

CITY OF CAPE GIRARDEAU
SPECIAL ASSESSMENT PROCEDURES
FOR
STREET PROJECTS

Street improvement projects which are financed through Special Benefit Assessments are regulated by Chapter 88 of the Missouri Statutes pertaining to special assessments for public works and Chapters 21 and 24 of the Cape Girardeau Code of Ordinances pertaining to public works and public improvements and special assessments. The following procedures are currently being utilized, in accordance with the above laws, to conduct special assessment street improvement projects in Cape Girardeau.

1. Owners of the property abutting a street file a petition with the city requesting their street be improved.
2. The City Manager refers the petition to the City Engineer to determine whether sufficient resident owners have signed the petition to prevent a successful remonstrance (i.e., protest to prevent the improvement). Sufficiency of the petition is based on the following criteria:
 - A. Majority of tracts abutting the proposed improvement are represented in favor on the petition.
 - B. Majority of the resident owners of the tracts abutting the proposed improvement are represented in favor on the petition.
 - C. Majority of front footage of property abutting the proposed improvement are represented in favor on the petition.
3. The City Engineer does the research and reports to the City Manager on sufficiency or insufficiency of the petition.
4. If sufficient, the Council normally authorizes by motion plans and specifications to be drawn up by the staff. If insufficient, the petition dies.
5. The City Engineer performs the preliminary surveys and designs the project.
6. The City Engineer sends to the City Manager a proposal form and set of plans.
7. The Council will adopt an Ordinance of Necessity and set a Public Hearing. The Ordinance of Necessity requires three readings
8. A Public Hearing will be held on the proposed project. At this hearing the affected property owners will have an opportunity to express their views on the project.
9. The Ordinance of Necessity is published in a daily newspaper for seven consecutive insertions.
10. A protest against the special assessment project must be filed with the city clerk within 10 days from the last insertion of the Ordinance of Necessity in the newspaper. If a majority of owners of property liable for the special assessment who are residents of the city do not protest against the project within the required time period, the special assessment project may proceed.
11. If the project is to proceed, an Ordinance reaffirming the necessity to improve is adopted by the Council. This ordinance reaffirms the need for the improvement, states that a majority of property owners liable for the special assessment did not file a protest against the project, and basically gives the go ahead to advertise and construct the improvements. This ordinance requires three readings.
12. The City Engineer sends out letters requesting bids and a bid notice is placed in the local newspaper over seven (7) consecutive publication days in accordance with Missouri statutes.
13. The City Engineer prepares an estimate of the cost of the project.

14. A Public Meeting may be held with affected property owners.

15. Bids are received and evaluated by the City Engineer. After all bids have been examined and the lowest and best bidder chosen, the City Council by resolution awards the contract and allows the City Manager to enter into a contract with the contractor. Only one reading is necessary.

16. Once the contract between the City and the contractor is signed, the contractor provides the City Attorney with an insurance certificate and a payment and performance bond. Normally the City Engineer conducts a pre-construction conference with the contractor, inspectors, surveyors and utility representatives prior to the contractor actually beginning construction activities.

17. During the construction period work is inspected by the Engineering Division.

18. Upon completion of the construction work, a final inspection is made by the project engineer, project inspector and the contractor. Any items needing correction or completion are done by the contractor and a re-inspection is made.

19. The survey crew of the Engineering Division resurveys the project for final quantities and Record Drawing information.

20. The City Engineer changes construction plans to "Record Drawings" and works up the engineer's final report and the report of apportionment of cost to the property owners which are submitted to the City Manager.

21. The City Council accepts the improvement and adopts an Ordinance to issue tax bills. This ordinance requires three readings. Tax bills may be paid by the abutting property owner all at once in total or in equal installments annually over a ten year period with tax bills, bearing interest not to exceed the rate on a ten year U.S. Treasury note, as established at the most recent auction. Tax bills are liens against the property affected by the street improvement.

22. The word "street" as used in these "Special Assessment Procedures for Street Projects" also includes an alley.

