

**REGULAR SESSION – MARCH 15, 2010**

The Cape Girardeau City Council convened in regular session on Monday, March 15, 2010, 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 Tom Sullenger, of Grace 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 personnel pursuant to RSMo. Section 610.021(3) upon Mr. Herbst's motion, Mr. Voss' second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

The minutes of the March 1, 2010, regular and closed sessions were approved upon Mr. Voss' motion, Mrs. Schneider's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

The agenda was approved as distributed upon Mr. Herbst'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 recognized Mr. Felix Kinsley and presented him with a City coin for his many years of coming to City Council meetings. Mr. Kinsley has achieved much personal success in these years and is active in the Student Government at Southeast Missouri State University, and an Honorary member of the Cape Girardeau Historic Preservation Commission.

Mrs. Tracy announced the Discovery Playhouse root beer float fundraiser this Saturday evening, and she said that the Playhouse will be opening at the end of March. She also announced the Storytelling Festival is coming to downtown Cape Girardeau on April 9-11, 2010, and the theme is "We Live Where the River Turns a Thousand Tales." Mrs. Tracy noted that the Downtown Council of Churches is holding a cross walk scheduled for Good Friday, April 2, 2010, beginning at noon at the old St. Vincent de Paul Catholic Church. There will also be a sunrise service Easter morning on the riverfront.

Mr. Lanzotti thanked Parks and Recreation staff for a fantastic evening at the Father/Daughter Dance at the A.C. Brase Arena Building. He said that approximately 500 people attended.

Mayor Knudtson announced that on May 1, 2010, the new automated trash and recycling service will begin. Old cans that residents wish to be disposed of must be placed at the curb on the last pickup prior to May 1. Mr. Tim Gramling, Public Works Director, said that a booklet explaining solid waste services will be delivered along with the containers. During April, public service announcements will be aired on television explaining the new automated solid waste service.

Mayor Knudtson reminded everyone to complete their Census 2010 forms.

**CITY MANAGER COMMUNICATIONS**

City Manager Scott Meyer stated that he had met with Missouri Department of Transportation representatives and discussed the Route 74 pedestrian bridge, as well as the I-55 Cape Girardeau County bridge studies and training on the MPO status. He also said that at the River Campus Board Meeting last month, the Board stated that the River Campus is doing well financially and is being well supported. Mr. Meyer noted that City Clerk Gayle Conrad was recognized during a recent meeting of the Missouri City Clerks and Financial Officers Association for continuing Status as a Missouri Registered City Clerk.

**CONSENT ORDINANCES**

The following bills were given second and third readings:

BILL NO. 10-20            AN ORDINANCE AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU RELATING TO THE NEW SOLID WASTE COLLECTION SYSTEM

BILL NO. 10-21            AN ORDINANCE ACCEPTING A QUIT CLAIM DEED AND AN EASEMENT FROM UNION ELECTRIC COMPANY D/B/A AMERENUE TO THE CITY OF CAPE GIRARDEAU, MISSOURI, FOR THE DOWNTOWN FLOOD PROTECTION SYSTEM

BILL NO. 10-30            AN ORDINANCE AMENDING SCHEDULE T OF SECTION 26-260 OF THE CITY CODE BY ESTABLISHING HANDICAP PARKING IN THE 500 BLOCK OF BROADWAY, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

BILL NO. 10-31            AN ORDINANCE AMENDING SCHEDULE V OF SECTION 26-31 OF THE CITY CODE BY ESTABLISHING A LOADING ZONE ON MIDDLE STREET, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

BILL NO. 10-32            AN ORDINANCE AMENDING SCHEDULE G OF SECTION 26-249 OF THE CITY CODE, AMENDING TWO-HOUR PARKING ON A PORTION OF BROADWAY AND MIDDLE STREETS, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The second and third readings of BILL NOs. 10-20, 10-21, 10-30, 10-31 and 10-32 were approved and the Ordinances adopted upon Mrs. Schneider's motion, Mrs. Tracy's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 10-20 is ORDINANCE NO. 4110; BILL NO. 10-21 is ORDINANCE NO. 4111; BILL NO. 10-30 is ORDINANCE NO. 4112; BILL NO. 10-31 is ORDINANCE NO. 4113; and BILL NO. 10-32 is ORDINANCE NO. 4114.

