

City of Cape Girardeau  
*Liquor License Review Board*

November 20, 2013  
City Hall – City Council Chambers  
401 Independence Street  
3:30 p.m.

AGENDA

1. Call to Order
2. Introduction and Opening Comments
3. Approval of April 8, 2013 minutes
4. Review of approval and appeal of liquor license for That One Bar, 36 North Spanish Street
  - a. Public Comment
  - b. Applicant Comment
  - c. City Staff Comment
  - d. Board review, discussion, and possible action
5. Adjourn

*The Liquor License Review Board of the City of Cape Girardeau, Missouri, may hold a closed session to discuss legal actions, causes of legal action or litigation, or confidential or privileged communications with its attorneys.*

# CITY of CAPE GIRARDEAU

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City of Cape Girardeau  
*Liquor License Review Board*

April 8, 2013  
City Hall – City Council Chambers  
401 Independence Street  
4:00 p.m.

## AGENDA

### Roll Call – Board Members:

- Mrs. Heather Brooks
- Mrs. Carol Peters
- Mr. Charles “Speedy” Wagoner

### Roll Call – City Staff:

- Mrs. Trisha Holloway, *Customer Service Mgr.*
- Mr. Tim Morgan, *Director of Inspection Svcs.*
- Battalion Chief Brian Shaffer, *Fire Marshall*

#### 1. Call to Order

The Liquor License Review Board convened on Monday, April 8, 2013, at 4:00 p.m. with Chief Review Officer Heather Brooks presiding and Board Members Carol Peters and Charles Wagoner present.

#### 2. Introduction and Opening Comments

Mrs. Brooks introduced the members of the Board and reviewed the agenda items and meeting format.

#### 3. Approval of February 13, 2013 minutes

A Motion was made by Charles Wagoner, seconded by Heather Brooks to approve. Motion approved. 3-0. Aye, Brooks, Peters, Wagoner.

#### 4. Review of appeal of recommended denial of license for That One Bar, 36 North Spanish Street

##### a. Public Comments

Mr. Dave Hutson addressed the Board and said that he owns the building at 31 North Main Street. He said that the folding stairs exiting into the alleyway between Spanish and Main Streets poses a hazard for the tenants living in his building because they obstruct access for ambulance or emergency equipment. Mr. Hutson said that building codes should be addressed inside the building, not with an external fire platform. He said that he has had concerns since 2010, when the fire escape was installed.

Mr. Loyd Ervin, of 115 Themis Street, appeared in support of the recommended denial. He said that the cigarette smoke coming from the bar is so thick, it chokes his family inside his home. He complained of a fan located approximately 60’ from his bedroom window that he believed to be an exhaust fan venting cigarette smoke from the business. Mr. Ervin said that he has contacted both the Cape Girardeau County Health Department and the Fire Department and he has been told that there is nothing they can do about the cigarette smoke.



## b. City Staff Comments

Mr. Tim Morgan, Chief Review Officer, appeared and said that Inspection Services reviews and signs off on all liquor license applications and recommends the denial of That One Bar's liquor license. Upon questioning by the Board, Mr. Morgan confirmed that he approved the installation of the folding stairs to be set up at the beginning of the work period and taken down at the end of the work period each day.

Mr. Morgan said that if the business owner were to propose another egress suggestion, City staff would review the recommendation to deny the liquor license. Mrs. Brooks asked if City staff was contacted by neighbors of the property concerning the stairs. He answered that they were not, nor were they contacted about the exhaust fan.

Battalion Chief Brian Shaffer, Fire Marshall, addressed the Board and confirmed that he has been contacted by Mr. Ervin about the exhaust fan issue. Mrs. Brooks asked if the business' exhaust fan was positioned near where Mr. Ervin's air intake might be. BC Shaffer said not that could be observed. Upon questioning by the Board, he said that positioning of air ventilation exhaust fans would not be inspected by the Fire Department. Mr. Wagoner asked if he had tried the stairs and BC Shaffer answered that he had when the bar first opened. He said that his crews have been monitoring the door and observing that the stairs have been set up when the door is open.

## c. Applicant Comments

Mr. Daniel Grimm, attorney for building owner, Mr. Rick Werner, appeared and said that he had three people he would call to address the Board with his prompting: Ms. Pam Davisson, Mr. Rick Werner, and Mr. Jeff Koenig.

Ms. Davisson, architect with Keystone Design, appeared and said that she drew the design for the floor plan in November or December of 2010 after working with City staff and speaking a few times with Mr. Morgan. She said that during the design she was mindful of the trash dumpsters in the alley behind the bar, and specifically incorporated two exits. She said that Mr. Morgan agreed that the stairs would work and the City approved the plans on April 29, 2010. Upon questioning from Mr. Grimm, Ms. Davisson said that a building built under a certain building code can remain in use as such, even if the code changes. The steps are structurally safe.

Mr. Wagoner asked who owned the building and who managed the bar when the design was drawn. Mr. Grimm answered that it was a different building owner and a different business manager, but it doesn't matter, since the use is the same. Ms. Davisson said that the stairs meet the current building codes. Upon questioning by the Board, Mr. Morgan confirmed that the stairs meet the current building codes, it is because the stairs intrude on the public right-of-way that he has recommended the liquor licenses denial.

Mrs. Brooks stated that the stairs meet the building code as designed, it is the intrusion on the public right-of-way that is the issue triggering the denial. Mr. Wagoner stated that he could not vote to approve the liquor license without the approval of the building inspector. Mr. Grimm said there are lots of things on the public right-of-way and the stairs are meant to be retracted during the daytime hours. The design passed the inspection code. Upon questioning



by the Board, Mr. Morgan said that he could not recall any discussion of a License and Indemnity Agreement at the time the plans were drawn.

Mr. Werner appeared and said that when he bought the building, it was in use as a bar, and he bought the building to continue use as a bar. Upon questioning from Mr. Grimm, Mr. Werner said that it would be a financial detriment to stop using the building as a bar, and it would be a financial detriment to knock out wall to create a stairwell opening.

Mr. Grimm said that the stairs are 108" wide, narrower than the dumpsters in the alley. The dumpsters don't move, some are without wheels. He said that even with the stairs set up, trucks can drive past without a problem. Mr. Hutson disagreed and said that that the stairs do create a problem. Mr. Werner said that the space beyond the set up stairs is wider than a parking space. Mrs. Peters asked if there were police reports filed for damages caused by the stairs. There were none.

Mr. Koenig, tenant of That One Bar, appeared, and upon questioning from Mr. Grimm, said that they passed the Health Department inspection and the Fire Department inspection. He said that it would be a financial detriment if the bar cannot open for business.

d. Board review, discussion, and possible action

The Board asked Mr. Morgan if an Occupancy Permit has been issued. He replied that no new permit is issued, unless the permit is pulled. Mrs. Brooks stated that the current formal process is for a License and Indemnity Agreement to be issued when private property usage infringes on a public alleyway. The Board asked BC Shaffer if the stairs would impede emergency responders. He answered that they would respond to the front or rear doorway depending on the location of the incident.

Mrs. Brooks asked who had access only through the alley and Mr. Hutson answered that his tenants' only entrance was through the alleyway. Mr. Wagoner asked Mr. Morgan what he will do about the issue. Mr. Morgan said that if the business owner had another exit plan, he would review the recommendation to deny the liquor license.

Mrs. Brooks said that, unfortunately, this is the price paid when we get creative to avoid empty older buildings. Mr. Grimm asked if the Board can change the interpretation of the building code. Mrs. Brooks said that the steps are approved by the safety code and the building code, the only change is the use of public access or public right-of-way. Mr. Grimm said that he would be happy to draw up a License and Indemnity Agreement. Mr. Hutson said that access is restricted for the tenants, they need access 24 hours a day because this is where they live.

Mr. Wagoner said that he is trying to see all sides of this issue, but he could not vote to approve the liquor license without the approval of the building inspector. Mrs. Brooks said that in 2010, neighbors could appeal when a Liquor License was granted. She asked Mr. Werner if he knew about Mr. Ervin's complaint about the exhaust fan. He answered that he has not heard about this complaint before. Mr. Werner said that he has known Mr. Ervin for years and he would work with him to find the source of his complaint.

Ms. Davisson said that the building is 85' wide. It would require two remote exits, regardless of its use.



# CITY *of* CAPE GIRARDEAU

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Mrs. Brooks said that when this became a right-of-way issue, she wonders if the Liquor License Review Board can deal with this issue, or if it should be deferred to the City Manager or the City Council. She said that she would recommend the Board defer the issue to the City Manager, but would like to address the issue of smoke. She would like to see the owner and neighbor and neighbor discuss and find a solution.

Regarding the stairway, a Motion was made by Heather Brooks, seconded by Charles Wagoner to defer to the City Manager.

Motion approved. 3-0. Aye, Brooks, Peters, Wagoner.

Regarding the issue of smoke, a Motion was made by Heather Brooks, seconded by Carol Peters to table.

Motion approved. 3-0. Aye, Brooks, Peters, Wagoner.

## 5. Adjourn

A Motion was made by Charles Wagoner, seconded by Carol Peters to adjourn.

Motion approved. 3-0. Aye, Brooks, Peters, Wagoner.



10-31-13

TO: City of Cape Girardeau

To whom it may concern,

Recently, the City of Cape decided to reissue a liquor license to "That One Bar" on 36 N. Spanish Street. I am writing another letter to formally appeal that decision. It was said that the Manager of the bar has received an inspection of the exhaust system and has passed City Code. Regardless if all the exhaust systems are functioning or even being used, cigarette smoke odor continues to be a major issue in my business and residence. As you are aware, I have lived at 115 Themis St Apt A for 24 years and worked in this building for over 40 years. I am extremely disappointed that the health and safety of my family was not considered. I have spoken to Mr. Scott Meyer regarding this issue and would appreciate further consideration in this matter. Feel free to contact me at Ervin's Metalsmiths 573-335-3800 or on my cell at 573-275-8838 with any questions.

Sincerely,

Loyd L. Ervin

President

Ervin's Metalsmiths Inc.

115 Themis St.

Cape Girardeau, MO 63701

Letter No. 13-149

October 22, 2013

Mr. Loyd L. Ervin  
Ervin's Metalsmiths, Inc.  
115 Themis Street  
Cape Girardeau, MO 63701

Re: License Renewal, That One Bar, 36 North Spanish Street

Dear Mr. Ervin:

I am in receipt of your letter dated September 27, 2013, expressing concern about the cigarette smell in your building and your residence at 115 Themis, and requesting that a liquor license not be issued to any bar at 36 North Spanish.

As you are aware, in May of 2013 a 6-month temporary liquor license was issued to That One Bar at 36 North Spanish Street conditioned on two items:

1. License and Indemnity Agreement: Approval by the City Council of a license and indemnity agreement for the operation of stairs providing egress from the rear of the building. This agreement was approved by the City Council on May 6, 2013.
2. Smoke nuisance: Mr. Jeff Koenig, the Manager of That One Bar, has provided an inspection report from a mechanical contractor stating that the exhaust units are functioning properly. The City's Building Services Director spoke with the mechanical contractor who completed the inspection and reviewed the building and mechanical plans for this structure and found that all exhaust systems are designed and functioning in accordance with City Code.

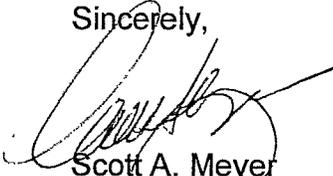
Upon review, I am issuing a renewal of the liquor license for That One Bar at 36 North Spanish. Per Section 5-35(d) of the City Code, any objecting neighbor within 200' of the licensed premise may appeal the granting of a liquor license to the Liquor Review Board by mailing or delivering a written notice of appeal to the Chief Review Officer, and mailing or delivering copies of the notice to the City Manager and the licensee. This notice of appeal must be received no later than ten days after your receipt of this letter. I have included a copy of this section of the City Code for your reference.



Mr. Loyd Ervin  
Page 2  
October 22, 2013

If you have any questions regarding this issue, please do not hesitate to contact me.

Sincerely,



Scott A. Meyer  
City Manager

SAM:gc

Enclosure

Cc Mr. Ricky Werner  
Mr. Jeff Koenig  
Ms. Trisha Holloway, Customer Service Manager  
Mr. Ryan Shrimplin, Chief Review Officer  
Ms. Carol Peters, Liquor Review Board  
Mr. Charles Wagoner, Liquor Review Board  
Mr. Tim Morgan, Inspection Services Director  
Lt. Barry Hovis, Cape Girardeau Police Dept  
Mr. Brian Shaffer, Fire Inspector



## MEMO TO RECORD

**Date:** November 12, 2013

**Subject:** Commercial and Residential Space Located at 115 Themis Street

On the afternoon of Tuesday, November 12, 2013, I made a site visit to property located at 115 Themis Street. The property is occupied by two commercial businesses and a second floor residence owned by Mr. Loyd Ervin. The purpose of this visit was to ascertain if there was any apparent avenue through which cigarette smoke would allegedly enter the living space from the bar located at 36 North Spanish Street known as That One Bar.

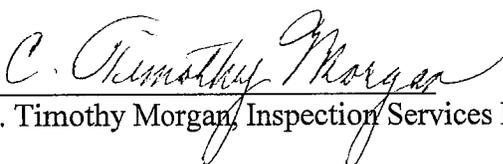
At approximately 2:05 p.m., I met Mr. Loyd Ervin on the main floor in the space occupied by Jayson Jewelers and Ervin Metalsmiths. Mr. Ervin showed me through all areas occupied by his two businesses and residence. The main floor is all commercial area which joins the bar space to the south by a common wall of concrete block. Some areas of the adjoining wall appear original to the building and other areas are of more recent construction. Next, Mr. Ervin showed me the second floor residence as well as adjoining roof areas that are used for recreational purposes. These roof areas extend to the south above the adjoining wall of the bar space. Lastly, we went to the basement level which is used partially as a recreation room but mainly as storage for various commercial equipment and residential items.

The doorways and windows on the main level and the second floor residence all appeared to be installed properly, tightly fitting and of comparatively recent installation. Some windows in the basement level did not appear to be as tightly fitted or sealed. The recreational roof area contains several vents or vertical pipes that appear to be standard vents for mechanical equipment. There was no noticeable smell of cigarette smoke on the roof area at this time.

During my visit, one of the areas to the rear (south) of the commercial space had a noticeable smell of cigarette smoke. This is space occupied by the electroplating and polishing operations of the metalsmithing business. The basement area also had a faint smell of cigarette smoke.

It is apparent that cigarette smoke is entering one or more of the occupied spaces. It is not obvious to the casual observer as to the source of the cigarette smoke. I did observe an individual smoking at the entrance to an adjoining commercial space that fronts on North Spanish Street on the way to meet with Mr. Ervin. This space fronts North Spanish with a garage door opening.

The above statements offered for the record by the undersigned on the date first stated.

  
C. Timothy Morgan, Inspection Services Director



8 October, 2013

I have been asked to give my observations on the ongoing conflict between two downtown businesses, Jayson Jewelers (115 Themis Street) and That One Bar (36 North Spanish Street). At issue is the complaint of cigarette smoke from That One Bar into the residence above Jayson Jewelers.

This issue was first brought to my attention in the spring of 2012 when the owner of Jayson Jewelers contacted my office to complain about the offensive order of cigarette smoke in his residence. Though I did say I had no authority in this matter I was asked to come and investigate this issue. During the investigation I walked to the top of the hill across the street, at the Cape Girardeau Courthouse, so I could get a better view of the exhaust system for That One Bar in comparison to the residence. The exhaust system looked to be several feet from the property line of the residence and even further from the nearest window of the residence. I advised the owner of Jayson Jewelers that I did not think anything could be done about the problem. I also spoke with the owner of That One Bar to see if he had any suggestions to help resolve the problem. Finally I brought this subject up with Tim Morgan, City Inspections, but neither of us could offer any solution to the problem.

Last week, 4 October, 2013, I was again contacted about this problem from the owner of That One Bar who informed me that he was worried about losing his liquor license since a complaint had been filed against his business. He informed me that the owner of Jayson Jewelers was trying to petition the city to deny a liquor license due to the cigarette smoke coming into his residence. I did tell That One Bar owner that there was little I could do since I have no means of observing or measuring cigarette smoke coming from his business and into the upstairs residence at Jayson Jewelers. That One Bar owner did inform me that he was using expensive filters for his HVAC unit and was changing them at frequent intervals to help eliminate this problem.

After our phone conversation I did go downtown to once again look at the property and went next door to Main Street Mercantile, 26 North Spanish owned by Mr. Charlie Bertrand. This business is located just to the right of That One Bar. I asked Mr. Bertrand if he had any problems with the cigarette smoke since his building shares a common wall with That One Bar. Mr. Bertrand did tell me that he had no issues with the cigarette smoke. Mr. Bertrand then took me up to his roof so I could personally look at the exhaust vent in relation to the upstairs residence. Though I did not measure the distance, the exhaust system was several feet from the residence.



On Tuesday, 8 October, 2013, I once again went downtown to look at the property. This time I made contact with Eclipse Hair which is located at 38 North Spanish. This business is located just to the left of That One Bar. This property would be between Jayson Jewelers and That One Bar. I asked the business owner if she had any issues with cigarette smoke in her residence. The owner knew immediately why I was asking and told me her or her customers had no issues with cigarette smoke since her customers are allowed to smoke in her business anyway.

I have no solutions to resolve this matter and have informed both business owners that there is nothing I can legally do but as a professional courtesy, I have looked into the problem since I have been continually contacted by both businesses. After speaking with Tim Morgan and city inspector Gary Hill I still have no solution to the problem that would not necessitate considerable cost to the owner of That One Bar for an mechanical engineer to determine the correct ventilation, if that would even resolve this issue.

Brian Shaffer  
Battalion Chief/Fire Marshal  
Cape Girardeau Fire Department



9-27-13

TO: City of Cape Girardeau

To Whom It may concern,

I have been very concerned about the cigarette smoke smell in my building and my residence coming from "That One Bar" and previously "Rumors" for quite some time. After discussing this matter with the City of Cape Girardeau, I was informed that a temporary liquor license would be issued with a few stipulations. One of those stipulations was that I was to contact Mr. Rick Werner regarding the Smoke issue. I have discussed this problem with him at length on several occasions. Most recently I called him and left a message on his cell phone; after nearly two weeks I have yet to hear back from him. He has told me repeatedly that it is not the bar that is causing the cigarette smoke in my home and business. My family does not smoke and I am 100% sure that is where it is coming from.

The problem has continued despite my attempt to communicate with Mr. Werner as requested by the City. I have put in new deck doors that have a better seal, I have purchased multiple air purifying systems for my residence and I have an industrial size fan on my deck that I plug in nearly every night until morning in an effort to prevent cigarette smoke from entering my building. We have a toddler that lives in the residence whom has a history of respiratory issues. She cannot continue to be exposed as it is detrimental to her health as well as my family. This alone is a MAJOR concern. The cigarette smell is so bad at times that it will wake me and my family from sleep. Furthermore, the cigarette odor seems to be increasing since the university students have returned to town. The weekend nights are always the worst.

It is my strong request that a new liquor license NOT be issued to any bar in that building. I have lived at 115 Themis St Apt A for 24 years and worked in this building for over 40 years and have NEVER had this sort of issue until 36 N Spanish street became a bar. PLEASE help my family by protecting us from this toxin. Feel free to contact me at Ervin's Metalsmiths 573-335-3800 or on my cell at 573-275-8838 with any questions.

Sincerely,



Loyd L. Ervin

President

Ervin's Metalsmiths Inc.

115 Themis St.

Cape Girardeau, MO 63701

## **That One Bar**

Liquor License Renewal – Note to File

From: Gayle Conrad, City Clerk

9/18/13

I received call from Loyd Ervin (Jayson Jewelers and Ervin Metalsmith). 335-0975

Mr. Ervin indicated that in April of 2013, he had received a copy of a letter that was sent to Mr. Jeff Koenig at That One Bar. Mr. Ervin was issued a temporary liquor license to expire in November. In the letter it stated that a smoke nuisance issuance must be addressed before the license will be reapproved. Mr. Ervin said it has now been 5 months and he is still not happy with the smoke issue. The cigarette smoke continues to penetrate the walls and comes into the home. He has a 3 year old with respiratory problems. Mr. Ervin indicated he does not want the license renewed.

9/26/13

I contacted Mr. Ervin and asked if he had made contact with Mr. Werner regarding the smoke issue as stated in the letter at any point since the issuance of the temporary 6 month license on May 8, 2013. Mr. Ervin stated he has contacted Mr. Werner a few times. Things got worse when Semo started back. Mr. Werner said the smoke cannot be coming from his bar, and the Fire Department told Mr. Werner the same thing. Mr. Ervin said the smoke never became an issue until this building was made into a bar. Mr. Ervin stated the smoke also goes to the Spanish Street Mercantile Store (Charlie Bertrand, owner). However, the smoke is not a big issue with Mr. Bertrand because he is operating a business, Mr. Ervin's premise is his family's home. The smoke smell has woken his family up on numerous occasions. The last time Mr. Ervin called Mr. Werner, he left a voice mail message, and Mr. Werner has not responded. Mr. Ervin said that Mr. Werner has been very cordial and not a problem to talk with; he felt that if Mr. Werner knew how to fix the problem, he would.

