was seconded by Councilwoman Williams, discussed and the following roll call vote was recorded:

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

C. Ordinance 6158 shall be in full force and effect immediately upon passage.

1st Reading, Bill #6161, Authorization to Replat 305 & 307 N. Ingram Road

Councilman Merideth moved for the first reading of Bill Number 6157. The motion was seconded by Councilman Settles and the following vote recorded:

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

Counselor Thurman presented this bill for reading. This bill as approved shall become Ordinance Number 6161, providing for approval of the replat of all of Lots #3 and #4 and a part of Lot #2 in Block #2 of Kindred's Subdivision, in the City of Sikeston, Scott County, Missouri.

Approval of Assignment of Contract

On February 25, 2019, the city took bids for street work utilizing Waters Engineering as a consulting engineer. Bid Package 19-38 was approved by Council on March 4<sup>th</sup>, 2019. Shortly after, and before work could begin, the successful contractor, Chester Bross Construction Company, was purchased by another paving company, Emory Sapp and Sons.

Staff seeks Council's approval of this assignment of contract so that work can begin on milling and asphalt overlays on Southland and North West (between Malone and West North).

Councilman Settles moved to approve the assignment of contract, authorizing Chester Bross Construction Company to begin milling and asphalt work on Southland and North West (between Malone & West North). The motion was seconded by Councilwoman Williams and the following vote recorded:

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

Other Items

Citizen Gary Cook spoke on behalf of an outside group of concerned landlords in Sikeston and asked Council to consider tabling Bill #6157 (Rental Property Minimum Housing Quality Standards) and to review a proposal from the outside group to possibly incorporate the two ideas. Council asked Mr. Cook to present his ideas to them prior to the next meeting on August 5th.

**ADJOURNMENT INTO EXECUTIVE SESSION**

There being no further business before the City Council, Councilman Merideth moved to adjourn into executive session for discussion of property. The motion was seconded by Councilman Settles and the following roll call vote was recorded:

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



Mayor Burch called the executive session to order. Present were: Councilmen Ryan Merideth, Gerald Settles and Onethia Williams. 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 Safety Director Mike Williams and Assistant Public Safety Director James McMillen.

No action was taken.

**ADJOURNMENT OUT OF EXECUTIVE SESSION**

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

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

**ADJOURNMENT**

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

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

APPROVED:

\_\_\_\_\_  
STEVEN BURCH, MAYOR

ATTEST:

\_\_\_\_\_  
CARROLL L. COUCH, CITY CLERK

SEAL: