

REGULAR SESSION – OCTOBER 5, 2009

The Cape Girardeau City Council convened in regular session on Monday, October 5, 2009, at 7:00 p.m., with Mayor Jay B. Knudtson presiding and Council Members Charlie Herbst, Mark Lanzotti, Loretta Schneider and Debra Tracy present. Council Members Marcia Ritter and John Voss were absent.

Reverend Phil Roop, of Bethel Assembly of God 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 property acquisition, litigation, and confidential communications with the City Attorney pursuant to RSMo. Sections 610.021(1) and (2) upon Mr. Lanzotti's motion, Mrs. Tracy's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Schneider and Tracy. Nays, none.

The minutes of the September 21, 2009, regular and closed sessions were approved upon Mrs. Schneider's motion, Mrs. Tracy's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Schneider and Tracy. Nays, none.

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

COUNCIL COMMUNICATIONS

Mr. John Woodall was recognized as retiring from service to the City of Cape Girardeau after 23 years of service to the Parks and Recreation Department.

Mayor Knudtson read a Proclamation honoring Tunes at Twilight, a weekly summer entertainment sponsored by Old Town Cape.

The Mayor also presented a Proclamation recognizing the week of October 5-9 as Fire Prevention Week. In conjunction with Fire Prevention Week, a Fire Truck Parade will be held Saturday, October 24, 2009, at 9:30 a.m. on Broadway. In addition, smoke detectors are still available for the public by contacting Fire Station No. 1.

CITY MANAGER COMMUNICATIONS

City Engineer Kelly Green presented an update on various City construction projects. The Mount Auburn Road project and Downtown Parking Lot are progressing well. The raw water transmission line pumps will be installed next Spring. The contract for the Fountain Street Phase II construction is on this agenda. She reviewed the Transportation Trust Fund 4 timeline and spoke about the preliminary design. The list of projects has been narrowed to twelve.

PUBLIC HEARINGS

This being the date set for a public hearing regarding a petition for voluntary annexation from Norwald, Inc. for property located north of LaSalle Avenue to the east of the Southeast Missouri State University Technology Park, the hearing was opened by Mayor Pro Tempore Charlie Herbst. There being no appearances, the hearing was closed.

This being the date set for a public hearing regarding the request of Mark Rademaker for a Special Use Permit to allow travel trailers in Five Pines Mobile Home Park located at 3020 Boutin Drive, the hearing was opened. There being no appearances, the hearing was closed.

BILL NO. 09-160 was given first reading as follows:

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO MARK RADEMAKER FOR THE PURPOSE OF MAINTAINING AND OPERATING A TRAVEL TRAILER PARK IN A MOBILE HOME PARK, AT 3020 BOUTIN DRIVE, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI

The first reading of BILL NO. 09-160 was approved upon Mrs. Tracy's motion, Mrs. Schneider's second, and the following vote: Ayes, Herbst, Lanzotti, Schneider and Tracy. Nays, none. Mayor Knudtson announced that he would abstain from voting on BILL NO. 09-160 for financial reasons, because the parties involved have a financial interest at the bank where he works. Mr. Lanzotti noted that the Planning and Zoning Commission had recommended that Mr. Rademaker's request for a Special Use Permit be granted.

APPEARANCES

Ms. Debra Young appeared before the Council representing the Public Safety Committee of the Cape Girardeau NAACP. She spoke out against the street fights in South Cape Girardeau. She asked the City council to have more street lights installed in the 900 block of Elm Street and the 700 block of Walnut Street to deter such activity. Police Chief Carl Kinnison stated that he has had discussions on this issue and will work with the City's Public Works Department. Mr. Herbst said that he had made a Council Inquiry about tree limbs around street lights and said he wanted the street lights checked for obstructions.

Mr. Terrance Lane, of 315 Merriwether, addressed the Council and stated that he represented the Youth Committee of the Cape Girardeau NAACP. He asked if the dropout rate at the public high school in Cape Girardeau was a concern that the City of Cape Girardeau could help to correct. Mayor Knudtson answered that the City was trying to provide the youth in the City with better facilities and healthy activities.

City Manager Mr. Scott Meyer stated that he was on the United Way Board of Directors and that youth intervention was a cornerstone project. He said this is a complicated issue, and they are beginning to roll out some strategies to address it. The youth are the future of the nation and of our City. Mr. Lane responded that he is collecting information and ideas.

