

REGULAR SESSION – JANUARY 25, 2011

The Cape Girardeau City Council convened in regular session on Tuesday, January 25, 2011, at 7:00 p.m., with Mayor Harry E. Rediger presiding and Council Members Mark Lanzotti, Meg Proffer, Kathy Swan, Debra Tracy and John Voss present. Council Member Loretta Schneider was absent.

Prior to the regular session, the City Council convened in closed session for purposes of discussing personnel pursuant to RSMo. Section 610.021(3) upon Mr. Voss' motion, Mrs. Swan's second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Swan, Tracy and Voss. Nays, none.

Reverend Jeff Long, of the Centenary United Methodist Church, presented the invocation, and the Pledge of Allegiance was recited.

Mrs. Tracy made a motion, seconded by Mrs. Swan, to remove Item No. 8, a Resolution directing the City Manager to make recommendations to the United States Department of Transportation for carrier selection pertaining to Essential Air Service at the Cape Girardeau Regional Airport, and Item No. 6, the second and third readings of an Ordinance amending Zoning Regulations by establishing a Planned Development District pursuant to the City of Cape Girardeau Zoning Ordinance and approving the application and revised Preliminary Development Plan for a proposed casino complex, from the Consent agenda, and to adopt the amended Agenda. The motion was approved upon the following vote: Ayes, Lanzotti, Proffer, Rediger, Swan, Tracy and Voss. Nays, none.

PRESENTATIONS

Mayor Rediger presented Fleet Maintenance Coordinator C.T. Hendricks with a plaque, recognizing him on his retirement from the City after over 11 years of service. Public Works Director Tim Gramling commended Mr. Hendricks on his accomplishments and contributions.

COMMUNICATIONS/REPORTS

City Manager Scott Meyer announced that the City Council will have a Study Session on Monday, January 31, 2011, to discuss the Capital Improvements Program. He also said that he had received word since the last City Council meeting that the City has been awarded a \$176,000 enhancement grant from the Missouri Department of Transportation for the City's Safe Routes to School application. The application was submitted in 2008, and with additional funds available, the City was allowed to take the money now. There will also be another round of funding for 2011 that the City will apply for as well. These grants will help build sidewalks along Clark Street to connect local schools and the public library.

Mayor Rediger stated that Mr. Don Howard, of 1100 Ranney Avenue, has asked to address the City Council regarding an item not on the agenda, and he called for Mr. Howard to speak.

Mr. Howard said that he wanted to address the issue of appearances regarding non-agenda items being limited to the Study Session. He asked that non-agenda appearances again be permitted at the regular City Council meetings. He said that the way things are now, residents have to attend both the Study Session at 5 p.m. and the Regular Session at 7 p.m. to fully participate, and it impairs the people's freedom of speech. He said that he appreciated the change announced by Mayor Rediger at the last City Council meeting on January 10, which allowed him to call and request this appearance, but he did not feel that it went far enough to restore the citizens'

participation. Mr. Howard encouraged Cape Girardeau residents to contact the City Council and request that non-agenda appearances be placed back on the Regular Session agenda, as they were before.

Mr. Voss recognized Michael Elson, of Boy Scouts of America Troop 16, attending the City Council meeting to earn a citizenship and community merit badge. Mayor Rediger thanked him for attending and for demonstrating his interest in local government.

PUBLIC HEARINGS

This being the date set for a public hearing regarding the Isle of Capri (IOC)-Cape Girardeau Final Development Plan Phase I of a Planned Development District for a proposed casino development, the hearing was opened.

Mr. Richard Meister, Isle of Capri Vice President of Construction, appeared in support of the Final Development Plan Phase I for the casino development and introduced the members of his team present at the meeting. He reviewed the proposed plan for the Council, and he said that they have acquired the deeds for all parcels needed for the development and noted the properties being purchased from the City. Mr. Meister reviewed the relocation of Main Street, the streets to be vacated, the final site plan, landscaping plan, signage plan, and the revised rendering of the building.

There being no further appearances, the hearing was closed.