I told Mr. Ervin that Mr. Koenig has not yet turned in an application for renewal, but Lt. Hovis was going to make contact with Mr. Koenig today to give him a renewal form and a copy of the April letter from the City which outlined the conditions for the renewal.

I requested that Mr. Ervin put his comments in writing and send to me as soon as possible. These would be included in the documents presented to the City Manager for consideration in renewal if the applicant requests renewal. Mr. Ervin said he would fax me a written statement this week.

Gayle

# CITY of CAPE GIRARDEAU

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OFFICE OF THE CITY MANAGER

Letter No. 13-66

April 18, 2013

That One Bar  
Mr. Jeff Koenig  
36 North Spanish Street  
Cape Girardeau, MO 63701

Dear Mr. Koenig,

The Liquor License Review Board met on Monday, April 8<sup>th</sup> to review the appeal of the recommended denial of the liquor license for *That One Bar* at 36 North Spanish Street. At this meeting the Board heard comments from the public, City staff, and several representatives on behalf of the applicant.

After considering all the evidence and arguments and all parties having the opportunity to be heard, the Board voted unanimously (3-0) to defer the question about the stairs on the City's Right-of-Way to a more appropriate process and asked Mr. Werner to work with Mr. Ervin on the smoking nuisance that Mr. Ervin brought to the Board's attention.

This letter serves as official notice that these items have been reviewed with the City Manager for final processing. Mr. Meyer has agreed to issue a 6-month, temporary liquor license conditioned on two items: 1) approval by City Council of a license and indemnity agreement for the operation of stairs providing the required second method of egress from the rear of the building onto the City alleyway, and 2) prevention of the smoke nuisance. Mr. Ervin has been advised that should the smoke situation become a nuisance again that he should notify Mr. Werner to address the situation and to keep Ms. Holloway apprised of the situation. If the nuisance is not able to be resolved, renewal of the license would be very unlikely.

Through this public process, additional information related to the operation of the previous business located at 36 North Spanish Street was brought to light. Several individuals mentioned nuisance behavior due to the operation of that business. I mention this only to encourage you to work with your neighbors to



determine if there are any nuisances and to try to address them if they arise. Neighboring property owners could appeal the renewal of your liquor license in the future.

Sincerely,



Heather Brooks  
Assistant City Manager

cc: Mr. Ricky Werner  
Mr. Daniel J. Grimm  
Mr. Loyd Ervin - 115 *Therms*  
Ms. Carol Peters  
Mr. Charles Wagoner  
Mr. Scott A. Meyer  
Ms. Kelly Green  
Ms. Trisha Holloway  
Mr. Barry Hovis  
Mr. Tim Morgan  
Ms. Marla Mills



BILL NO. 13-65

RESOLUTION NO. 2756

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AND INDEMNITY AGREEMENT WITH RICK WERNER, FOR PROPERTY LOCATED AT 36 NORTH SPANISH STREET, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

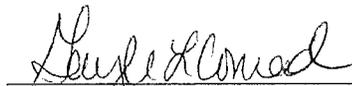
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. The City Manager, for and on behalf of the City of Cape Girardeau, Missouri, is hereby authorized to execute a License and Indemnity Agreement with Rick Werner concerning a right-of-way adjacent to 36 North Spanish Street, in the City of Cape Girardeau, Missouri. A copy of said License and Indemnity Agreement is attached to this Resolution and made a part hereof.

PASSED AND ADOPTED THIS 10th DAY OF May, 2013.

  
\_\_\_\_\_  
Harry E. Rediger, Mayor

ATTEST:

  
\_\_\_\_\_  
Gayle L. Conrad, City Clerk



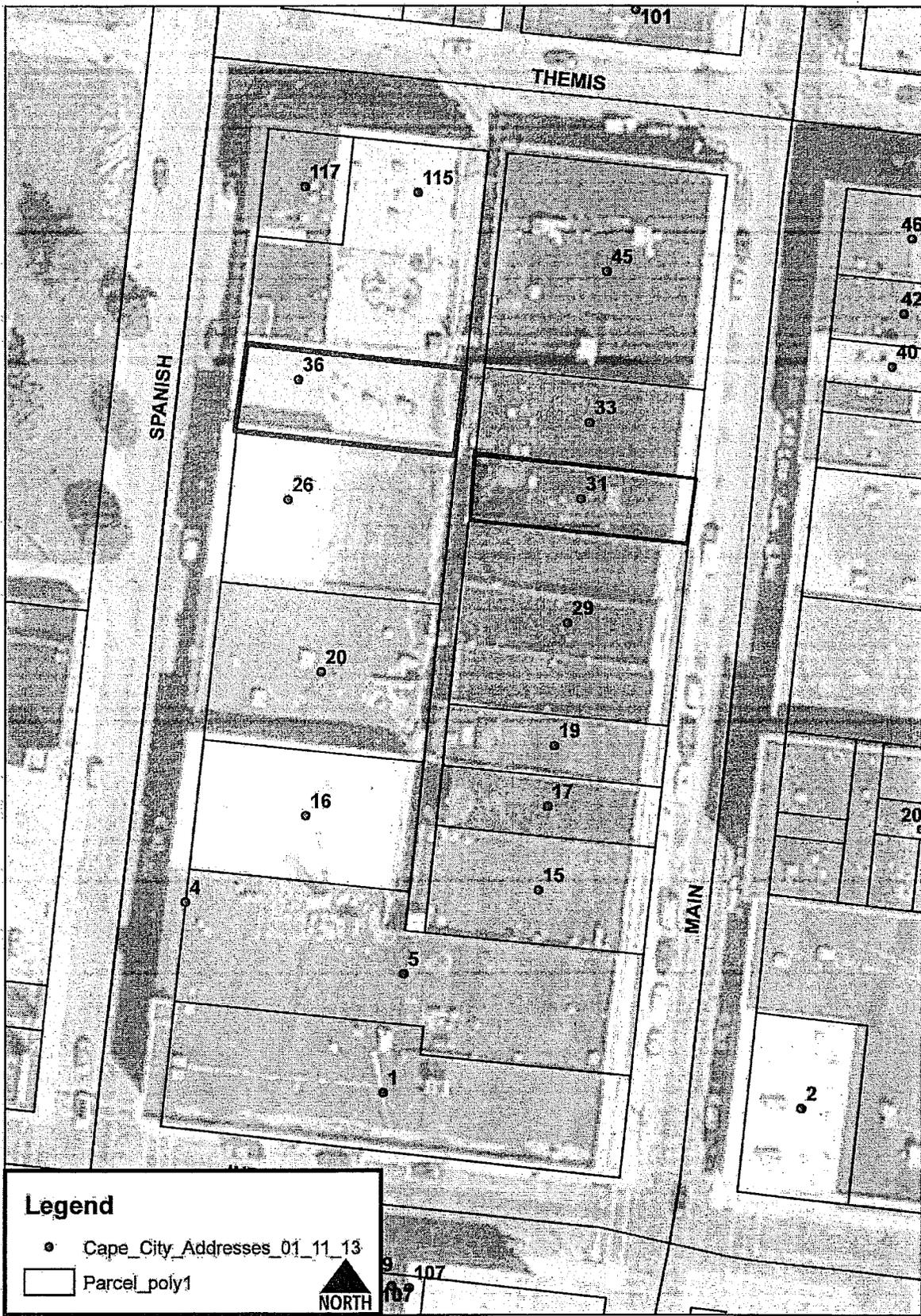
## LICENSE AND INDEMNITY AGREEMENT

In consideration of the City Council of the City of Cape Girardeau, Missouri, granting Rick Werner, permission to place certain improvements and conduct certain activities on City property which is located at 36 N. Spanish in the City of Cape Girardeau, Missouri, Cape Girardeau County, Missouri, the parties hereto state as follows:

1. The City of Cape Girardeau, Missouri, hereby grants to Rick Werner a license to place certain improvements to-wit:  
The rear of the building contains the exit door for the required second exit for the means of egress from the building. The building abuts an alleyway that starts from Themis Street, and this alleyway is City right-of-way. This exit door is higher than the ground level and requires a stairway in the alley. This stairs will still allow for passage of vehicles.
2. Licensees, and their successors, heirs and assigns all agree as follows:
  - A. That they will assume all risk of personal injury or death and property damage or loss from whatever causes arising while any person approaches, enters, uses or leaves the aforementioned property, which may occur directly or indirectly from the placing of said improvements or the conduct of such activities on City right-of-way.
  - B. That they do hereby release the City of Cape Girardeau, its officers, employees, agents, servants and assigns from any liability which might occur from the placing or use of such improvements.
  - C. That they will indemnify and hold harmless the City of Cape Girardeau, its officers, employees, agents and servants from all suits and actions of every name and description brought against the City, its officers, employees, agents and servants for or on account of any injuries or damages received or sustained by any parties or alleged to be received or sustained by any parties or party which may result directly or indirectly from the placing or use of said improvement or the conduct of such activities on City right-of-way.
  - D. That they will keep said improvements which are placed on the City property in a state of good repair and will cooperate with the City by making necessary repairs as requested by the City so as to protect the health and safety of the Citizens.
  - E. Nothing in this agreement or actions of the City in granting permission to place said improvements on the described right-of-way shall be construed to give them any irrevocable rights to keep said improvements on such right-of-way. The city Council reserves the right to order the removal and cause said improvements to be removed in the future at the cost of them and their successors and assigns, should the City Council determine this to be in the best interest of the City. In such event, they or their successors and assigns, agree to remove said improvements within thirty (30) days of notice. Should they or their successors, heirs or assigns fail to comply with any of the terms of this agreement, the City of Cape Girardeau reserves the right to make any repairs or alterations deemed necessary by the City of Cape Girardeau by giving them or their successors, heirs or assigns, thirty (30) days notice and







**CITY of CAPE GIRARDEAU**

**DEVELOPMENT SERVICES**



Photo 1



Photo 2

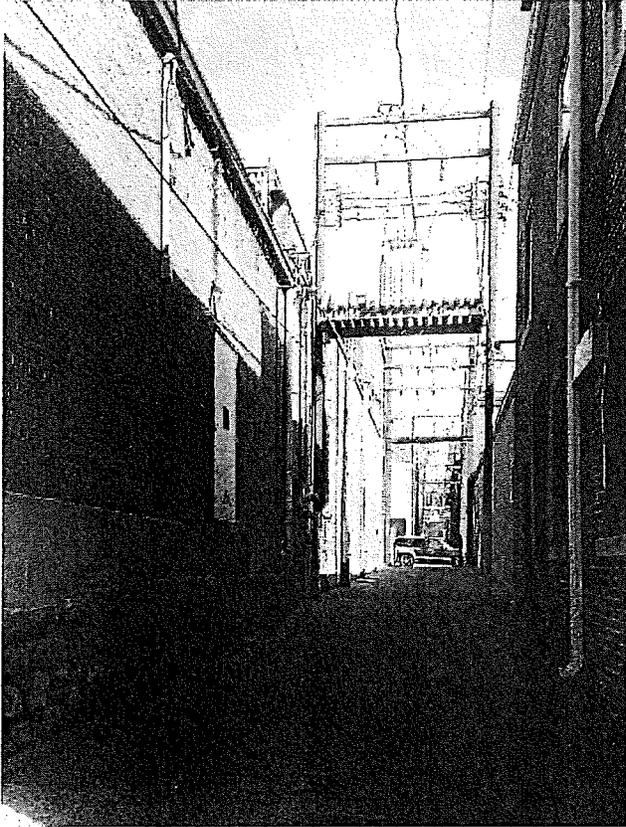


Photo 3



Photo 4

**CITY LIQUOR LICENSE  
CITY OF CAPE GIRARDEAU  
STATE OF MISSOURI**

**LICENSE # 19247**

**THAT ONE BAR  
JEFF KOENIG  
36 N SPANISH ST  
CAPE GIRARDEAU, MO 63701**

Know ye, that **Jeff Koenig**, d/b/a **THAT ONE BAR**, at **36 N SPANISH ST**, having otherwise complied with the provisions of the ordinances of said city in this behalf; is hereby authorized and empowered to **RETAIL LIQUOR BY THE DRINK** within the City of Cape Girardeau for 8 months *from* the **9<sup>TH</sup>** day of **NOVEMBER, 2013**, to **JUNE 30<sup>TH</sup>, 2014**. By Order of The City Manager on this **22<sup>ND</sup>** day of **OCTOBER, 2013**.

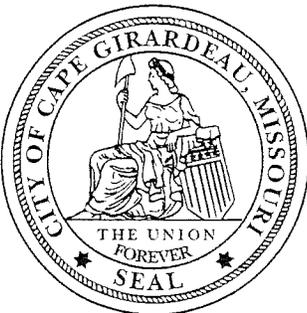
ATTEST:



MAYOR



CITY CLERK





# City of Cape Girardeau

401 INDEPENDENCE  
P O BOX 617  
CAPE GIRARDEAU MO 63702  
PH: 573-339-6322 FAX: 573-339-6306



## INSPECTION FORM FOR LIQUOR LICENSE

TYPE OF APPLICATION: (circle one)    TEMPORARY    CHANGE IN TYPE OF LIC.

NEW

**RENEWAL**

CHANGE IN MANAGING OFFICER

Date Submitted:    October 3, 2013 (Note: Request for renewal was verbal. When Trisha Holloway issued the liquor license in May, she indicated that Mr. Koenig would not have to complete a new form for renewal if his information had not changed.)

TO: POLICE DEPARTMENT AND INSPECTORS:

I have received an application from **Jeff Koenig, d/b/a THAT ONE BAR**, located at **36 N. Spanish St.**, for a **Retail Liquor By the Drink** license. Contact number is **512-925-4185**. Please complete inspection and return to Customer Service.

- Referred to Police Department
- Referred to City Inspector
- Referred to Fire Inspector
- Referred to Health Inspector

Notice (sign) given to Applicant: **N/A**

	APPROVED	DISAPPROVED	DATE	COMMENTS
POLICE DEPARTMENT	<i>WJ</i>		<i>10/17/13</i>	
CITY PLANNER	<i>RS</i>		<i>10/16/13</i>	
HEALTH INSPECTOR	✓		<i>10/10/13</i>	<i>All attached.</i>
FIRE INSPECTOR	<i>BDS</i>		<i>10-22-13</i>	

The Police Department and City Inspectors have completed their assigned review, with comments as noted above. The license is hereby authorized to be issued.

