

REGULAR SESSION – October 2, 2017

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INVOCATION

Pastor Dave Conley of Centenary Church in Cape Girardeau

PLEDGE OF ALLEGIANCE

CALL TO ORDER

The Cape Girardeau City Council convened in regular session on Monday, October 2, 2017, at 7:00 p.m., with Mayor Harry Rediger presiding and Council Members Danny R. Essner, Bob Fox, Robbie Guard, Shelly Moore, and Joseph Uzoaru present. Victor Gunn was absent.

ADOPTION OF THE AGENDA

A Motion was made by Robbie Guard, Seconded by Danny Essner to adopt. Motion passed. 6-0. Ayes: Essner, Fox, Guard, Moore, Rediger, Uzoaru. Absent: Gunn.

PRESENTATIONS

Old Town Cape (OTC) Executive Director Marla Mills distributed the OTC Annual Report and noted highlights of the report.

Marla Mills introduced Parker Butler. He announced the Partners in Preservation grant application, and that the City of Cape had been selected as one of 25 finalists. Of those cities, the top ten places will be awarded a grant up to \$150,000. The proposed project for Cape Girardeau is improvements to Ivers Square, formally known as the Common Pleas Courthouse Grounds. Improvements will include upgrades to the gazebo, fountain, and landscaping, and adding signage about the historic public significance of the grounds. The top ten are selected through an online voting process. He encouraged everyone to vote for the Cape Girardeau project, five times daily at voteyourmainstreet.org.

COMMUNICATIONS/REPORTS

Mayor Harry Rediger spoke about the huge number of visitors to the Downtown area this past weekend because there were several events taking place.

Mayor Harry Rediger announced the Parks and Recreation, Stormwater Sales Tax 2 public input meetings, and he invited citizens to attend.

Mayor Harry Rediger reminded the audience that nominating petitions for Mayor, Wards 1, 2, and 6 Council seats are available in the City Clerk's Office.

Council Member Joseph Uzoaru announced the birth of their third child.

Council Member Shelly Moore spoke about Community Conversations, hosted by Pastor Green at Cup n Cork, every Tuesday. There are eight more sessions planned.

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PUBLIC HEARINGS

A public hearing to consider a request to rezone property at 1237 North Water Street from R-2 (Single-Family Urban Residential) to M-1 (Light Manufacturing/Industrial).

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

BILL NO. 17-153, 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 1237 North Water Street, in the City and County of Cape Girardeau, Missouri, from R-2 to M-1. First Reading.

A Motion was made by Bob Fox, Seconded by Robbie Guard to approve.

Motion passed. 6-0. Ayes: Essner, Fox, Guard, Moore, Rediger, Uzoaru. Absent: Gunn.

A public hearing to consider a request to rezone property on Cardrona Drive from R-2 (Single-Family Urban Residential) to R-1 (Single-Family Suburban Residential).

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

BILL NO. 17-154, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located on Cardrona Drive, in the City and County of Cape Girardeau, Missouri, from R-2 to R-1. First Reading.

A Motion was made by Robbie Guard, Seconded by Danny Essner to approve.

Motion passed. 6-0. Ayes: Essner, Fox, Guard, Moore, Rediger, Uzoaru. Absent: Gunn.

A public hearing to consider a request to rezone property at 921 Independence Street from C-1 (General Commercial) to C-2 (Highway Commercial).

Mayor Harry Rediger opened the Public Hearing.

John Gaines, owner of the property, appeared. He stated he purchased the property in 2007, and he was not aware that the zoning had changed and that the property was no longer able to be used for auto sales.

There being no other appearances, the hearing was closed.

BILL NO. 17-156, 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 921 Independence Street, in the City and County of Cape Girardeau, Missouri, from C-1 to C-2. First Reading.