BILL NO. 11-11 was given first reading as follows:

AN ORDINANCE APPROVING THE FINAL DEVELOPMENT PLAN, PHASE I, FOR A CASINO COMPLEX APPROVED WITHIN THE "PD" PLANNED DEVELOPMENT DISTRICT WITHIN THE CITY

A motion was made by Mr. Lanzotti, seconded by Mr. Voss, to approve the first reading of BILL NO. 11-11. The motion was approved upon the following vote: Ayes, Lanzotti, Proffer, Rediger, Swan, Tracy and Voss. Nays, none. City Attorney Eric Cunningham pointed out that this ordinance contains the clarification that this approval is for Phase I of the Final Development Plan.

This being the date set for a public hearing to consider vacating the City's interest in the following properties relating to the Isle of Capri Planned Development District, the hearing was opened:

Mason St. from the east line of Chestnut St. to the Mississippi River

Pearl St. from the east line of Lorimier St. to Main St.

Mill St. from the west line of Spanish St. to the Mississippi River

Main St. from 35 ft. south of Mill St. north to 70 ft. north of the north line of Mason St.

Spanish St. from the south line of Mill St. to 70 ft. north of the north line of Mason St.

Chestnut St. north of the south line of Mason St. for a distance of 70 ft.

Public alleys south of Lorimier St. between Mason St. and Mill St.

All utility easements within the proposed Isle of Capri Planned Development District

There being no appearances, the hearing was closed. Mr. Meyer stated that the City Council had been presented with a revised map showing the streets to be vacated.

CONSENT AGENDA

A motion was made by Mrs. Swan, seconded by Mrs. Proffer, to approve the following items on the Consent Agenda:

Approval of the City Council January 10, 2011, regular session, and the January 14, and January 18, 2011, special sessions minutes.

BILL NO. 11-04, AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A FEDERAL AID PROGRAM AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE EXTENSION OF THE RIVERWALK TRAIL ALONG THE MISSISSIPPI RIVER, IN THE CITY OF CAPE GIRARDEAU, MISSOURI. Second and third readings.

BILL NO. 11-05, AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI, BY CHANGING THE ZONING OF PROPERTIES LOCATED ON NORTH SPRIGG STREET AND BELLEVUE STREET, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, FROM RUMD TO CBD. Second and third readings.

BILL NO. 11-13, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT OF LEASE AGREEMENT WITH DRURY SOUTHWEST SIGNS, INC., FOR ADVERTISING SIGNS AT THE CAPE GIRARDEAU REGIONAL AIRPORT. Reading and passage.

A motion approving the preliminary plat for the Isle of Capri First Addition, in the City of Cape Girardeau, Missouri.

The motion was approved upon the following vote: Ayes, Lanzotti, Proffer, Rediger, Swan, Tracy and Voss. Nays, none. BILL NO. 11-04 is ORDINANCE NO. 4191; BILL NO. 11-05 is ORDINANCE NO. 4192; and BILL NO. 11-13 is RESOLUTION NO. 2591.

ITEMS REMOVED FROM CONSENT AGENDA

BILL NO. 11-06 was given second and third readings as follows:

AN ORDINANCE AMENDING ZONING REGULATIONS OF THE CITY OF CAPE GIRARDEAU BY ESTABLISHING A PLANNED DEVELOPMENT DISTRICT PURSUANT TO THE CITY OF CAPE GIRARDEAU ZONING ORDINANCE AND APPROVING THE APPLICATION AND REVISED PRELIMINARY DEVELOPMENT PLAN FOR A PROPOSED CASINO COMPLEX

Mr. Voss made a motion, seconded by Mrs. Swan, to approve the second and third readings of BILL NO. 11-06. A motion was made by Mr. Lanzotti to amend the Ordinance as noted in the Council report relating to the number of parking spaces and the site plan. Mr. Voss seconded the motion to amend. The motion to amend was approved upon the following vote: Ayes, Lanzotti, Proffer, Rediger, Swan, Tracy and Voss. Nays, none. The original motion was approved as amended upon the following vote: Ayes, Lanzotti, Proffer, Rediger, Swan, Tracy and Voss. Nays, none. BILL NO. 11-06 is ORDINANCE NO. 4193.

