



CITY OF CAPE GIRARDEAU, MISSOURI

City Council Agenda

Harry E. Rediger, Mayor
Joseph Uzoaru, Ward 1
Shelly Moore, Ward 2
Victor Gunn, Ward 3
Robbie Guard, Ward 4
Bob Fox, Ward 5
Wayne Bowen, Ward 6

Shawnee Park Center
835 S. West End Blvd.

Cablecast on:
City Public Access Channel 993
www.cityofcapegirardeau.org

November 7, 2016

Study Session

5:00 p.m.

Items for Discussion

- Employee Health and Dental Insurance Renewal, and Voluntary Vision Insurance Plan Presentation
- Beautiful Business Property of the Month Presentation
- Community Garden Presentation
- Chronic Nuisance Ordinance Discussion
- Appearances regarding items not on the agenda
- Agenda review

No action will be taken during the study session

Closed Session

Items for Discussion

- Legal actions and litigation, confidential communications with legal counsel, and personnel matters, pursuant to RSMo. Sections 610.021(1) and (3).

The City Council of the City of Cape Girardeau, Missouri, may, as a part of a study session or regular or special City Council meeting, hold a closed session to discuss legal actions, causes of legal action or litigation, leasing, purchasing or sale of real estate, hiring, firing, disciplining, promotion of personnel, employee labor relations, or confidential or privileged communications with its attorneys. Specifically, the City Council will hold a closed session to discuss legal actions and litigation, confidential communications with legal counsel, property acquisition, and personnel matters, pursuant to RSMo. Sections 610.021(1), 610.021(2), and 610.021(3).

Regular Session

7:00 PM

Invocation

Pastor Dave Conley of Centenary United Methodist Church in Cape Girardeau.

Pledge of Allegiance

Call to Order/Roll Call

Adoption of the Agenda

Presentations

- Stop Needless Acts of Violence Please - SNAP

Communications/Reports

- City Council
- Staff

Public Hearings

1. A public hearing to consider a request to rezone property at 627, 631, and 635 South Sprigg Street from C-1 (General Commercial) to CBD (Central Business District). (Agenda Item No. 18; BILL NO. 16-198)

Appearances

Individuals who wish to make comments regarding items scheduled on the agenda must first be recognized by the Mayor or Mayor Pro Tem. Each speaker is allowed 5 minutes and must state his/her name and address for the record. The timer will buzz at the end of the speaker's time.

Consent Agenda

The Consent Agenda is a meeting method to make City Council meetings more efficient and meaningful to the members of the audience. All matters listed within the Consent Agenda have been distributed to each member of the Cape Girardeau City Council for reading and study, are considered to be routine, and will be enacted by one motion of the council with no separate discussion. Staff recommends approval of the Consent Agenda. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request of a member of the City Council.

2. Approval of the October 17, 2016, City Council regular session and closed minutes.
3. BILL NO. 16-188, an Ordinance approving the record plat of Riverview Gardens No. 2. Second and Third Readings.
4. BILL NO. 16-192, a Resolution authorizing the City Manager to execute an Escrow Agreement with Brandon O. Williams Development, LLC, and First Missouri State Bank of Cape County, for Williamsburg Phase 3, in the City of Cape Girardeau, Missouri. Reading and Passage.
5. BILL NO. 16-195, a Resolution authorizing the City Manager to execute a contract with Anthem Blue Cross for Employee Health Insurance Services, in the City of Cape Girardeau, Missouri. Reading and Passage.
6. BILL NO. 16-196, a Resolution authorizing the City Manager to execute a contract with Delta Dental for Employee Dental Insurance Services, in the City of Cape Girardeau, Missouri. Reading and

Passage.

