

REGULAR SESSION – June 5, 2017

**CLOSED SESSION**

Legal actions and litigation, confidential communications with legal counsel, and property transactions, pursuant to RSMo. Sections 610.021(1), and (2).

A Motion was made by Victor Gunn, Seconded by Shelly Moore to convene to closed session.

Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

**INVOCATION**

Reverend Renita Green from St. James AME Church in Cape Girardeau.

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER**

The Cape Girardeau City Council convened in regular session on Monday, June 5, 2017, at 7:00 p.m., with Mayor Harry Rediger presiding and Council Members Wayne Bowen, Bob Fox, Victor Gunn, Shelly Moore present. Robbie Guard and Joseph Uzoaru were absent.

**ADOPTION OF THE AGENDA**

A Motion was made by Wayne Bowen, Seconded by Bob Fox to adopt.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

**PRESENTATIONS**

Mayor Harry Rediger presented Gun Violence Awareness Day Proclamation.

**COMMUNICATIONS/REPORTS**

Mayor Harry Rediger asked for a letter of interest from any qualified person from Ward 6 who is interested in filling the unexpired term of Council Member Wayne Bowen after he presents his resignation. The term will expire April 2018. The letter of interest should be mailed or e-mailed to the City Clerk.

Mayor Harry Rediger said that he participated in the season opening of Cape Splash, with the Ribbon Cutting of its new feature, Shipwreck Island.

Mayor Harry Rediger spoke about the fundraising for the Police Department's K-9 units. The efforts will conclude with a Jerry Ford concert on July 29, 2017.

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Council Member Victor Gunn said that he participated in the Ribbon Cutting of the renovated Capaha Ball Field. He noted that the field was in great condition even with all the rain. He also said the other improvements at Capaha Park were nice as well.

## PUBLIC HEARINGS

A public hearing to consider vacating the City's interest in unimproved alley right-of-way running east from Missouri Avenue to Scherer Lane rights-of-way and lying between Mississippi Street and New Madrid Street rights-of-way, in the City of Cape Girardeau, Missouri.

Mayor Harry Rediger opened the Public Hearing. There being no appearances, the hearing was closed.

*BILL NO. 17-78, an Ordinance vacating the northernmost public alley right-of-way running east from Missouri Avenue to Scherer Lane rights-of-way and lying between Mississippi Street and New Madrid Street rights-of-way, in the City of Cape Girardeau, Missouri. First Reading.*

A Motion was made by Victor Gunn, Seconded by Bob Fox to approve.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

A public hearing to consider a request to rezone property at 600 Highland Drive from R-3 (High Density Single-Family Residential) to R-2 (Single-Family Urban Residential).

Mayor Harry Rediger opened the Public Hearing. There being no appearances, the hearing was closed.

*BILL NO. 17-80, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 600 Highland Drive, in the City and County of Cape Girardeau, Missouri, from R-3 to R-2. First Reading.*

A Motion was made by Bob Fox, Seconded by Wayne Bowen to approve.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

A public hearing to consider the proposed annual operating budget for the City of Cape Girardeau, Missouri, for the fiscal year beginning July 1, 2017.

Mayor Harry Rediger opened the Public Hearing.

William Bryd, Jr. appeared in opposition regarding the Ordinance establishing utility rates and reconnection fees. He asked the Council to consider reducing the amount of the increase.

Scott Johnson appeared regarding the Ordinance establishing utility rates and reconnection fees. He urged the Council to reconsider the amount of the increase and the sudden change in the deposit and reconnect charges.

Renita Green appeared in opposition to the rate increase. She noted that there were about a half dozen people in attendance during the study session in opposition to the rate increase.

There being no other appearances, the hearing was closed.

*BILL NO. 17-84, an Ordinance adopting the annual operating budget for the City of Cape Girardeau, Missouri, for the fiscal year beginning July 1, 2017. First Reading.*

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Council Member Wayne Bowen stated that he appreciated the Finance Director John Richbourg and his staff for the work to develop the extensive City operating budgets, and the definite improvements that he has seen while serving on the Council. He said he had a few questions about the proposed budget. Those included: the lack of increasing the number of employees and salaries for Public Safety Department personnel; the amount set for community events in the Parks and Recreation Department; the lack of a proposed increase to Golf Course fees; the anticipated Indoor Sports Complex revenue; the amount set for the Spirit Grant; the item listed as CM projects; and the increased amount for special projects in Parks, when that item is flat or decreased in other Departments. City Staff addressed each issue.