*Oct. 22, 2013*  
DATE

*[Signature]*  
CITY MANAGER



# City of Cape Girardeau

401 INDEPENDENCE  
P O BOX 617  
CAPE GIRARDEAU MO 63702  
PH: 573-339-6322 FAX: 573-339-6306



## APPLICATION FOR LIQUOR LICENSE CONDITIONAL APPROVAL REVIEW

Applicant: **THAT ONE BAR**

Managing Officer **Michael W. Biri, Jr.**

Business Address: **36 N. Spanish T.**

Type of Liquor License: **Retail Liquor by the drink**

Type of license in last 6 months: **Same**

### Approval of Applicant by Police Department:

Date 10/17/13 Signature W. Biri

### Inspection Personnel:

Zoning Classification CBD-DCC

The applicant (**is, is not**) required to post the notice required under, Sec. 5-33-a.

The applicant (**has, has not**) posted for 10 days the notice required under Sec. 5-33-1-a

This structure (**is, is not**) within 200 feet of a church or school building. Sec. 5-6 586'

This structure (**is, is not**) zoned correctly as required under Chapter 30 (4) of the City Code of Ordinances.

Date 10-16-13 Signature [Signature]

Oct. 16. 2013 10:27AM

No. 1263 P. 1



# City of Cape Girardeau

401 INDEPENDENCE

P O BOX 617

CAPE GIRARDEAU MO 63702

PH: 573-339-6322 FAX: 573-339-6306



## INSPECTION FORM FOR LIQUOR LICENSE

TYPE OF APPLICATION: (circle one) TEMPORARY CHANGE IN TYPE OF LIC.

NEW

**RENEWAL**

CHANGE IN MANAGING OFFICER

Date Submitted: October 3, 2013 (Note: Request for renewal was verbal. When Trisha Holloway issued the liquor license in May, she indicated that Mr. Koenig would not have to complete a new form for renewal if his information had not changed.)

TO: POLICE DEPARTMENT AND INSPECTORS:

I have received an application from **Jeff Koenig, d/b/a THAT ONE BAR**, located at **36 N. Spanish St.**, for a **Retail Liquor By the Drink** license. Contact number is **512-925-4185**. Please complete inspection and return to Customer Service.

- Referred to Police Department
- Referred to City Inspector
- Referred to Fire Inspector
- Referred to Health Inspector

Notice (sign) given to Applicant: N/A

	APPROVED	DISAPPROVED	DATE	COMMENTS
POLICE DEPARTMENT				
CITY PLANNER				
HEALTH INSPECTOR	NG		10/16/13	<i>[Signature]</i>
FIRE INSPECTOR				

The Police Department and City Inspectors have completed their assigned review, with comments as noted above. The license is hereby authorized to be issued.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CITY MANAGER



CAPE GIRARDEAU COUNTY PUBLIC HEALTH CENTER

FOOD ESTABLISHMENT INSPECTION REPORT

DATE	09-25-2013	PAGE 1 OF 2
TIME IN	1:00 pm	TIME OUT
		1:45 pm

PRINT  
RESET SAVE

Based on an inspection this day, the items noted below identify noncompliance in operations or facilities which must be corrected by the next routine inspection, or such shorter period of time as may be specified in writing by the regulatory authority. Failure to comply with any time limits for corrections specified in this notice may result in cessation of your food operations.

ESTABLISHMENT NAME That One Bar	OWNER Jeff Koening	PERSON IN CHARGE Jeff
ADDRESS 36 N. Spanish	ESTABLISHMENT LICENSE NO. 512-925-4185	COUNTY 031-500
CITY/ZIP CODE Cape Girardeau 63701	TELEPHONE NUMBER 512-925-4185	FAX NUMBER -----
ESTABLISHMENT TYPE	P.H. PRIORITY	
<input type="checkbox"/> Bakery <input type="checkbox"/> C. Store <input type="checkbox"/> Caterer <input type="checkbox"/> Deli <input type="checkbox"/> Grocery Store <input type="checkbox"/> Institution <input type="checkbox"/> Mobile <input type="checkbox"/> Restaurant <input type="checkbox"/> School <input type="checkbox"/> Senior Center <input type="checkbox"/> Summer F.P. <input checked="" type="checkbox"/> Tavern <input type="checkbox"/> Temporary	<input type="checkbox"/> H <input type="checkbox"/> M <input checked="" type="checkbox"/> L	

SEWAGE DISPOSAL <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private	WATER SUPPLY <input checked="" type="checkbox"/> Community <input type="checkbox"/> Non-Community <input type="checkbox"/> Private Date Sampled: _____ Satisfactory For Drinking: <input type="checkbox"/> Y <input type="checkbox"/> N	FROZEN DESSERT <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <input checked="" type="checkbox"/> Not Applicable License Number: _____
--	---	--

PURPOSE  
 Pre-Opening  Follow-Up  Routine  Complaint  Other

FOOD PRODUCT	TEMP °F	LOCATION	FOOD PRODUCT	TEMP °F	LOCATION
Ambient Air	41 °F	Refrigerator		°F	
	°F			°F	
	°F			°F	
	°F			°F	

RISK FACTORS AND INTERVENTIONS

COMPLIANCE	DEMONSTRATION OF KNOWLEDGE	CODE REF.	R	COS	COMPLIANCE	POTENTIALLY HAZARDOUS FOODS TIME & TEMPERATURE	CODE REF.	R	COS
<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT	Designated PIC, demonstration of knowledge and PIC duties	2-101.11 2-102.11 2-103.11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/O <input checked="" type="checkbox"/> N/A	Proper cooking, time and temperature	3-401.11-13	<input type="checkbox"/>	<input type="checkbox"/>
<b>EMPLOYEE HEALTH</b>					<input type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/O <input checked="" type="checkbox"/> N/A	Reheating for hot holding	3-403.11	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT	Management awareness, policy present. Proper use of reporting restrictions and exclusion	2-201.11-15	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/O <input checked="" type="checkbox"/> N/A	Cooling	3-501.14	<input type="checkbox"/>	<input type="checkbox"/>
<b>GOOD HYGIENIC PRACTICES</b>					<input type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/O <input checked="" type="checkbox"/> N/A	Parasite destruction	3-402.11	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT	Eating, tasting, drinking or tobacco use	2-401.11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/O <input checked="" type="checkbox"/> N/A	Hot holding	3-501.16	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT	Discharges from eyes, nose, or mouth	2-401.12	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT <input type="checkbox"/> N/O <input type="checkbox"/> N/A	Cold holding	3-501.16	<input type="checkbox"/>	<input type="checkbox"/>
<b>CONTROL OF HANDS AS A VEHICLE OF CONTAMINATION</b>					<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/O <input type="checkbox"/> N/A	Date marking and disposition	3-501.17 3-501.18	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT	Clean condition, cleaning procedure, when to wash, and where to wash	2-301.11-12 2-301.14-15	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/O <input checked="" type="checkbox"/> N/A	Time as a public health control (procedures / records)	3-501.19	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT	Bare hand contact with ready-to-eat foods	3-301.11	<input type="checkbox"/>	<input type="checkbox"/>	<b>CONSUMER ADVISORY</b>				
<b>APPROVED SOURCES</b>					<input type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/A	Consumer advisory for raw or undercooked food	3-603.11	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT	Food obtained from approved source	3-201.11-17	<input type="checkbox"/>	<input type="checkbox"/>	<b>HIGHLY SUSCEPTIBLE POPULATIONS</b>				
<input type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/O	Receiving temperature / condition	3-202.11-19	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/A	Pasteurized foods used, prohibited foods not offered	3-601.11	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/O	Records: shellstock tags, parasite destruction, required HACCP plan	3-202.18 3-203.12 3-402.11-12	<input type="checkbox"/>	<input type="checkbox"/>	<b>CHEMICAL</b>				
<b>PROTECTION FROM CONTAMINATION</b>					<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT <input type="checkbox"/> N/A	Toxic substances properly identified, stored and used	7-1,7-2,7-3	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT	Food segregated, separated and protected	3-302.11	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/A	Additives / approved, unapproved	3-202.12 3-302.14	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> IN <input checked="" type="checkbox"/> OUT <input type="checkbox"/> N/A	Food contact surfaces cleaned & sanitized; cleaning frequency	4-601.11A 4-602.11	<input type="checkbox"/>	<input type="checkbox"/>	<b>CONFORMANCE WITH APPROVED PROCEDURES</b>				
<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT	Food display, consumer self-service, returned food / re-service of food	3-306.11-14	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> IN <input type="checkbox"/> OUT <input checked="" type="checkbox"/> N/A	Compliance with HACCP plan, variance / specialized process		<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT	Preventing contamination from equipment	3-304.11	<input type="checkbox"/>	<input type="checkbox"/>	<b>Legend:</b>				
<input checked="" type="checkbox"/> IN <input type="checkbox"/> OUT	Discarding / reconditioning unsafe food	3-701.11	<input type="checkbox"/>	<input type="checkbox"/>	IN = In Compliance      COS = Corrected on Site OUT = Not in Compliance      R = Repeat N/A = Not Applicable      N/O = Not Observed				