7. BILL NO. 16-197, a Resolution authorizing the City Manager to execute an Agreement between the Cape Girardeau Area Chamber of Commerce, Inc., and the City of Cape Girardeau, Missouri, for operation of the Convention and Visitors Bureau, in the City of Cape Girardeau, Missouri. Reading and Passage.
8. BILL NO. 16-199, a Resolution authorizing the City Manager to execute a First Amendment to the Conference Center Funding Agreement dated November 1, 2015, in the City of Cape Girardeau, Missouri. Reading and Passage.
9. Approval of a Partial Release of Escrow Agreement for Redhawk Commons Phase 2.
10. Acceptance of Improvements and Authorization of Final Payment to Fronabarger Concreters, Inc., for the Walnut Street and West End Boulevard Improvements.
11. Acceptance of public improvements to serve Redhawk Commons Phase 2.
12. Acceptance of public improvements to serve Baldwin Village.
13. Acceptance of public improvements to serve Williamsburg Phase 3.

Items Removed from Consent Agenda

New Ordinances

14. BILL NO. 16-190, an Ordinance amending Schedule C of Section 26-121 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by establishing a stop sign on Hazel Street. First Reading.
15. BILL NO. 16-191, an Ordinance approving the record plat of Williamsburg Phase 3. First Reading.
16. BILL No. 16-193, an Ordinance authorizing the City Manager to execute Amendment #1 to the State Block Grant Agreement with the Missouri Highways and Transportation Commission for an Aircraft Rescue and Fire-Fighting vehicle for the Cape Girardeau Regional Airport. First Reading.
17. BILL NO. 16-194, an Ordinance authorizing execution of an Air Traffic Control Tower Operating Assistance Grant Agreement for the Fiscal Year 2016-2017 with the Missouri Highways and Transportation Commission. First Reading.
18. BILL NO. 16-198, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 627, 631, and 635 South Sprigg Street, in the City and County of Cape Girardeau, Missouri from C-1 to CBD. First Reading.

Appointments

19. Appointment to the Public Library Board of Directors
20. Appointments to the Golf Course Advisory Board.
21. Appointments to the Southeast Metropolitan Planning Organization (SEMPO) Board of Directors

Other Business

22. Set Regular Session City Council Meetings for the 2017 calendar year.

Meeting Adjournment

Memos

- Analysis of Sales Tax Revenue for Year Ending June 30, 2016
- Inception to Date Summary of the Casino Revenue Fund
- Inception to Date Summary of the Revenues and Expenditures of the Capital Portion of the Parks / Stormwater Sales Tax

Advisory Board Minutes

- Golf Board Minutes, August 25, 2016
Golf Board Projects and Improvements Minutes, August 25, 2016
Keep Cape Beautiful, September 22, 2016
SEMPO Board of Directors Minutes, September 21, 2016
Cape County Extension Council Minutes, October 2016
Red House Interpretive Center Minutes, October 5, 2016

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-247

SUBJECT

An public hearing to consider a request to rezone property at 627, 631, and 635 South Sprigg Street from C-1 (General Commercial) to CBD (Central Business District).

EXECUTIVE SUMMARY

A public hearing is scheduled for November 7, 2016 to consider a request to rezone the properties at 627, 631, and 635 South Sprigg Street from C-1 (General Commercial) to CBD (Central Business District). An ordinance rezoning the properties is on this agenda as a separate item.

BACKGROUND/DISCUSSION

An application has been submitted to rezone the properties at 627, 631, and 635 South Sprigg Street from C-1 (General Commercial) to CBD (Central Business District). The immediately surrounding properties are zoned C-1 (General Commercial) to the north and east, and R-3 (High Density Single-Family Residential) to the west and south. This area is characterized by residential and commercial uses. The Comprehensive Plan's Future Land Use and Infrastructure Map shows this area as Downtown Commercial. A public hearing is scheduled for November 7, 2016 to consider the request. An ordinance rezoning the properties is on this agenda as a separate item.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

