

REGULAR SESSION – APRIL 19, 2010

The Cape Girardeau City Council convened in regular session on Monday, April 19, 2010, at 7:00 p.m., with Mayor Harry E. Rediger presiding and Council Members Mark Lanzotti, Meg Davis Proffer, Loretta Schneider, Kathy Swan, Debra Tracy and John Voss present.

Reverend Jeff Long, of Centenary 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. Voss' motion, Mrs. Schneider's second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

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

PRESENTATIONS

Mayor Rediger presented a plaque to Lieutenant Tracy Lemonds recognizing his retirement from the Cape Girardeau Police Department after 33 years of service.

Corporal Ike Hammonds, of the Cape Girardeau Police Department, spoke about the Citizens' Police Academy where participants took part in seven classes that demonstrated Police Department operations. Mayor Rediger congratulated the ten graduates and presented certificates.

Mayor Rediger recognized four Public Works Department employees who played a roll in saving the life of a citizen who had collapsed by performing CPR until emergency responders arrived. He commended Mr. Scott Kirkoff, Mr. Eugene Robinson, Mr. Anthony Pierce, and Mr. Jerry Adams. Mr. Meyer stated that their preparation was due to cooperative training by the Cape Girardeau Fire Department.

COMMUNICATIONS/REPORTS

Mrs. Schneider announced that the Parks and Recreation Department's Friends of the Parks Day was held on Saturday, April 17, and thanked everyone who participated. She also stated that City Council meetings will be aired on Channel 5 through June 1, then moved to Charter Digital Channel 993.

Mrs. Heather Brooks, Assistant to City Manager, remarked that the Girardeau Goes Green Advisory Committee wanted to remind residents that approximately 400 old trash cans will be re-used in the community, and those that cannot be used will be recycled. City Manager Scott Meyer reminded everyone to begin using the new solid waste containers on May 3, 2010.

Mr. Lanzotti asked what plans are in place for the Cape Girardeau Regional Air Festival. Mr. Bruce Loy, Airport Manager, said that the Air Festival will be held June 19-20, 2010, with the U.S. Navy Blue Angels and the U.S. Army's Golden Knights. Tickets are on sale online for \$12 for adults and \$7 for children aged 7-12 years, or at the gate for \$15 for adults and \$10 for children. There is also a Family 4-Pack pass for sale online for \$35.

Mayor Rediger remarked that Ms. Jennifer Ridinger and Ms. Sharee Galnore are in charge of the Walking School Bus Program. Every Wednesday, a group of adults walk approximately 80 students to Alma Schrader Elementary School. The Program is hoping to expand to Franklin and Clippard Elementary Schools next year.

Mr. Meyer stated that City staff is working on developing a landlord inspection program, and citizen input is needed. Also, City staff will be using the Air Festival to practice implementation of the City's Emergency Operations Response Plan.

APPEARANCES

Mr. Doug Austin, of 758 Woodbine Place, appeared before the Council to request them to place the question of riverboat gambling before the residents of Cape Girardeau for a vote, because he said it is a quality of life issue. He said that the City voters had approved the issuance of a gambling license 17 years ago by a slim margin, and he felt that the issue should be revisited with another vote because of changes in both the City Council makeup and the residents.

Mr. Melvin Gateley, of 1725 Brookwood, presented a handout to the Council, outlining Mr. Austin's comments and requesting that the issue of riverboat gambling be brought before the voters of Cape Girardeau once again.

Mrs. Tracy asked if Mr. Austin or Mr. Gateley had any intentions of circulating a petition to place the issue on the ballot in the August election. Mr. Austin replied that they felt it was the duty of the City Council to put the issue before the voters. However, if the Council does not, they will circulate a petition to place the matter on the ballot.

Mr. Allen Washington spoke on behalf of the media to welcome the new City Council members and to encourage citizens to come before the Council and express their opinions and concerns about Cape Girardeau.

CONSENT AGENDA

Mayor Rediger explained that the intent of the new Consent Agenda format is to approve routine business before the Council in a timely manner and to allow more time for the discussion of new issues.

A. motion was made by Mrs. Schneider and seconded by Mrs. Swan to approve the following Consent Agenda:

Approval of the April 5, 2010, regular and closed sessions minutes.

BILL NO. 10-42, AN ORDINANCE ACCEPTING A PERMANENT UTILITY EASEMENT FROM JONAH T. YATES AND MARGARET A. YATES, FOR CONSTRUCTION, MAINTENANCE AND CREATION OF WATER AND SEWER LINES IN THE CITY OF CAPE GIRARDEAU, MISSOURI. Second and Third Readings.

BILL NO. 10-44, AN ORDINANCE ACCEPTING A STORM WATER DRAINAGE EASEMENT FROM ROBERT A. DRURY FOR THE INTERSECTION OF BLOOMFIELD ROAD AND ETHELTON DRIVE, IN THE CITY OF CAPE GIRARDEAU, MISSOURI. Second and Third Readings.