BILL NO. 11-14 was presented as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI, DIRECTING THE CITY MANAGER TO MAKE RECOMMENDATIONS TO THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR CARRIER SELECTION PERTAINING TO ESSENTIAL AIR SERVICE AT THE CAPE GIRARDEAU REGIONAL AIRPORT

Mr. Meyer stated that the Airport Advisory Board's recommendation was to renew the contract with Cape Air for service at the Cape Girardeau Regional Airport. Cape Air has been successful since partnering with the Cape Airport. They are now proposing six daily flights, as well as a proposed downtown ticketing office and a shuttle in St. Louis between the Cape Air terminal and the Southwest Airlines terminal, so passengers do not have to go through security again in St. Louis.

Airport Manager Bruce Loy stated that the Airport Advisory Board would have difficulty moving away from Cape Air Airlines, but they did not take any of the essential air service proposals they received lightly. He reviewed the three applicants and their interviews with the Board. Mr. Loy said that the Board anticipated that the opening of the Isle of Capri casino will increase demand for additional flights to and from the Cape Girardeau airport. However, the proposal for six daily round trips will also increase the subsidized cost to the Department of Transportation. The Airport Advisory Board asked that the City Council assist in approaching Congressional delegates to get their support in requesting the Department of Transportation to approve this increased funding.

Mr. Loy said that the Board asserted that it was unfair for the Cape Girardeau Regional Airport to have four daily round trips, when the airports at Marion and Quincy, Illinois, have been approved for six round trips. He said that Mr. Andrew Bonney, Vice President of Cape Air Airlines, has spoken with the Department of Transportation about this issue and the response has seemed positive.

The reading of BILL NO. 11-14 was approved and the Resolution adopted upon Mr. Voss' motion, Mrs. Swan's second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Swan, Tracy and Voss. Nays, none. BILL NO. 11-14 is RESOLUTION NO. 2592.

Mr. Lanzotti requested City staff draft a letter to the Department of Transportation on behalf of the Council in support of funding six daily round trips to the Cape Girardeau Regional Airport. Mr. Voss stated that Cape Air has been active in the community and visible in promoting regional air service. Mayor Rediger commended the Airport Advisory Board for their work on this issue.

NEW ORDINANCES

BILL NO. 11-12 was given first, second and third readings as follows:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED TO IOC-CAPE GIRARDEAU, LLC FOR REAL PROPERTY LOCATED IN THE CITY OF CAPE GIRARDEAU, MISSOURI

Mr. Voss made a motion, seconded by Mr. Lanzotti, to approve the first, second and third readings of BILL NO. 11-12 and to adopt the Ordinance. The motion was approved upon the following vote: Ayes, Lanzotti, Proffer, Rediger, Swan, Tracy and Voss. Nays, none. BILL NO. 11-12 is ORDINANCE NO. 4194.

APPOINTMENTS

Mr. Nicholas Snyder was appointed to the Historic Preservation Commission for a term expiring April 16, 2012, upon Mr. Voss' motion, Mrs. Proffer's second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Swan, Tracy and Voss. Nays, none.

Mr. James Hastings and Mr. Kent Ward were reappointed to the Municipal Golf Course Advisory Board for terms expiring January 18, 2014, upon Mrs. Swan's motion, Mr. Voss' second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Swan, Tracy and Voss. Nays, none. Mayor Rediger stated that there were a number of applicants for this Board. He encouraged the Golf Course Advisory Board to reach out to those applicants so they can get involved in events at the Golf Course and interact with the Board to offer their comments and reactions.

OTHER BUSINESS

Mr. Lanzotti made a motion, seconded by Mrs. Proffer, to set a public hearing for February 22, 2011, regarding the Thorngate Redevelopment Corporation Final Redevelopment Plan for 157 Independence Street. The motion was approved upon the following vote: Ayes, Lanzotti, Proffer, Rediger, Swan, 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, Lanzotti, Proffer, Rediger, Swan, Tracy and Voss. Nays, none.

Harry E. Rediger, Mayor

Gayle L. Conrad, City Clerk

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