In considering a rezoning request, both the Planning and Zoning Commission and the City Council must determine if the proposed zoning district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties. The 600 block of South Sprigg Street (west side) contains six properties which were previously used as a bed and breakfast, a banquet facility, a single-family dwelling, a duplex, and two multi-family dwellings. Except for the bed and breakfast, these uses were at the time considered nonconforming per Section 30-407 of the Zoning Code. The entire block was recently sold to two buyers, both of whom have expressed interest in resuming the previous residential uses as well as the banquet facility. Staff informed the buyers the nonconforming status for the uses has expired, and the properties would need to be rezoned in order to allow the uses to resume. Due to the previous and proposed mix of uses for these properties, staff recommended the buyers apply to have them rezoned to CBD. Residential uses and banquet facilities are permitted by right in the CBD district. CBD is reasonable because it is designed to accommodate a mix of residential and commercial uses as proposed by the buyers, and because the properties are located near downtown. CBD is also reasonable given the residential and commercial character of the surrounding properties. (Note: This rezoning application is for the properties at 627, 631, and 635 South Sprigg Street only. A separate application will be submitted for the remaining properties on the block.)

STAFF RECOMMENDATION

The staff report to the Planning and Zoning Commission recommended approval of the rezoning request.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission held a public hearing on the rezoning request at its October 12, 2016

regular meeting, and recommended approval with a vote of 9 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

The City Council's public hearing was advertised in the Southeast Missourian on October 23, 2016. In addition, a sign containing the date, time, location and subject of the Planning and Zoning Commission and City Council public hearings was posted on the properties. Notices were also mailed to the adjacent property owners.

ATTACHMENTS:

Name:

Description:

- [Map - Zoning - 627 631 and 635 S Sprigg.pdf](#)
- [Map - FLU - 627 631 and 635 S Sprigg.pdf](#)
- [Application - 627 631 635 S Sprigg REZ.pdf](#)
- [SUP withdrawal.pdf](#)
- [C-1 as Amended.pdf](#)
- [CBD.pdf](#)

627, 631 & 635 South Sprigg St - Zoning Map
627, 631 & 635 South Sprigg St - FLU Map
627, 631 & 635 South Sprigg St - Application
Change Request to CBD
C-1 District Regulations
CBD District Regulations

Rezoning Request - 627, 631 & 635 South Sprigg Street

Requested Rezoning:
from the C-1 (General Commercial) District
to the CBD (Central Business) District
Future Land Use Recommendation: Downtown Commercial



Legend

- Property to be Rezoned to CBD
- Parcels
- Zoning District**
- C1
- R3
- IO



CITY of CAPE GIRARDEAU

Created by: Development Services
Carol Peters
September 28, 2016

Rezoning Request - 627, 631 & 635 South Sprigg Street

Requested Rezoning:
from the C-1 (General Commercial) District
to the CBD (Central Business) District
Future Land Use Recommendation: Downtown Commercial



CITY of CAPE GIRARDEAU

Created by: Development Services
Carol Peters
September 28, 2016

Legend

- Property to be Rezoned to CBD
- Parcels
- FLU Recommendation**
- Downtown Commercial
- High Density Residential



REZONING / SPECIAL USE PERMIT APPLICATION
CITY of CAPE GIRARDEAU

DEVELOPMENT SERVICES DEPARTMENT, 401 INDEPENDENCE ST, CAPE GIRARDEAU, MO 63703 (573) 339-6327

Property Address/Location 637 + 633 South Spruce St			
Applicant [Handwritten Name]		Property Owner of Record (if other than Applicant) [Handwritten Name]	
Mailing Address [Handwritten Address]		Mailing Address [Handwritten Address]	
City, State, Zip [Handwritten City, State, Zip]		City, State, Zip [Handwritten City, State, Zip]	
Telephone [Handwritten Number]	Email [Handwritten Email]	Telephone [Handwritten Number]	Email [Handwritten Email]
Contact Person (If Applicant is a Business or Organization) [Handwritten Name]		<i>(Attach additional owners information, if necessary)</i>	
Type of Request: Rezoning, Special Use Permit, or Both Rezoning			
Existing Zoning District [Handwritten District]		Proposed Zoning District (Rezoning requests only) [Handwritten District]	
Legal description of property to be rezoned and/or upon which the special use is to be conducted			

Att. on back

Describe the proposed use of the property.