RECEIVED BY (PERSON IN CHARGE/TITLE) <i>Jeff Koening</i>	DATE 09-25-2013
INSPECTOR/TELEPHONE NUMBER <i>Walter Doreau</i>	EPHS NO. 1450
FOLLOW-UP <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DATE OF FOLLOW-UP -----



# CAPE GIRARDEAU COUNTY PUBLIC HEALTH CENTER

## FOOD ESTABLISHMENT INSPECTION REPORT

ESTABLISHMENT NAME <b>That One Bar</b>	ADDRESS <b>36 N. Spanish</b>	CITY <b>Cape Girardeau 63701</b>
---	---------------------------------	-------------------------------------

FOOD CODE REFERENCES	CRITICAL ITEMS			
2 MANAGEMENT/PERSONNEL	CODE REF.	DESCRIPTION: These items relate directly to factors which lead to foodborne illness. These items <b>MUST RECEIVE IMMEDIATE ACTION</b> within 72 hours or as stated.	CORRECT BY (DATE)	INIT.
2-1 Supervision 2-2 Employee Health 2-3 Personal Cleanliness 2-4 Hygienic Practices				
<b>3 FOOD</b>				
3-1 Characteristics 3-2 Sources, Containers & Records 3-3 Protection from Contamination 3-4 Cooking, Parasite Destruction,, Reheating 3-5 Limiting Growth of Organisms 3-6 Food Presentation & Labeling 3-7 Disposition of Contaminated Food 3-8 Highly Susceptible Populations				
<b>4 EQUIP. UTENSILS &amp; LINENS</b>				
4-1 Characteristics & Use Limitations 4-2 Design & Construction 4-3 Numbers & Capacities 4-4 Location & Installation 4-5 Maintenance & Operation 4-6 Cleaning of Equipment 4-7 Sanitization 4-8 Laundry 4-9 Protection of Clean Items				
	NON-CRITICAL ITEMS			
	CODE REF.	DESCRIPTION: These items relate to maintenance of food operations and cleanliness. These items are to be corrected by the next regular inspection or as stated.	CORRECT BY (DATE)	INIT.
<b>5 WATER, PLUMBING &amp; WASTE</b>				
5-1 Water Source, Quality, Capacity 5-2 Plumbing 5-3 Mobile Water Tanks 5-4 Sewage & Rainwater 5-5 Refuse & Recyclables	3-304.14	Wiping cloths not stored in sanitizer	NRI	
<b>6 PHYSICAL FACILITIES</b>				
6-1 Materials for Construction 6-2 Design, Construction, Installation 6-3 Numbers & Capacities 6-4 Location & Placement 6-5 Maintenance & Operation				
<b>7 POISONOUS OR TOXIC ITEMS</b>				
7-1 Labeling & Identification 7-2 Supplies & Applications 7-3 Storage & Display				

**EDUCATION PROVIDED OR COMMENTS**  
 Spoke with Jeff about getting a pizza oven. Told him about all the requirements needed. He will call when he decides to get a pizza oven.

RECEIVED BY (PERSON IN CHARGE/TITLE) <i>Chris Moening</i>	DATE <b>09-25-2013</b>
INSPECTOR/TELEPHONE NUMBER <i>Walter Doreau</i>	EPHS NO. <b>1450</b>
FOLLOW-UP <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DATE OF FOLLOW-UP _____

## MEMO TO RECORD

**Date:** October 14, 2013

**Subject:** 36 N. Spanish Street – That One Bar

---

On the afternoon of Friday, October 11, 2013, I was asked by City Clerk Gayle Conrad to review a copy of a completed work order from Dutch Enterprises concerning the space occupied by That One Bar at 36 N. Spanish Street.

At approximately 4:00 p.m., I placed a call to Jeff Ekstam, an employee of Dutch Enterprises, concerning his inspection of the air conditioning roof top units and venting for possible air leakage at 36 N. Spanish St. on 10/9/2013. The purpose of my call was to confirm that the roof top units were functioning properly and that, in his opinion, there were no other roof penetrations that would allow exhaust of air containing cigarette smoke from the building. He did not find any indication that the building roof penetrations were allowing cigarette smoke to escape the building. Mr. Ekstam did note on the work order that the fresh air makeup venting was closed off.

The above statement offered for the record by the undersigned on the date first stated.

  
C. Timothy Morgan  
Inspection Services Director



**TEMPORARY CITY LIQUOR LICENSE**  
**CITY OF CAPE GIRARDEAU**  
**STATE OF MISSOURI**  
**\*\*\*TEMPORARY\*\*\***

LICENSE # 19247

COPY

**THAT ONE BAR**  
**JEFF KOENIG**  
**36 N. SPANISH ST.**  
**CAPE GIRARDEAU, MO 63701**

Know ye, that **JEFF KOENIG**, d/b/a **THAT ONE BAR**, 36 N. SPANISH ST., having otherwise complied with the provisions of the ordinances of said city in this behalf; is hereby authorized and empowered to **RETAIL LIQUOR BY THE DRINK** within the City of Cape Girardeau temporarily for 4 months *from the 1ST day of JULY, 2013, to NOVEMBER 8<sup>TH</sup>, 2013.* By Order of The City Manager on this 1<sup>ST</sup> day of JULY, 2013.