Deputy City Manager Molly Hood spoke about the original rezoning application which was to change the zoning from C1 to M1. She noted that the Planning and Zoning Commission suggested that the property be rezoned to C2 instead because it allows auto sales. However, staff does not support the rezoning to C2, because it would result in "spot" zoning which is to be avoided. Staff suggests that a better solution is amend the uses allowed in C1 to allow a Special Use Permit for auto sales. This would make the zoning consistent with uses of surrounding properties. She stated that the City could issue a temporary business license until the Code can be changed.

A Motion was made by Shelly Moore, Seconded by Bob Fox to approve.

Motion failed. 0- 6. Nays: Essner, Fox, Guard, Moore, Rediger, Uzoaru. Absent: Gunn.

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APPEARANCES

None

CONSENT AGENDA

Approval of the September 18, 2017, City Council regular session and closed session minutes.

BILL NO. 17-141, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding shipping containers. Second and Third Readings.

BILL NO. 17-143, an Ordinance amending Chapter 18 of the Code of Ordinances of the City of Cape Girardeau, Missouri relating to the Cape Jaycee Municipal Golf Course Advisory Board. Second and Third Readings.

BILL NO. 17-144, an Ordinance repealing Ordinance No. 4996 and approving the record plat of Route K North Third Subdivision. Second and Third Readings.

BILL NO 17-149, a Resolution authorizing the City Manager to execute an Escrow Agreement with BWE Holdings, LLC, and First Missouri State Bank of Cape County, for Redhawk Commons Phase 3, in the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 17-150, a Resolution authorizing the City Manager to execute a License and Indemnity Agreement with Centurion Development, LLC, for installation of a sign at 20 North Main Street, Suite 101, in the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 17-151, a Resolution authorizing the City Manager to execute an agreement with Lappe Cement Finishing, Inc., for the Boxwood Drive Box Culvert Project, in the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 17-155, a Resolution authorizing the City Manager to execute a Contract with Planning Design Studio LLC, for Parks and Recreation Projects, in the City of Cape Girardeau. Reading and Passage.

Accept the Construction of the Fire Station #2 Annex Building Pre-Engineered Metal Building and authorize Final Payment to Zoellner Construction, Inc.

Accept Veterans Memorial Drive Phase 3A improvements.

Accept public improvements to serve Lilmac East Subdivision, in the City of Cape Girardeau, Missouri.

Approval of the Partial Release of Escrow Agreement for LILMAC East Subdivision.

A Motion was made by Joseph Uzoaru, Seconded by Bob Fox to approve and adopt. Motion passed. 6-0. Ayes: Essner, Fox, Guard, Moore, Rediger, Uzoaru. Absent: Gunn. Robbie Guard abstained for financial reasons on items 8 and 9 due to his employment with MRV Banks.

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Bill No. 17-141 will be Ordinance 5012; Bill No. 17-143 will be Ordinance 5013; Bill No. 17-144 will be Ordinance 5014; Bill No. 17-149 will be Resolution 3114; Bill No. 17-150 will be Resolution 3115; Bill No. 17-151 will be Resolution 3116; and Bill No. 17-155 will be Resolution 3117.

NEW ORDINANCES

BILL NO. 17-152, an Ordinance approving the record plat of Redhawk Commons Phase 3. First Reading.

A Motion was made by Joseph Uzoaru, Seconded by Danny Essner to approve. Motion passed. 5-0. Ayes: Essner, Fox, Moore, Rediger, Uzoaru. Abstain: Guard. Absent: Gunn Robbie Guard abstained for financial reasons due to his employment with MRV Banks.

MEETING ADJOURNMENT

There being no further business, the meeting ended at 7:47 p.m. A Motion was made by Robbie Guard, Seconded by Joseph Uzoaru to adjourn. Motion passed. 6-0. Ayes: Essner, Fox, Guard, Moore, Rediger, Uzoaru. Absent: Gunn.


Harry E. Rediger, Mayor


Bruce Taylor, Deputy City Clerk