To use this as mult. family house its set up that away

Application continues on next page

OFFICE USE ONLY			
Date Received & By _____	File No. _____	MUNIS Application No. _____	
Planning & Zoning Commission Recommendation _____		Date _____	
City Council Final Action _____		Date _____	

Special Use Criteria (Special Use Permit requests only)

Explain how the Special Use Permit request meets the criteria below. Attach additional sheets, if necessary.

- 1) The proposed special use will not substantially increase traffic hazards or congestion.
- 2) The proposed special use will not substantially increase fire hazards.
- 3) The proposed special use will not adversely affect the character of the neighborhood.
- 4) The proposed special use will not adversely affect the general welfare of the community.
- 5) The proposed special use will not overtax public utilities.

ADDITIONAL ITEMS REQUIRED

See Instructions for more information.

In addition to this completed application form, the following items must be submitted:

- Application fee (\$135.00 payable to City of Cape Girardeau + additional \$80 for Planned Development rezonings)
- One (1) list of names and mailing addresses of adjacent property owners
- One (1) set of mailing envelopes, stamped and addressed to adjacent property owners
- One (1) full size copy of a plat or survey of the property, if available
- One (1) full size set of plans, drawn to an appropriate scale, depicting existing features to be removed, existing features to remain, and all proposed features such as: buildings and structures, paved areas, curbing, driveways, parking stalls, trash enclosures, fences, retaining walls, light poles, detention basins, landscaping areas, freestanding signs, etc. (Planned Development rezonings and Special Use Permits only)
- Digital file of the plans in .pdf format (Planned Development rezonings and Special Use Permits only; can be emailed)
- One (1) set of Planned Development documents (Planned Development rezonings only)

CERTIFICATIONS

The undersigned hereby certifies that:

- 1) They are the Property Owner(s) of Record for the property described in this application;
- 2) They acknowledge that an approved Special Use Permit becomes null and void if the use for which the permit was granted does not commence within twelve (12) months of the approval date, unless an extension has been granted; and
- 3) They acknowledge that they are responsible for ensuring that all required licenses and permits are obtained prior to commencing any use or work on the property.

Property Owner of Record Signature and Printed Name

Date

(Provide additional owners signatures and printed names in the space below, if applicable)

The undersigned hereby certifies that they are an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf, and that the Property Owner(s) of Record hereby agree to the above certifications.

Applicant Signature and Printed Name

Date

SPECIAL WARRANTY DEED

THIS DEED, made and entered into this 27th day of May, 2016, by and between **First State Community Bank** of the State of Missouri, of Cape Girardeau County, Missouri, **Grantor**, and Ricky Werner, a single person, of Cape Girardeau County, Missouri, **Grantee** (mailing address of said first named grantee is 1722 Crestwood Dr., Cape Girardeau, MO 63701):

WITNESSETH:

For and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged;

Grantor does hereby Sell and Convey to Grantee, and his heirs and assigns, the following described real property in Cape Girardeau County, Missouri, to-wit:

(627 S. Sprigg)

Lot Six (6) in Block One (1) of Giboney Houck Third Subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 2 at Page 51.

(631 S. Sprigg)

Lot Seven (7) in Block One (1) of Giboney Houck Third Subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 2 at Page 51.

(635 S. Sprigg)

Lot Eight (8) in Block One (1) of Giboney Houck Third Subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 2 at Page 51.

