

REGULAR SESSION – JULY 20, 2009

The Cape Girardeau City Council convened in regular session on Monday, July 20, 2009, at 7:00 p.m., with Mayor Jay B. Knudtson presiding and Council Members Mark Lanzotti, Marcia Ritter, Loretta Schneider, Debra Tracy and John Voss present. Council Member Charlie Herbst was absent.

Reverend Janet Hopkins, of Hobbs Chapel United Methodist Church, presented the invocation, and the Pledge of Allegiance was recited.

Prior to the regular session, the City Council convened in closed session for purposes of discussing litigation, personnel and confidential communications with the City Attorney pursuant to RSMo. Sections 610.021(1) and (3) upon Mr. Lanzotti's motion, Mr. Voss' second, and the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

The minutes of the July 6, 2009, regular and closed sessions were approved upon Mrs. Tracy's motion, Mrs. Schneider's second, and the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

The agenda was approved as distributed upon Mr. Voss' motion, Mrs. Schneider's second, and the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

COUNCIL COMMUNICATIONS

Ms. Ritter noted that 25 years ago today, the City Council approved the site for the current Show Me Center.

Mr. Voss stated that City Engineer Mrs. Kelly Green and Community Planner Mrs. Sarah Wallace were featured on the cover of SHE magazine over the weekend.

CITY MANAGER COMMUNICATIONS

Mrs. Heather Brooks, Assistant to the City Manager, presented an update on the Tour of Missouri Pro Cycling Race, and noted that Cape Girardeau had been chosen as the host city for the Stage 2 end site on September 7, 2009. The Cape Girardeau Convention and Visitors Bureau and the Cape Girardeau Area Chamber of Commerce are organizing the event and are seeking volunteers. The Tour of Missouri routes will be announced on July 29, 2009.

BILL NO. 09-129 was presented as follows:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A TOUR OF MISSOURI HOST CITY AGREEMENT WITH THE TOUR OF MISSOURI, INC., AND THE CAPE GIRARDEAU LOCAL ORGANIZING COMMITTEE, FOR THE TOUR OF MISSOURI PRO CYCLING RACE, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The reading of BILL NO. 09-129 was approved and the Resolution adopted upon Mr. Voss' motion, Mr. Lanzotti's second, and the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 09-129 is RESOLUTION NO. 2471.

Mrs. Green, Public Works Director Mr. Tim Gramling, and Parks and Recreation Director Mr. Dan Muser presented an update on current projects under construction including streets, stormwater, and Parks and Recreation projects.

Mrs. Tracy stated concern about the lack of sidewalks on Clark Street. Ms. Ritter stated that citizens had expressed concerns about the Osage Center parking lot not having two egress points onto North Kingshighway when the Aquatic Center is opened. Mrs. Schneider requested that staff look into instituting a child receiving system at the water park, and she also noted that she had received a resident complaint that the contractor was only working four days per week on the Mt. Auburn street repair project.

APPEARANCES

Mr. Eldon Nattier, of 611 South Sprigg Street, appeared before the Council in support of the request to rezone the property at 615-635 South Sprigg Street from R-3 to C-1. He presented drawings of the new building proposed for construction at 631 South Sprigg Street.

CONSENT ORDINANCES

The following bill was given second and third readings:

BILL NO. 09-114 AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI, BY CHANGING THE ZONING OF 615, 623, 627, 631 AND 635 SOUTH SPRIGG STREET, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, FROM R-3 TO C-1

The second and third readings of BILL NO. 09-114 were approved and the Ordinance adopted upon Mr. Lanzotti's motion, Ms. Ritter's second, and the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 09-114 is ORDINANCE NO. 4051. Mr. James Coley commended City staff for their work on the overlay project on South Sprigg Street.

Mr. Vince Brown, of KAPE Radio 1550, welcomed City Manager Mr. Scott Meyer. He stated that the Tour of Missouri Pro Cycling Race will have a great impact on Cape Girardeau, and commended the Council for bringing the event to the city.

