

REGULAR SESSION – January 7, 2019

E1160874LD

**CALL TO ORDER**

The Cape Girardeau City Council convened in regular session on Monday, January 7, 2019, at 5:10 p.m., with Mayor Bob Fox presiding and Council Members Ryan Essex, Robbie Guard, Victor Gunn, Stacy Kinder, Shelly Moore, and Daniel Presson present.

**ADOPTION OF THE AGENDA**

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

Motion passed. 7-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Moore, Presson.

**PUBLIC HEARINGS**

A public hearing to consider a request to rezone property at 921 South Silver Springs Road from R-1(Single-Family Suburban Residential District) to C-2 (Highway Commercial District).

Mayor Bob Fox opened the Public Hearing. There being no appearances, the hearing was closed.

A public hearing to consider a request for a special use permit for purposes of constructing, maintaining, and operating a billboard at 3849 Business Park Place.

Mayor Bob Fox opened the Public Hearing.

The Agenda report in the agenda packet presented for the record a certified copy of the following items: (1) Section 30-401 entitled "Special Use Permits" from the City Code; (2) the application for Special Use Permit; and (3) the application file. There being no appearances, the hearing was closed.

A public hearing to consider a request for a special use permit for purposes of constructing, maintaining, and operating a vehicle body and paint shop at 450 Siemers Drive.

Mayor Bob Fox opened the Public Hearing.

The Agenda report in the agenda packet presented for the record a certified copy of the following items: (1) Section 30-401 entitled "Special Use Permits" from the City Code; (2) the application for Special Use Permit; and (3) the application file. There being no appearances, the hearing was closed.

**APPEARANCES**

Percy Huston, resident of 913 Pheasant Cove Drive, appeared to express concern that decisions concerning the location and design of the proposed aquatic facility were made too rapid and that additional partners proposals were not allowed to develop.

David Cantrell, resident of 1504 Briarcliff Drive, is a member on the Parks and Recreation Advisory Board. He said that he promoted the passage of the PRS2 tax, and he felt that voters believed that this was a City project with a City vote, and that it was not bound by another entity like the School District.

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Neil Glass, Superintendent of Cape Girardeau Public Schools appeared in support of City Council's approval of the recommendation of the Aquatic Committee to partner with the School District on an Aquatics Facility at the Jefferson School site. He stated the City and School District have been good partners with the current aquatic facility for over 40 years, and he hopes that the partnership will continue.

Melissa Stickel, resident of 2000 Perryville Road, appeared in support of City Council's approval of the recommendation of the Aquatic Committee to partner with the School District on an Aquatics Facility at the Jefferson School site.

Council Members Robbie Guard, Stacy Kinder, Shelly Moore, Ryan Essex and Mayor Bob Fox expressed support for the Aquatic Facility Committee's recommendation of the Jefferson School site and that the City has inquired for partner interest for about a year.

City Manager Scott Meyer said that some urgency has been created by the poor condition of the current facility and the high repair cost to maintain it.

## **CONSENT AGENDA**

Approval of the December 17, 2018, City Council regular session minutes.

BILL NO. 18-177, an Ordinance accepting a Permanent Drainage Easement for 1234 South Pacific Street, from Keller Property Investments, LLC, in the City of Cape Girardeau, Missouri. Second and Third Readings.

BILL NO. 18-178, an Ordinance accepting a Permanent Drainage Easement for 321 Optimist Drive, from Canyon Construction and Development, LLC, for the Arena Creek Box Culvert Project, in the City of Cape Girardeau, Missouri. Second and Third Readings.

BILL NO. 18-179, an Ordinance authorizing the City Manager to execute an Agreement with the Missouri Highways and Transportation Commission for installation of Purple Heart Signage, in Cape Girardeau, Missouri. Second and Third Readings.

BILL NO. 18-181, an Ordinance approving the Record Plat of Blattner Meadows Subdivision. Second and Third Readings.

BILL NO. 18-182, an Ordinance approving the Record Plat of AB Commercial Properties Subdivision. Second and Third Readings.

BILL NO. 18-183, an Ordinance approving the Record Plat of Austin Subdivision. Second and Third Readings.

BILL NO. 19-01, a Resolution authorizing the City Manager to execute a First Amendment to the Refueler Lease Agreement with Eastern Aviation Fuels, Inc., at the Cape Girardeau Regional Airport. Reading and Passage.

BILL NO. 19-04, a Resolution authorizing the City Manager to execute an Agreement with Nip Kelley Equipment Company, Inc., for the Concrete Street Repair 2019 Project, in the City of Cape Girardeau, Missouri. Reading and Passage.

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BILL NO. 19-05, a Resolution authorizing the City Manager to execute an Agreement with Crawford, Murphy & Tilly for the Wastewater Treatment Plant Influent Pump Station Mechanical Bar Screen Project, in the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 19-11, a Resolution authorizing the City Manager to execute a License and Indemnity Agreement with Paul Caruso for installation of an awning at 118 N. Main Street, in the City of Cape Girardeau, Missouri. Reading and Passage.

