

REGULAR SESSION – JANUARY 4, 2010

The Cape Girardeau City Council convened in regular session on Monday, January 4, 2009, at 7:00 p.m., with Mayor Jay B. Knudtson presiding and Council Members Charlie Herbst, Mark Lanzotti, Marcia Ritter, Loretta Schneider, Debra Tracy and John Voss present.

Reverend Bob Towner, of Christ Episcopal 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 Mrs. Tracy's motion, Mr. Voss' second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

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

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

COUNCIL COMMUNICATIONS

Mayor Knudtson said that City staff had presented the proposed zoning amendments at the Council study session preceding the regular Council meeting. He also mentioned that City Manager Scott Meyer and other City staff are in Maryland for Emergency Management Team Training funded by FEMA.

Ms. Ritter noted that the current zoning codes were adopted in 1967 and are being updated.

CITY MANAGER COMMUNICATIONS

Mr. Ken Eftink, Assistant City Manager and Director of Development Services, stated that the proposed zoning amendments are part of the recommendations contained in the Comprehensive Plan study. He said there will be an open house on Tuesday, January 5, from 6-8 p.m. and on Wednesday, January 13, from 6-7 p.m. to review the proposed zoning regulations. There will be a formal Public Hearing at the Planning and Zoning Commission meeting on January 13, 2010. The Council again referred the proposed zoning amendments back to the Planning and Zoning Commission.

Mayor Knudtson stated that he had attended a ceremony kicking off the 2010 Census process. He said that it is important to Cape Girardeau that all residents are counted. Cape Girardeau is a regional center for thirteen counties for the Census.

PUBLIC HEARINGS

This being the date set for a public hearing regarding the request of Rhodes Development Company to rezone the property located at 1634 North Kingshighway from C-2, general commercial district, and R-1, single family residential district, to C-2, general commercial district,

the hearing was opened by Mayor Pro-Tempore Herbst. There being no appearances, the hearing was closed.

BILL NO. 10-1 was given first reading as follows:

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI, BY CHANGING THE ZONING OF A PART OF 1634 NORTH KINGSHIGHWAY AND 1698 KINGSWAY DRIVE, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, FROM R-1 AND C-2 TO C-2

The first reading of BILL NO. 10-1 was approved upon Mr. Lanzotti's motion, Mr. Voss' second, and the following vote: Ayes, Herbst, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. Mayor Knudtson abstained from voting on BILL NO. 10-1 for financial reasons because the applicant has a financial interest at the bank where he works. Mr. Eftink discussed the location of the property included in the rezoning request.

CONSENT ORDINANCES

The following bills were given second and third readings:

- BILL NO. 09-193 AN ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY FOR LEWIS AND CLARK PARKWAY BETWEEN LASALLE AVENUE AND COUNTY ROAD 618
- BILL NO. 09-194 AN ORDINANCE APPROVING THE RECORD PLAT OF ROBINSON SUBDIVISION
- BILL NO. 09-195 AN ORDINANCE APPROVING THE RECORD PLAT OF RIVER BEND SUBDIVISION
- BILL NO. 09-196 AN ORDINANCE APPROVING THE RECORD PLAT OF CAPE WEST CROSSINGS-PHASE II AMENDED
- BILL NO. 09-197 AN ORDINANCE APPROVING THE RECORD PLAT OF CAPE WEST 13TH SUBDIVISION
- BILL NO. 09-198 AN ORDINANCE APPROVING THE RECORD PLAT OF A RESUBDIVISION OF LOTS C19, C20 AND C21 OF THE HIGHLANDS AT DALHOUSIE-PHASE III
- BILL NO. 09-204 AN ORDINANCE AMENDING SECTION 22-111(A) OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI, REGARDING WEEDS
- BILL NO. 09-205 AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,000,000 PRINCIPAL AMOUNT OF WATERWORKS SYSTEM REVENUE BONDS (STATE OF MISSOURI - DIRECT LOAN PROGRAM - ARRA) SERIES 2010 OF THE CITY OF CAPE GIRARDEAU, MISSOURI, FOR THE PURPOSE OF EXTENDING AND IMPROVING THE CITY'S WATERWORKS SYSTEM; PRESCRIBING THE FORM AND DETAILS OF THE BONDS AND

THE AGREEMENTS MADE BY THE CITY TO FACILITATE AND PROTECT THEIR PAYMENT AND PRESCRIBING OTHER RELATED MATTERS

The second and third readings of BILL NOs. 09-193, 09-194, 09-195, 09-196, 09-197, 09-198, 09-204, and 09-205 were approved and the Ordinances adopted upon Mr. Voss' motion, Mrs. Schneider's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. Mayor Knudtson abstained from voting on BILL NO. 09-196 for financial reasons because the parties involved have a financial interest at the bank where he works. Mr. Lanzotti abstained from voting on BILL NO. 09-198 because he has a representative relationship with one of the parties involved. BILL NO. 09-193 is ORDINANCE NO. 4089; BILL NO. 09-194 is ORDINANCE NO. 4090; BILL NO. 09-195 is ORDINANCE NO. 4091; BILL NO. 09-196 is ORDINANCE NO. 4092; BILL NO. 09-197 is ORDINANCE NO. 4093; BILL NO. 09-198 is ORDINANCE NO. 4094; BILL NO. 09-204 is ORDINANCE NO. 4095; and BILL NO. 09-205 is ORDINANCE NO. 4096.

LIQUOR LICENSES

Mr. Voss made a motion, seconded by Mrs. Schneider, to conditionally approve an original package liquor, Sunday sales and wine tasting license for Pajco, Inc., d/b/a Primo Vino! located at 1610 N. Kingshighway, Suite 105, Paul R. Dirnberger, Managing Officer. The motion was approved upon the following vote: Ayes, Herbst, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. Mayor Knudtson abstained from voting for financial reasons because the applicant has a financial interest at the bank where he works.

OTHER

Mr. Herbst made a motion, seconded by Mrs. Schneider, to accept the improvements completed under the 2009 Overlay Program, and authorizing final payment to ASA Asphalt, Inc. The motion was approved upon the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

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

Jay B. Knudtson, Mayor

Gayle L. Conrad, City Clerk

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