

REGULAR SESSION – September 20, 2018

E1160674LD

CALL TO ORDER

The Cape Girardeau City Council convened in regular session on Thursday, September 20, 2018, at 6:00 p.m., with Mayor Bob Fox presiding and Council Members Ryan Essex, Robbie Guard, Victor Gunn, Stacy Kinder, and Daniel Presson present. Shelly Moore was absent.

ADOPTION OF THE AGENDA

A Motion was made by Victor Gunn, Seconded by Robbie Guard to approve and adopt the Agenda with BILL NO. 18-134, a Resolution Authorizing the City Manager to Execute a Contract for Banking Services with Wood & Huston Bank, for the City of Cape Girardeau, Missouri, and the Approval of the Preliminary Plat of Deer Run Estates removed from the Consent Agenda.

Motion passed.6-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Presson. Absent: Moore.

APPEARANCES

The Mayor recognized that several audience members were residents near the subject property of the proposed Preliminary Plat of Deer Run Estates, and he asked City Manager Scott Meyer to speak about the situation. City Manager Scott Meyer stated that after the requested zoning change to R-3 failed, a meeting among some of the neighbors and the developer was arranged. During that meeting, it seemed as though the neighbors in attendance, after learning about the plans if developed as R-1 versus R-3, preferred the proposed R-3 development. The developer has submitted a different Rezoning Application to change some of the property's use to R-3. The new application will have to go through the complete rezoning process. Mr. Meyer noted that Mark Philips with the Cape Girardeau Special Road District also attended the meeting, and he said that the development should not overburden the road. If needed, the City and the Road District are able to partner to make improvements to the roadway similar to the recent improvements to Bloomfield Road. He noted that the item before City Council at this Council Meeting was a Preliminary Plat that meets all the requirements for a subdivision for the already established R-1 zoning. Deputy City Manager Molly Mehner added that the Preliminary Plat of Deer Run Estates items was for the subdivision of R-1 lots. The item does not consider other land uses or infrastructure plans.

Mayor Bob Fox opened the floor for appearances for items on the regular session agenda. Michael Wozniak, 3905 Eagle Ridge Drive; Jana Jateff, 3614 Old Hopper Road; Cheryl Essner, 533 West Highland Drive; Kevin Walters, 3825 Valley View Lane; Debra Mitchell-Braxton, 3734 Old Hopper Road; Dale Clarke, 3815 Hopper Road; Dan Ellinghouse, 3719 Old Hopper Road; Edward Bauerle 3916 Hopper Road; Robert Wardron, 3910 Fawn Drive; Teresa Wilke, 3726 Hopper Road; Brad Grueninger, 3955 Granite Drive; Julie Fisher, 3909 Fawn Drive; and two other individuals spoke about interactions with the developer and the possible impacts of possible development of the subject property nearby and included in the proposed Approval of the Preliminary Plat of Deer Run Estates. During these comments, City Staff and Council Members noted that the item on the agenda was for the subdivision of property only, and no exceptions were requested. In this case, the Council's approval is administrative. Any possible adverse impact to nearby property owners is only a consideration during the rezoning process. The developer is not bound to develop any particular way, as long as the development meets the requirements of the zoning district of which it is a part.

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CONSENT AGENDA

Approval of the September 20, 2018, City Council regular session and closed session minutes.

BILL NO. 18-74, an Ordinance vacating the City's interest in unimproved Caruthers Avenue right-of-way lying between Dunklin Street to the south and New Madrid Street to the north, in the City of Cape Girardeau, Missouri. Second and Third Readings.

BILL NO. 18-124, an Ordinance accepting a Temporary Construction Easement from Ruth Lipps, for a sanitary sewer main repair, in the City of Cape Girardeau, Missouri. Second and Third Readings.

BILL NO. 18-125, an Ordinance accepting Permanent Sanitary Sewer Easements and Permanent Ingress and Egress Easements, from Ann Ledbetter Hudson and WesCon Investments, LLC., between Dunklin Street and New Madrid Street, in the City of Cape Girardeau, Missouri. Second and Third Readings.

BILL NO. 18-126, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding Definitions. Second and Third Readings.

BILL NO. 18-138, a Resolution adopting a Complete Streets Policy for the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 18-140, a Resolution adopting a voluntary buyout policy for the 2018 Flood Buyout Application, for the City of Cape Girardeau, Missouri, and authorizing the City Manager to implement said policy and procedures. Reading and Passage.