Council Member Bob Fox inquired about the 77% increase in the dangerous building fund. Finance Director John Richbourg stated that this was an estimate of the money potentially designated for that use. Council Member Fox asked about the amount of funds that the proposed rate increase will generate and about the number of disconnects. City Staff provided responses, and the Council had additional discussion.

A Motion was made by Wayne Bowen, Seconded by Bob Fox to amend the proposed annual budget for the fiscal year beginning July 1, 2017, by increasing the golf fess by 5% at the beginning of the fiscal year.

Mayor Harry Rediger stated that he was not prepared to vote to approve the increase without having the appropriate data and input from Staff.

Motion to amend failed. 3-2. Ayes: Bowen, Fox, Moore. Nays: Gunn, Rediger. Absent: Guard, Uzoaru.

A Motion was made by Wayne Bowen, Seconded by Bob Fox to approve.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

#### **APPEARANCES**

None.

#### **CONSENT AGENDA**

Approval of the May 15, 2017, City Council regular session and closed session minutes.

**BILL NO. 17-64**, an Ordinance accepting a Temporary Construction Easement and a Perpetual Non-Exclusive Easement for Ingress and Egress for the Police Station Project, located at 2530 Maria Louise Lane, in the City of Cape Girardeau, Missouri. Second and Third Readings.

**BILL NO 17-65**, an Ordinance amending Schedule C of Section 26-121 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by establishing a stop sign on Spruce Street at its intersection with Boxwood Drive, in the City of Cape Girardeau, Missouri. Second and Third Readings.

**BILL NO. 17-76**, a Resolution authorizing the City Manager to execute an Agreement with Advanced Turf Solutions, Inc., d/b/a J & D Turf, for Phase II of the Shawnee Park Sports Complex Renovation, in the City of Cape Girardeau, Missouri. Reading and Passage

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BILL NO. 17-81, a Resolution of the City of Cape Girardeau, Missouri, stating intent to seek funding through the Federal Home Loan Bank of Des Moines, Iowa, for Affordable Housing Program funds, and authorizing the City Manager to pursue activities in an attempt to secure funding, and to execute all necessary grant documents. Reading and Passage.

BILL NO. 17-82, a Resolution authorizing the City Manager to execute an Agreement with Teska Associates, Inc., for the Comprehensive Plan Update, in the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 17-88, a Resolution authorizing the City Manager to execute an agreement with American Structures, Inc., for the New Gordonville Water Tank No. 1, in the City of Cape Girardeau, Missouri. Reading and Passage.

Approval of Naming Request Application for the Grounds at 44 North Lorimier Street.

Council Member Wayne Bowen thanked Denise Lincoln, who was present, for researching the history of the Ivers family that led to the naming request application for the Courthouse Park property. City Manager Scott Meyer noted that Council Member Robbie Guard had sent an e-mail stating his support of approving the Ivers Naming Application.

Bill No. 17-64 will be Ordinance 4970; Bill No. 17-65 will be Ordinance 4971; Bill No. 17-76 will be Resolution 3081; Bill No. 17-81 will be Resolution 3082; Bill No. 17-82 will be Resolution 3083; and Bill No. 17-88 will be Resolution 3084.

A Motion was made by Wayne Bowen, Seconded by Bob Fox to approve and adopt. Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

## ITEMS REMOVED FROM CONSENT AGENDA

Bill No. 15-234, an Ordinance approving a redevelopment project for Redevelopment Project Area 2 of the Downtown Cape Girardeau Redevelopment Area; adopting tax increment financing with respect thereto; and authorizing certain actions by city officials. Second and Third Readings.

Mayor Harry Rediger asked the City Attorney to explain why that Council is just now having the Second and Third Readings of an Ordinance that was introduced in 2015. City Attorney Eric Cunningham responded that the Bill was introduced with the First Reading during the approval of the Redevelopment Plan for the Downtown Tax Increment Financing District. Because adoption of this Ordinance activates a time limit for certain requirements to be completed within Project Area 2, the City did not want final approval until there was an desirable project proposed in the area. Mr. Cunningham noted that there is not a time limit between the introduction and the adoption of a Ordinance.

Bill No. 15-234 will be Ordinance 4972.

A Motion was made by Victor Gunn, Seconded by Wayne Bowen to approve and adopt. Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

BILL NO. 17-79, a Resolution approving a Redevelopment Agreement in Connection with a Portion of the RPA 2 Redevelopment Project Described in the Redevelopment Plan for the Downtown Tax Increment Financing District, Cape Girardeau, Missouri, 2015. Reading and Passage.