BILL NO. 10-47, A RESOLUTION AUTHORIZING APPLICATIONS TO THE MISSOURI DEPARTMENT OF SOCIAL SERVICES UNDER THE EMERGENCY SHELTER GRANT PROGRAM, FOR SAFE HOUSE FOR WOMEN, INC., AND THE SALVATION ARMY, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY GRANT DOCUMENTS. Reading and Passage.

Approval of a temporary 5% beer by the drink liquor license for John J. Yallaly, d/b/a American Legion post 635, for an event to be held at the A.C. Brase Arena Building June 4-6, 2010.

Conditional approval of an original package liquor and Sunday sales license for D.C. Inc., Craig Taylor, d/b/a Dirt Cheap Cigarettes Beer and Liquor, 420 S. Kingshighway, Craig P. Taylor, Managing Officer.

Accepting the sanitary sewer improvements for Deevers Cove Subdivision contingent upon the receipt of as-built drawings of the improvement.

The motion was approved upon the following vote: Ayes, Lanzotti, Proffer, Rediger, Schneider, Swan, Tracy and Voss. Nays, none. BILL NO. 10-42 is ORDINANCE NO. 4115; BILL NO. 10-44 is ORDINANCE NO. 4116; BILL NO. 10-47 is RESOLUTION NO. 2528

NEW ORDINANCES

BILL NO. 10-45 was given first reading as follows:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERMANENT UTILITY EASEMENT TO UNION ELECTRIC COMPANY FOR THE RELOCATION OF ELECTRIC LINES BETWEEN KINGSWAY DRIVE AND KINGSHIGHWAY

The first reading of BILL NO. 10-45 was approved upon Mrs. Tracy's motion, Mrs. Schneider's second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

BILL NO. 10-46 was given first reading as follows:

AN ORDINANCE AMENDING CHAPTERS 5 AND 15 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU REGARDING LICENSE APPLICANTS WITH DELINQUENT CITY ACCOUNTS

The first reading of BILL NO. 10-46 was approved upon Mr. Voss' motion, Mrs. Proffer's second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Schneider, Swan, Tracy and Voss. Nays, none. Mr. Lanzotti stated that this Ordinance is an effort to improve an area of the City's operations and keep businesses from applying for a business license under another name without paying delinquent fees. He noted that the Ordinance includes provisions allowing City staff flexibility to work with applicants.

BILL NO. 10-48 was given first reading as follows:

AN ORDINANCE APPROVING THE RECORD PLAT OF KINGSWAY SUBDIVISION

The first reading of BILL NO. 10-48 was approved upon Mrs. Schneider's motion, Mrs. Proffer's second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

BILL NO. 10-49 was given first reading as follows:

AN ORDINANCE APPROVING THE RECORD PLAT OF SPEARS SUBDIVISION

The first reading of BILL NO. 10-49 was approved upon Mr. Lanzotti's motion, Mrs. Proffer's second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

BILL NO. 10-50 was given first reading as follows:

AN ORDINANCE APPROVING THE RECORD PLAT OF JASON'S SUBDIVISION

The first reading of BILL NO. 10-50 was approved upon Mrs. Schneider's motion, Mr. Voss' second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

BILL NO. 10-51 was given first reading as follows:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED TO S.E.MO LAND, LLC, FOR PROPERTY ALONG LEXINGTON AVENUE

The first reading of BILL NO. 10-51 was approved upon Mr. Voss's motion, Mrs. Schneider's second, and the following vote: Ayes, Lanzotti (abstain), Proffer, Rediger, Schneider, Swan, Tracy and Voss. Nays, none. Mr. Lanzotti abstained from voting on BILL NO. 10-51 because he had a prior business relationship with Semo Development.

BILL NO. 10-52 was given first reading as follows:

AN ORDINANCE ANNEXING LAND TO THE CITY OF CAPE GIRARDEAU, MISSOURI, UPON THE REQUEST OF JONAH T. AND MARGARET A. YATES

The first reading of BILL NO. 10-52 was approved upon Mrs. Tracy's motion, Mrs. Proffer's second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

APPOINTMENTS

Mrs. Schneider was appointed Mayor Pro-Tempore, upon Mrs. Swan's motion, Mrs. Tracy's second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

Mr. Rediger was appointed to the Cape Girardeau Area MAGNET Board of Directors for a term expiring December 31, 2010, upon Mr. Voss' motion, Mrs. Schneider's second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

Mr. Robert Cork was appointed and Mr. Mark Seesing and Mr. Rick Hetzel were re-appointed to the Airport Advisory Board for terms expiring April 30, 2013, upon Mr. Lanzotti's motion, Mrs. Swan's second, and the following vote: Ayes, Lanzotti, Proffer, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

OTHER BUSINESS

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, Schneider, Swan, Tracy and Voss. Nays, none.

Harry E. Rediger, Mayor

Gayle L. Conrad, City Clerk

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