BILL NO. 18-134, a Resolution Authorizing the City Manager to Execute a Contract for Banking Services with Wood & Huston Bank, for the City of Cape Girardeau, Missouri. Reading and Passage.

Acceptance of public improvements to serve Forest Hills Fifth Addition Subdivision.

Approval of the Release of Escrow Agreement for Non-Sidewalk Improvements for Forest Hills Estates Fifth Addition.

A Motion was made by Victor Gunn, Seconded by Robbie Guard to approve and adopt. Motion passed. 6-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Presson. Absent: Moore.

Bill No. 18-74 will be Ordinance No. 5117; Bill No. 18-124 will be Ordinance No. 5118; Bill No. 18-125 will be Ordinance No. 5119; Bill No. 18-126 will be Ordinance No. 5120; Bill No. 18-138 will be Resolution No. 3201; and Bill No. 18-140 will be Resolution No. 3202.

ITEMS REMOVED FROM CONSENT AGENDA

BILL NO. 18-134, a Resolution Authorizing the City Manager to Execute a Contract for Banking Services with Wood & Huston Bank, for the City of Cape Girardeau, Missouri. Reading and Passage.

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Council Member Stacy Kinder asked why the City requested proposals for the banking services. City Manager Scott Meyer said that it had been a number of years since the service had been bid out. He reviewed the proposal from Wood & Huston Bank and highlighted several positive points. Council Member Robbie Guard agreed that the terms were exceptional.

A Motion was made by Robbie Guard, Seconded by Stacy Kinder to approve.
Motion passed.6-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Presson. Absent: Moore.

Bill No. 18-134 will be Resolution No. 3203.

Approval of the Preliminary Plat of Deer Run Estates.

A Motion was made by Stacy Kinder, Seconded by Dan Presson to approve.
Motion passed.5-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Presson. Abstain: Guard. Absent: Moore. Guard abstained for financial reasons due to his employment with MRV Bank.

NEW ORDINANCES

BILL NO. 18-133, an Ordinance renaming Henry Avenue to Henry Street, in the City of Cape Girardeau, Missouri. First Reading.

A Motion was made by Ryan Essex, Seconded by Robbie Guard to approve.
Motion passed.6-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Presson. Absent: Moore.

BILL NO. 18-135, an Ordinance amending Schedule F of Section 26-247 of the City Code, establishing no parking anytime along a portion of Rust Avenue, in the City of Cape Girardeau, Missouri. First Reading.

A Motion was made by Robbie Guard, Seconded by Dan Presson to approve.
Motion passed.6-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Presson. Absent: Moore.

BILL NO. 18-136, an Ordinance authorizing and directing the issuance, sale and delivery of Special Obligation Bonds, Series 2018, of the City of Cape Girardeau, Missouri; and approving certain documents and authorizing certain other actions in connection therewith. First Reading.

A Motion was made by Robbie Guard, Seconded by Dan Presson to approve.
Motion passed.6-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Presson. Absent: Moore.

BILL NO. 18-137, an Ordinance authorizing the City Manager to execute a Municipal Agreement with the Missouri Highways and Transportation Commission for bridge work over Cape LaCroix Creek, in Cape Girardeau, Missouri. First Reading.

A Motion was made by Robbie Guard, Seconded by Ryan Essex to approve.
Motion passed.6-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Presson. Absent: Moore.

BILL NO. 18-139, an Ordinance amending Section 25-1227 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding Preliminary Plats. First Reading.

A Motion was made by Robbie Guard, Seconded by Ryan Essex to approve.
Motion passed.6-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Presson. Absent: Moore.

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MEETING ADJOURNMENT

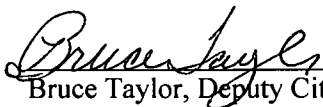
A Motion was made by Victor Gunn, Seconded by Robbie Guard to adjourn from regular session and to convene to closed session for legal actions and litigation, and confidential communications with legal counsel, pursuant to RSMo. Sections 610.021(1).

Motion passed.6-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Presson. Absent: Moore.

The Regular Session ended at 7:10 p.m.



Bob Fox, Mayor



Bruce Taylor, Deputy City Clerk