NEW ORDINANCES

BILL NO. 09-126 was given first reading as follows:

AN ORDINANCE AMENDING SECTION 2-96 OF THE CITY CODE RELATING TO THE GIRARDEAU GOES GREEN ADVISORY BOARD

The first reading of BILL NO. 09-126 was approved upon Mrs. Schneider's motion, Mrs. Tracy's second, and the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

RESOLUTIONS

BILL NO. 09-127 was presented as follows:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FINANCIAL ASSISTANCE AGREEMENT WITH THE SOUTHEAST MISSOURI SOLID WASTE MANAGEMENT DISTRICT FOR THE PURCHASE AND INSTALLATION OF WASTE OIL HEATERS, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The reading of BILL NO. 09-127 was approved and the Resolution adopted upon Mrs. Schneider's motion, Mrs. Tracy's second, and the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 09-127 is RESOLUTION NO. 2472.

BILL NO. 09-128 was presented as follows:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 TO ADDENDUM NO. 1 TO THE 2007 GENERAL ENGINEERING SERVICES AGREEMENT WITH WATERS ENGINEERING, INC., FOR THE MARGARET STREET AND JANET DRIVE DRAINAGE IMPROVEMENT PROJECT, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The reading of BILL NO. 09-128 was approved and the Resolution adopted upon Mrs. Tracy's motion, Mrs. Schneider's second, and the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 09-128 is RESOLUTION NO. 2473.

BILL NO. 09-130 was presented as follows:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH FRONABARGER CONCRETTERS, INC., FOR THE INDEPENDENCE STREET OVERLAY PROJECT, FROM SPRIGG STREET TO WATER STREET, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The reading of BILL NO. 09-130 was approved and the Resolution adopted upon Mrs. Tracy's motion, Mrs. Schneider's second, and the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 09-130 is RESOLUTION NO. 2474.

BILL NO. 09-131 was presented as follows:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES WITH MITCHELL B. MALONE FOR THE SHAWNEE PARK COMMUNITY CENTER AND SHAWNEE PARK RENOVATIONS, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The reading of BILL NO. 09-131 was approved and the Resolution adopted upon Mrs. Tracy's motion, Mrs. Schneider's second, and the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 09-131 is RESOLUTION NO. 2475.

Ms. Ritter asked if there will be alternatives on the contract with Mr. Malone. Mr. Muser responded that the base bid will be within the available funds, and Mr. Malone's fee covers from the bid through construction. Mr. Meyer stated that the total project will cost \$1.4 million, and that City staff have emphasized to Mr. Malone the importance of staying within budget.

BILL NO. 09-132 was presented as follows:

A RESOLUTION AUTHORIZING THE CITY MANGER TO EXECUTE A LICENSE AND INDEMNITY AGREEMENT WITH RYLAND DUTCH MEYR (NORWALD, INC.) FOR A PORTION OF RIGHT-OF-WAY ON LASALLE AVENUE, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The reading of BILL NO. 09-132 was approved and the Resolution adopted upon Mr. Voss' motion, Mrs. Schneider's second, and the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 09-132 is RESOLUTION NO. 2476.

LIQUOR LICENSES

Mr. Voss made a motion, seconded by Mrs. Schneider, to approve a retail liquor by the drink license for Mollies, LLC, d/b/a Mollie's Café and Bar, 11 S. Spanish Street, John Wyman, Managing Officer. The motion was approved upon the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

Ms. Ritter asked why Mollie's was submitting a new application. Mr. Meyer answered that the establishment is under a new corporation and must reapply under this name. Mrs. Brooks stated that the money they owe under another corporate name will be collected under the county tax collection process.

There being no further business, the City Council adjourned the regular session and convened in closed session for purposes of discussing litigation, personnel and confidential communications with the City Attorney pursuant to RSMo. Sections 610.021(1) and (3) upon Mr. Lanzotti's motion, Mr. Voss' second, and the following vote: Ayes, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

Jay B. Knudtson, Mayor

Gayle L. Conrad, City Clerk

THIS PAGE INTENTIONALLY LEFT BLANK.