**RESOLUTIONS**

BILL NO. 10-33 was presented as follows:

**A RESOLUTION ACKNOWLEDGING RECEIPT OF AN ANNEXATION PETITION FROM JONAH T. AND MARGARET A. YATES AND SETTING A PUBLIC HEARING REGARDING THE PROPOSED ANNEXATION**

The reading of BILL NO. 10-33 was approved and the Resolution adopted upon Mrs. Schneider's motion, Mr. Herbst's second, and the following vote: Ayes, Herbst, Knudtson, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 10-33 is RESOLUTION NO. 2518. Mr. Lanzotti abstained from voting on BILL NO. 10-33 for financial reasons because he represents Mr. and Mrs. Yates.

BILL NO. 10-34 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. 10-34 was approved and the Resolution adopted upon Mrs. Schneider's motion, Mr. Herbst's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 10-34 is RESOLUTION NO. 2519. Mayor Knudtson stated that this is the second bid of this project due to various paperwork issues, and this bid was \$2,000 less than the previous bid. He said that the City had received two grants totaling approximately \$996,000 to help fund this project.

BILL NO. 10-35 was presented as follows:

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR USE OF THE CAPE GIRARDEAU REGIONAL AIRPORT FACILITIES WITH HYANNIS AIR SERVICE, INC., D/B/A CAPE AIR**

The reading of BILL NO. 10-35 was approved and the Resolution adopted upon Mr. Herbst's motion, Mrs. Schneider's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 10-35 is RESOLUTION NO. 2520.

BILL NO. 10-36 was presented as follows:

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH J. W. TRANSPORT, LLC, FOR THE CAPE NORTH PARK TRAIL PROJECT, IN THE CITY OF CAPE GIRARDEAU, MISSOURI**

The reading of BILL NO. 10-36 was approved and the Resolution adopted upon Mr. Lanzotti's motion, Mrs. Tracy's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 10-36 is RESOLUTION NO. 2521.

BILL NO. 10-37 was presented as follows:

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ADDENDUM NO. 1 TO AMENDMENT NO. 2 TO THE GENERAL ENGINEERING SERVICES AGREEMENT WITH MORRIS AND MUNGER ENGINEERS, LLC, FOR THE BEAVER CREEK POND AND BRECKENRIDGE BRANCH STABILIZATION PROJECT, IN THE CITY OF CAPE GIRARDEAU, MISSOURI**

The reading of BILL NO. 10-37 was approved and the Resolution adopted upon Mrs. Tracy's motion, Mr. Voss' second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 10-37 is RESOLUTION NO. 2522.

BILL NO. 10-38 was presented as follows:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF AGREEMENT WITH SOUTHEAST MISSOURI STATE UNIVERSITY FOR AN HISTORIC STRUCTURE INVENTORY, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The reading of BILL NO. 10-38 was approved and the Resolution adopted upon Mr. Voss' motion, Mrs. Schneider's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 10-38 is RESOLUTION NO. 2523.

BILL NO. 10-39 was presented as follows:

A RESOLUTION ADOPTING THE FISCAL 2010-2015 CAPITAL IMPROVEMENTS PROGRAM

The reading of BILL NO. 10-39 was approved and the Resolution adopted upon Mrs. Tracy's motion, Mr. Herbst's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none. BILL NO. 10-39 is RESOLUTION NO. 2524.

### **LIQUOR LICENSES**

Mrs. Schneider made a motion, seconded by Mrs. Tracy, to conditionally approve a change in managing officer for Logan's Roadhouse, Inc., d/b/a Logan's Roadhouse, 3012 William Street, Stephen Mitchell, Managing Officer. The motion was approved upon the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

### **APPOINTMENTS**

Mrs. Angel Hillman was appointed to the Public Library Board for a term expiring June 30, 2010, upon Mrs. Schneider's motion, Mrs. Tracy's second, and the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

### **OTHER**

Mr. Voss made a motion, seconded by Mrs. Schneider, to approve the improvement plans for construction of sanitary sewers to serve Deevers Cove Subdivision. The motion was approved upon the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

Mrs. Tracy made a motion, seconded by Mrs. Schneider, to accept the improvements to the South Sprigg Street Bridge over Cape LaCroix Creek, and authorizing administrative close-out of FAU Project No. M-1518(004). The motion was approved upon the following vote: Ayes, Herbst, Knudtson, Lanzotti, Ritter, Schneider, Tracy and Voss. Nays, none.

Mrs. Schneider made a motion, seconded by Mr. Herbst, to authorize the release of \$43,880 of the escrow agreement for improvements in Boulder Crest Subdivision, contingent upon passing all final City inspections and contingent upon the installation of a wye off of the existing sewer line

on Hunters Lane into Lot 6. 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.

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Jay B. Knudtson, Mayor

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Gayle L. Conrad, City Clerk

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