Acceptance of public improvements to serve the Car Wash Facility located at 3451 William Street.

A Motion was made by Robbie Guard, Seconded by Dan Presson to approve and adopt. Motion passed. 7-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Moore, Presson.

Robbie Guard abstained from Bill No. 18-182, and from acceptance of public improvements serving 3451 William Street, for financial reasons, due to his employment with MRV Banks.

Bill No. 18-177 will be Ordinance No. 5145; Bill No. 18-178 will be Ordinance No. 5146; Bill No. 18-179 will be Ordinance No. 5147; Bill No. 18-181 will be Ordinance No. 5148; Bill No. 18-182 will be Ordinance No. 5149; Bill No. 18-183 will be Ordinance No. 5150; Bill No. 19-01 will be Resolution No. 3222; Bill No. 19-04 will be Resolution No. 3223; Bill No. 19-05 will be Resolution No. 3224; and Bill No. 19-11 will be Resolution No. 3225.

#### **Items Removed from Consent Agenda**

A motion to approve the recommendation of the Aquatic Committee to partner with the School District on an Aquatics Facility at the Jefferson School site.

A Motion was made by Stacy Kinder, Seconded by Shelly Moore to approve and adopt. Motion passed. 7-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Moore, Presson.

Council Member Ryan Essex asked about the consequence if the school bond issue, a condition of the School District proposed capital funding, failed. City Manager Scott Meyer stated that in that event the City would need to seek a different partner in the aquatic facility project, and it would probably result in a different location as well. Council Member Stacy Kinder noted that the Jefferson School site is in a neighborhood with many children that can participate in activities at Shawnee Sports Center. Many of the children living in this area would not have access to a facility that did not allow them to walk or bike to it. Mayor Bob Fox said that the City-School partnership at the Jefferson School location gives the City the opportunity to be part of the STREAM school model that the School District has already started there.

#### **NEW ORDINANCES**

BILL No. 19-02, an Ordinance authorizing the City Manager to execute Amendment #2 to the State Block Grant Agreement with the Missouri Highways and Transportation Commission to fund the Acquisition of an Aircraft Rescue Fire Fighting Vehicle, at the Cape Girardeau Regional Airport. First Reading.

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A Motion was made by Victor Gunn, Seconded by Robbie Guard to approve.  
Motion passed. 7-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Moore, Presson.

BILL NO. 19-03, an Ordinance authorizing the City Manager to execute a State Block Grant Agreement with the Missouri Highways and Transportation Commission for a Snow Removal Equipment Vehicle, at the Cape Girardeau Regional Airport. First Reading.

A Motion was made by Robbie Guard, Seconded by Ryan Essex to approve.  
Motion passed. 7-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Moore, Presson.

BILL NO. 19-06, an Ordinance amending Schedule A of Section 26-228 of the City Code, by amending the speed limit along Ritter Drive and a portion of Forest Avenue, in the City of Cape Girardeau, Missouri. First Reading.

A Motion was made by Dan Presson, Seconded by Robbie Guard to approve.  
Motion passed. 7-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Moore, Presson.

BILL NO. 19-07, 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 South Silver Springs Road, in the City and County of Cape Girardeau, Missouri, from R-1 to C-2. First Reading.

A Motion was made by Robbie Guard, Seconded by Shelly Moore to approve.  
Motion passed. 7-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Moore, Presson.

BILL NO. 19-08, an Ordinance granting a Special Use Permit to Derek and Karla Cornelius, for purposes of constructing, maintaining, and operating a billboard at 3849 Business Park Place, in the City and County of Cape Girardeau, Missouri. First Reading.

A Motion was made by Robbie Guard, Seconded by Stacy Kinder to approve.  
Motion passed. 7-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Moore, Presson.

BILL NO. 19-09, an Ordinance granting a Special Use Permit to Paul Bradley Russom and Bluff City Beer Company, for purposes of constructing, maintaining, and operating a vehicle body and paint shop at 450 Siemers Drive, in the City and County of Cape Girardeau, Missouri. First Reading.

A Motion was made by Victor Gunn, Seconded by Shelly Moore to approve.  
Motion passed. 7-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Moore, Presson.

BILL NO. 19-10, an Ordinance authorizing the issuance of Special Tax Bills on properties for the demolition of dangerous buildings and for nuisance abatements under the provisions of Chapter 7 and Chapter 13 of the Code of Ordinances of the City of Cape Girardeau. First Reading.

A Motion was made by Dan Presson, Seconded by Ryan Essex to approve.  
Motion passed. 7-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Moore, Presson.

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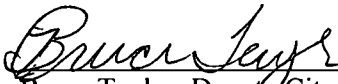
**MEETING ADJOURNMENT**

A Motion was made by Victor Gunn, Seconded by Shelly Moore to adjourn from regular session  
Motion passed. 7-0. Ayes: Essex, Fox, Guard, Gunn, Kinder, Moore, Presson.

The Regular Session ended at 5:55 p.m.



Bob Fox, Mayor



Bruce Taylor, Deputy City Clerk



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