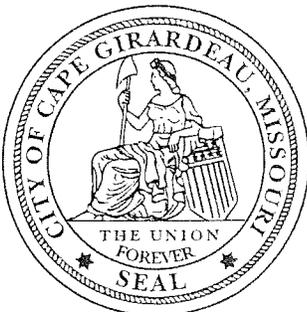
ATTEST:



MAYOR



CITY CLERK



**TEMPORARY CITY LIQUOR LICENSE**  
**CITY OF CAPE GIRARDEAU**  
**STATE OF MISSOURI**  
**\*\*\*TEMPORARY\*\*\***

LICENSE # 19247

**THAT ONE BAR**  
**JEFF KOENIG**  
**36 N. SPANISH ST.**  
**CAPE GIRARDEAU, MO 63701**

COPY

Know ye, that **JEFF KOENIG**, d/b/a **THAT ONE BAR**, 36 N. SPANISH ST., having otherwise complied with the provisions of the ordinances of said city in this behalf; is hereby authorized and empowered to **RETAIL LIQUOR BY THE DRINK** within the City of Cape Girardeau temporarily for 2 months *from* the 8<sup>TH</sup> day of **MAY, 2013**, to **JUNE 30<sup>TH</sup>, 2013**. By Order of The City Manager on this 8<sup>TH</sup> day of **MAY, 2013**.

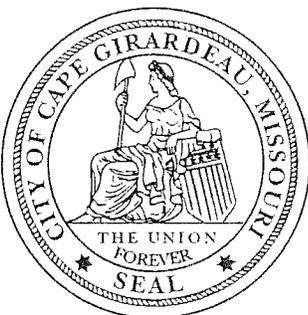
ATTEST:



MAYOR



CITY CLERK





Jayson Jewelers Ltd

Pastime Antiques 45

Eclipse Hair Studio 36

That One Bar

Lodo's 33

Spanish Street Mercantile 26

Hutson, Dave 31

Zickfield Jewelry and Gifts 29

Bella Italia 20

Riverfront Antique Mall 17

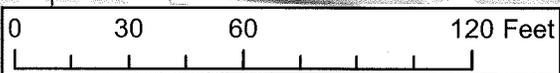
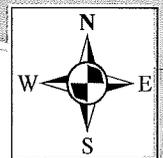
Hot Shots Sports Bar and Grill 15

Dockside The Upper Deck 4

Dockside the Upper Deck 5

N Spanish St

N Main St



City of Cape Girardeau  
Division of Planning Services  
GIS Data  
October 11, 2013



117

115

Jayson Jewelers Ltd

Pastime Antiques 45

Eclipse Hair Studio 36

That One Bar

Lodo's 33

Spanish Street Mercantile 26

Hutson, Dave 31

Zickfield Jewelry and Gifts 29

Bella Italia 20

19

Riverfront Antique Mall 17

16

Hot Shots Sports Bar and Grill 15

4

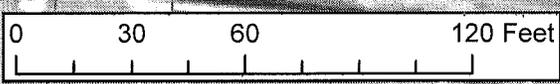
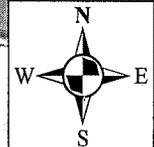
Docksider The Upper Deck

Docksider the Upper Deck 5

1

N Main St

N Spanish St



City of Cape Girardeau  
Division of Planning Services  
GIS Data  
October 11, 2013

# CERTIFICATE OF OCCUPANCY

## CITY OF CAPE GIRARDEAU

DIVISION OF  
INSPECTION SERVICES

PHONE: (573) 334-4466

CITY HALL  
401 INDEPENDENCE  
P.O. BOX 617  
CAPE GIRARDEAU, MO 63702-0617  
FAX: (573) 335-7946

**1. Legal Description:**

Lot Number \_\_\_\_\_ Block Number \_\_\_\_\_

Subdivision PART OF LOT 4 RANGE C

Street Address 36 N. SPANISH STREET

Exact Description INTERIOR RENOVATION OF EXISTING BUILDING

RUMORS BAR

2. Present Use TYPE OF CONSTRUCTION III B USE GROUP A-2

3. Owner LOYD ERVIN

4. Architect PAMELA A. DAVIDSON - KEYSTONE DESIGN, INC.

5. Contractor MICHAEL W. THIES

6. Building Permit Number BP2010-80 (9-2-2010)

7. Square Footage 3,788 Building Code 2003 IBC CODE

This is to certify that the above described building(s) and/or proposed use of property has been inspected and found to comply with all building and health laws and ordinances (or non-conforming uses). The above occupancy or use thereof is hereby authorized, subject to the following limitations:

NONE

**NOTICE:** This use must not be changed to any other use without a new certificate of occupancy from the Inspection Services Office, nor enlarged, altered nor reconstructed unless in conformance with the Zoning Ordinances.

  
\_\_\_\_\_  
CODE INSPECTOR

DATE: January 25, 2011

**CITY OF CAPE GIRARDEAU  
DIVISION OF INSPECTION SERVICES  
(573) 334-4466**

**FIELD INSPECTION REPORT**

Address: 36 N. Spanish St. 579-8247  
 Permit Number: BP2010-80  
 Contractor or Agent: Mike Thies  
 Type of Inspection: Final Date: 11/23/10

The items listed below, if any, must be corrected prior to approval of these premises. If you have any questions you may contact Mark at (573) 334-4466.

ITEMS NEEDING CORRECTION	CORRECTION MADE	
	DATE	INSP. INIT.
1. Fire Marshal approval.	12/30/10	Temporary - 30 days
2. Mechanical drawings	12/22/10	CSM
3. Health Dept. approval.	12/3/10	MS
4. Open ground South wall.	12/3/10	MS
5. Exposed wiring Mech. Room walls.	"	"
<i>Mechanical</i>		
<i>passed</i>		
<i>1-25-2011</i>		

When all items are corrected call (573) 334-4466 to schedule a final inspection.

**Additional Comments:** Alicia 579.8247  
Michael Thies  
534 Washington Ave  
Cape

**City of Cape Girardeau**  
401 Independence Street  
Cape Girardeau, Missouri 63703  
(573) 339-6328



---

**Inspections**

Page 1 of 1

**Address:** 36 SPANISH ST. N.  
CAPE GIRARDEAU, MO 63701

Printed: 10/11/2013

**Applicant:** MICHAEL W. THIES - MICHAEL W. T      **Permit Number:** BP2010-80

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**Inspection Date:** 11/23/2010  
**Inspection Number:** INSP2010-2521  
**Inspection Type:** Final

**Inspector:** MARK STOVALL  
**Status:** INCOMPLETE  
**Passed?**

**Required Steps:**  
**Comments:** INCOMPLETE

---

**Inspection Date:** 12/3/2010  
**Inspection Number:** INSP2010-2583  
**Inspection Type:** Final

**Inspector:** MARK STOVALL  
**Status:** INCOMPLETE  
**Passed?**

**Required Steps:**  
**Comments:** MAKE UP AIR

---

**Inspection Date:** 12/30/2010  
**Inspection Number:** INSP2010-2768  
**Inspection Type:** Final

**Inspector:** MARK STOVALL  
**Status:** INCOMPLETE  
**Passed?**

**Required Steps:** MECHANICAL INSP., EXTERIOR STAIRS  
**Comments:** TEMPERARY OCC. GRANTED.

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**Other Fields:**