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Mayor Rediger asked Chamber of Commerce President John Mehner and members from Centurion Development to explain the Redevelopment Agreement and the concept of the project. Mr. Mehner explained some of the details of the Tax Increment Financing tool to redevelop areas of the City that are in decline and that could not be redeveloped "but for" the use of the TIF. Jason Coalter and Dustin Richardson of Centurion Development L.L.C. described the concept to renovate and repurpose the structures located at 1 and 20 North Main Street.

Bill No. 17-79 will be Resolution 3085.

A Motion was made by Victor Gunn, Seconded by Bob Fox to approve.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

**NEW ORDINANCES**

**BILL NO. 17-63**, an Ordinance amending Chapter 15 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding Taxicabs and Transportation Network Companies. First reading.

A Motion was made by Wayne Bowen, Seconded by Bob Fox to approve.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

**BILL NO. 17-74**, an Ordinance renaming a portion of Kiwanis Drive to Maria Louise Lane, in the City of Cape Girardeau, Missouri. First Reading.

A Motion was made by Bob Fox, Seconded by Shelly Moore to approve.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

**BILL NO. 17-75**, an Ordinance accepting a Permanent Utility and Drainage Easement for 2005 Evergreen Drive, and a Permanent Drainage Easement for 2009 Evergreen Drive, in the City of Cape Girardeau, Missouri. First Reading.

A Motion was made by Wayne Bowen, Seconded by Bob Fox to approve.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

**BILL NO. 17-77**, an Ordinance authorizing the City Manager to execute a Wayfinding Signing Agreement with the Missouri Highways and Transportation Commission, for placing wayfinding signage on MoDOT right-of-way, in the City of Cape Girardeau, Missouri. First Reading.

A Motion was made by Victor Gunn, Seconded by Bob Fox to approve.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

**BILL NO. 17-83**, an Ordinance authorizing the City Manager to execute a Transportation Planning Consolidated Grant Agreement with the Missouri Highways and Transportation Commission for Southeast Metropolitan Planning Organization expenses. First Reading.

A Motion was made by Shelly Moore, Seconded by Bob Fox to approve.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

**BILL NO. 17-85**, an Ordinance authorizing the Mayor to execute a Special Warranty Deed to SEMO Legends, LLC, for property along North Sprigg Street, in the City of Cape Girardeau, Missouri. First Reading.

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A Motion was made by Bob Fox, Seconded by Shelly Moore to approve.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

BILL NO. 17-87, an Ordinance approving the record plat of Collins Mill Subdivision - Phase 1.  
First Reading.

A Motion was made by Wayne Bowen, Seconded by Bob Fox to approve.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

BILL NO. 17-86, an Ordinance establishing utility rates for the City of Cape Girardeau, Missouri, by amending Chapter 22 relating to solid waste fees and Chapter 29 relating to sewer and water rates. First Reading.

Council Member Wayne Bowen stated his desire for City Staff to review the possibility of raising Golf Course fees by up to 5%.

A Motion was made by Bob Fox, Seconded by Victor Gunn to approve.  
Motion passed. 4- 1. Ayes: Bowen, Fox, Gunn, Rediger. Nays: Moore. Absent: Guard, Uzoaru.

## APPOINTMENTS

### Appointments to the Historic Preservation Commission

Bonnie Kipper and Alyssa Phares were appointed to the Historic Preservation Commission for terms ending April 16, 2020. Parker Butler was appointed to the Historic Preservation Commission for a term ending April 16, 2019. Brianna DeWitt was appointed to the Historic Preservation Commission for a term ending April 16, 2018.

A Motion was made by Wayne Bowen, Seconded by Bob Fox to appoint.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

### Appointment to the Board of Appeals

Melanie Cantrell and Mark Strickland were appointed to the Board of Appeals for terms expiring June 4, 2022.

A Motion was made by Victor Gunn, Seconded by Bob Fox to appoint.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

### Appointments to the Town Plaza Community Improvement District Board of Directors

Mayor Harry Rediger appointed R. Scott Blank, William Zellmer, and Vivian Lee Hatcher Roberts, with the City Council's consent, to the Town Plaza Community Improvement District Board of Directors, for terms to expire April 12, 2021.

A Motion was made by Wayne Bowen, Seconded by Bob Fox to appoint.  
Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.

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MEETING ADJOURNMENT

There being no further business, the meeting ended at 8:10 p.m.

A Motion was made by Victor Gunn, Seconded by Bob Fox to adjourn.

Motion passed. 5-0. Ayes: Bowen, Fox, Gunn, Moore, Rediger. Absent: Guard, Uzoaru.



Harry E. Rediger, Mayor



Bruce Taylor, Deputy City Clerk

