

REGULAR SESSION – December 3, 2018

E1160674LD

**CALL TO ORDER**

The Cape Girardeau City Council convened in regular session on Monday, December 3, 2018, at 6:00 p.m., with Mayor Bob Fox presiding and Council Members Ryan Essex, Robbie Guard, Stacy Kinder, Shelly Moore, and Daniel Presson present. Victor Gunn was absent.

**ADOPTION OF THE AGENDA**

A Motion was made by Robbie Guard, Seconded by Stacy Kinder to approve and adopt the Agenda.

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

**PUBLIC HEARINGS**

A public hearing to consider a request for a special use permit for purposes of constructing, maintaining, and operating a telecommunication tower at 1157 South West End Boulevard. Mayor Bob Fox opened the Public Hearing.

Russel Bean with Collective Solutions, LLC, representing Sprint, spoke about the project proposed with the permit application.

There being no other appearances, the hearing was closed.

A public hearing to consider a proposed amendment to Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding recreational vehicles.

Mayor Bob Fox opened the Public Hearing.

There being no appearances, the hearing was closed.

BILL NO. 18-169, an Ordinance granting a Special Use Permit to Sprint, Collective Solutions, LLC, and the City of Cape Girardeau, Missouri, for purposes of constructing, maintaining, and operating a telecommunication tower at 1157 South West End Boulevard, in the City and County of Cape Girardeau, Missouri. First Reading.

Motion was made by Robbie Guard, Seconded by Dan Presson to approve.

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

BILL NO. 18-170, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding Recreational Vehicles. First Reading.

Motion was made by Dan Presson, Seconded by Stacy Kinder to approve.

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

**APPEARANCES**

None.

**CONSENT AGENDA**

Approval of the November 19, 2018, City Council regular session minutes.

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BILL NO. 18-152, 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 the southwest corner of Hopper Road and Old Hopper Road, in the City and County of Cape Girardeau, Missouri, from R-1 to R-3. Second and Third Readings.

BILL NO. 18-163, an Ordinance Appropriating Funds for Capital Expenditures for Parks and Stormwater Improvement Projects, from bond proceeds and from revenues of the Capital portion of the Parks/Stormwater Sales Tax. Second and Third Readings.

BILL NO. 18-164, an Ordinance amending Section 25-113 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding Administrative Relief and Exceptions. Second and Third Readings.

BILL NO. 18-168, an Ordinance approving the Record Plat of Rhodes Mount Auburn Subdivision – Amended. Second and Third Readings.

Acceptance of Improvements and Authorize Final Payment for 2017 Wayfinding Signage Project.

Motion was made by Ryan Essex, Seconded by Dan Presson to approve and adopt.

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

Robbie Guard abstained for financial reasons on Bill No. 18-152 and on Bill No. 18-168 due to his employment with MRV Banks.

Bill No. 18-152 will be Ordinance No. 5133; Bill No. 18-163 will be Ordinance No. 5134;

Bill No. 18-164 will be Ordinance No. 5135; and Bill No. 18-168 will be Ordinance No. 5136.

## **NEW ORDINANCES**

BILL NO. 18-171, an Ordinance amending Chapter 15 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding renewal period and reciprocity of trade licenses. First Reading.

Motion was made by Robbie Guard, Seconded by Dan Presson to approve.

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

BILL NO. 18-172, an Ordinance accepting a Permanent Drainage Easement for 439 Optimist Drive, from Billy Joe Bragg and Carol Ann Bragg in the City of Cape Girardeau, Missouri. First Reading.

Motion was made by Robbie Guard, Seconded by Stacy Kinder to approve.

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

BILL NO. 18-173, an Ordinance approving the Record Plat of Crowe Subdivision. First Reading.

Motion was made by Dan Presson, Seconded by Shelly Moore to approve.

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

BILL NO. 18-174, an Ordinance amending Chapter 5 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding liquor licenses. First Reading.

Motion was made by Stacy Kinder, Seconded by Ryan Essex to approve.

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

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Council Member Stacy Kinder said that the proposed ordinance was presented after the current issue with CarGo. She noted that CarGo already has several measures in place to comply with liquor regulations. She expressed concern that the Ordinance presented gives a lot of leeway to other delivery services that may not be as diligent. Staff explained that compliance checks can be used for this type of liquor license just as they are for other types of liquor licenses,

### APPOINTMENTS

Appointments to the Golf Course Advisory Board.

Motion was made by Ryan Essex, Seconded by Stacy Kinder to appoint Brad Wittenborn to a term expiring January 18, 2020, and to appoint Mark Matthews and Jerry Grim to terms expiring November 12, 2021.

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

Appointments to the Convention & Visitors Bureau Executive Board

Motion was made by Robbie Guard, Seconded by Stacy Kinder to appoint City Manager Scott Meyer to the Convention and Visitors Bureau Executive Board for a term expiring December 31, 2021.

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

Appointment to the River Campus Board of Managers

Motion was made by Shelly Moore, Seconded by Stacy Kinder to appoint Scott Meyer to the River Campus Board of Managers for a term expiring December 1, 2021.

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

Appointment to the Show Me Center Board of Managers

Motion was made by Shelly Moore, Seconded by Dan Presson to appoint Lincoln Scott to the Show Me Center Board of Managers for a term expiring December 1, 2021.

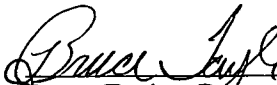
Motion passed. 6-0. Ayes: Essex, Fox, Guard, Kinder, Moore, Presson. Absent: Gunn.

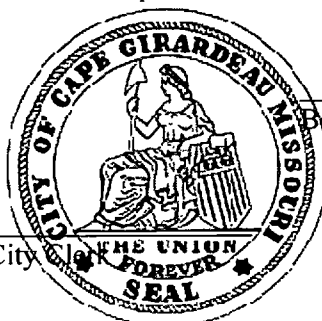
### MEETING ADJOURNMENT


A Motion was made by Robbie Guard, Seconded by Stacy Kinder 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. Section 610.021(1).

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

The Regular Session ended at 6:20 p.m.

  
Bruce Taylor, Deputy City



  
Bob Fox, Mayor

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