CONSENT ORDINANCES

The following bills were given second and third readings:

BILL NO. 09-153 AN ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY FOR A WATER TRANSMISSION LINE TO CONNECT PUBLIC WATER WELLS TO THE CITY'S WATER TREATMENT PLANTS

- BILL NO. 09-154 AN ORDINANCE AMENDING SCHEDULE A OF SECTION 26-228 OF THE CITY CODE BY ESTABLISHING A SPEED LIMIT ON LASALLE AVENUE, IN THE CITY OF CAPE GIRARDEAU, MISSOURI
- BILL NO. 09-155 AN ORDINANCE AMENDING SCHEDULE C OF SECTION 26-121 OF THE CITY CODE BY PLACING STOP SIGNS AT THE INTERSECTIONS OF LASALLE AVENUE WITH INTERSTATE 55 AND ROUTE W, IN THE CITY OF CAPE GIRARDEAU, MISSOURI
- BILL NO. 09-156 AN ORDINANCE AMENDING SCHEDULE W OF SECTION 26-137 OF THE CITY CODE BY DESIGNATING LASALLE AVENUE AS A TRUCK ROUTE, IN THE CITY OF CAPE GIRARDEAU, MISSOURI
- BILL NO. 09-157 AN ORDINANCE AMENDING SCHEDULE K OF SECTION 26-121 OF THE CITY CODE, BY PLACING YIELD SIGNS AT THE INTERSECTIONS OF LASALLE AVENUE WITH INTERSTATE 55 AND ROUTE W, IN THE CITY OF CAPE GIRARDEAU, MISSOURI
- BILL NO. 09-158 AN ORDINANCE ACCEPTING A QUIT CLAIM DEED FROM THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE NATIONAL PARK SERVICE, FOR FEDERAL SURPLUS PROPERTY KNOWN AS THE MAY GREENE GARDEN PARK, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The second and third readings of BILL NOs. 09-153, 09-154, 09-155, 09-156, 09-157, and 09-158 were approved and the Ordinances adopted upon Mr. Herbst's motion, Mrs. Schneider's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Schneider and Tracy. Nays, none. BILL NO. 09-153 is ORDINANCE NO. 4064; BILL NO. 09-154 is ORDINANCE NO. 4065; BILL NO. 09-155 is ORDINANCE NO. 4066; BILL NO. 09-156 is ORDINANCE NO. 4067; BILL NO. 09-157 is ORDINANCE NO. 4068; and BILL NO. 09-158 is ORDINANCE NO. 4069.

NEW ORDINANCES

BILL NO. 09-163 was given first reading as follows:

AN ORDINANCE ANNEXING LAND TO THE CITY OF CAPE GIRARDEAU, MISSOURI, UPON THE REQUEST OF D-7 HOLDINGS, LLC, AND CAPE PROPERTIES, LLC

The first reading of BILL NO. 09-163 was approved upon Mr. Lanzotti's motion, Mrs. Schneider's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Schneider and Tracy. Nays, none.

RESOLUTIONS

BILL NO. 09-159 was presented as follows:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH NIP KELLEY EQUIPMENT COMPANY, INC., FOR THE FOUNTAIN STREET PHASE II IMPROVEMENT PROJECT, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The reading of BILL NO. 09-159 was approved and the Resolution adopted upon Mrs. Schneider's motion, Mr. Herbst's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Schneider and Tracy. Nays, none. BILL NO. 09-159 is RESOLUTION NO. 2486.

Upon questioning by Mr. Lanzotti, Ms. Green stated that utilities will be run to the roundabout for the possible future installation of a fountain.

BILL NO. 09-161 was presented as follows:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH R. L. PERSONS CONSTRUCTION, INC., TO CONSTRUCT A RAW WATER TRANSMISSION MAIN FROM SUPPLY WELLS TO TREATMENT PLANT NO. 1, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The reading of BILL NO. 09-161 was approved and the Resolution adopted upon Mrs. Tracy's motion, Mrs. Schneider's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Schneider and Tracy. Nays, none. BILL NO. 09-161 is RESOLUTION NO. 2487.

BILL NO. 09-162 was presented as follows:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH DISPLAY SALES TO CREATE BANNERS FOR DOWNTOWN CAPE GIRARDEAU

The reading of BILL NO. 09-162 was approved and the Resolution adopted upon Mr. Herbst's motion, Mrs. Tracy's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Schneider and Tracy. Nays, none. BILL NO. 09-162 is RESOLUTION NO. 2488.

BILL NO. 09-164 was presented as follows:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR CONSULTING SERVICES WITH GLATTING, JACKSON, KERCHER AND ANGLIN TO CREATE A CITY WIDE WAYFINDING AND SIGNAGE PLAN, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The reading of BILL NO. 09-164 was approved and the Resolution adopted upon Mrs. Tracy's motion, Mrs. Schneider's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Schneider and Tracy. Nays, none. BILL NO. 09-164 is RESOLUTION NO. 2489.

Ms. Marla Mills, Executive Director of Old Town Cape stated that both the banner and signage projects are being funded through the Preserve America Grant. However, the contract with Glattig, Jackson, Kercher and Anglin does not include the cost of signs.

OTHER

Mrs. Schneider made a motion, seconded by Mrs. Tracy, to accept the improvements completed at the Cape Girardeau Jaycee Municipal Golf Course, and to authorize final payment to Oliphant Golf, Inc., in the amount of \$110,003.10. The motion was approved upon the following vote: Ayes, Herbst, Knudtson, Lanzotti, Schneider and Tracy. Nays, none.

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There being no further business, the City Council adjourned upon Mr. Lanzotti's motion, Mr. Herbst's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Schneider and Tracy. Nays, none.

Jay B. Knudtson, Mayor

Gayle L. Conrad, City Clerk

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