Charles Langston
703 S. Sprigg

(609 Maple St.)
Regional Property Maintenance
2607 Prairie Ln

All Scott Blank property
Arrowhead Investments
1878 S. Lurthorne TR

Over Corners Church of God
624 & 620 South Ellis

Delta LP
488 Duane
Cape Hill - 2584

Eric Mathison Lockman
2765 S. W. 38th Street
Cape Hill 2584

From: rick werner [<mailto:ipcrick@hotmail.com>]
Sent: Thursday, September 29, 2016 6:16 PM
To: Shrimplin, Ryan
Subject: Re: 627, 631, 635 S. Sprigg St. - P&Z Applications

Ryan, YES I want it rezone to CBD, and thank you so much for doing this for me .Rick Werner

From: Shrimplin, Ryan <rshrimplin@CityofCapeGirardeau.org>
Sent: Thursday, September 29, 2016 7:32 PM
To: rick werner
Cc: Peters, Carol
Subject: RE: 627, 631, 635 S. Sprigg St. - P&Z Applications

Rick,

I just heard from Scott. He still intends to submit his application requesting rezoning his properties to CBD. Therefore, we will proceed as discussed. Please send me an email stating you wish to change your rezoning application to request rezoning all three properties (627, 631, and 635 South Sprigg Street) to CBD. **We will cancel your Special Use Permit application and issue you a refund.**

Thank you,

Ryan Shrimplin, AICP
City Planner
CITY of CAPE GIRARDEAU
401 Independence Street
Cape Girardeau, MO 63703
(573) 339-6327 office (573) 339-6303 fax
rshrimplin@cityofcapegirardeau.org

Sec. 30-333. C-1, general commercial district.

(a) *Purpose.* The C-1 district is primarily intended for areas of the city located along minor thoroughfares and adjacent to residential districts. Appropriate uses for this district include commercial developments not requiring long term outdoor display of merchandise, as well as certain governmental, institutional, and community service facilities. Other uses having the potential to significantly affect adjacent residential districts may be allowed with approval of a special use permit.

(b) *Permitted principal uses.*

- (1) Art galleries or museums.
- (2) Banks or other financial institutions.
- (3) Bed and breakfasts.
- (4) Commercial day cares.
- (5) Commercial recreation facilities, excluding driving ranges and outdoor shooting or racing.
- (6) Funeral homes or mortuaries.
- (7) Governmental facilities.
- (8) Health or fitness centers.
- (9) Institutions of higher education, including business, career or technology schools.
- (10) Instructional schools for art, dance, music, martial arts or other disciplines.
- (11) Libraries.
- (12) Microbreweries.
- (13) Middle schools, secondary schools, or development centers for people with physical, mental or developmental disabilities.
- (14) Nurseries or greenhouses.
- (15) Nursing homes.
- (16) Offices.
- (17) Parks or playgrounds.
- (18) Personal service establishments.
- (19) Pet grooming facilities, excluding kennels.
- (20) Police or fire stations.
- (21) Residential treatment facilities.
- (22) Restaurants or bars.
- (23) Retail or rental establishments, excluding the sale or rental of outbuildings, vehicles, or large agricultural or construction equipment.
- (24) Television or radio studios, including any transmitting facilities.
- (25) Transit terminals.

(26) Veterinary clinics or animal hospitals, excluding livestock.

(27) Wineries.

(c) *Permitted accessory uses.*

(1) Accessory structures and uses customarily incidental to the above uses, as permitted in section 30-403, supplemental regulations.

(2) Solar energy systems, as permitted in section 30-410, supplemental regulations.

(d) *Special uses.*

(1) Banquet facilities.

(2) Hotels or motels.

(3) Kennels.

(4) Meeting halls.

(5) Mini warehouses or self-storage units.

(6) Public utilities, except for buildings or accessory structures that are normal and customary in a zoning district which would allow other buildings or structures of the same nature as a use-by-right.

(7) Telecommunication towers, as permitted in section 30-404, supplemental regulations.

(8) The allowance of additional height up to a total of sixty (60) feet, not to exceed a total of five (5) stories.

(9) Transitional housing.

(10) Vehicle fueling, service or repair facilities, excluding body or paint shops.

(11) Vehicle washing facilities, including automatic or hand wash.

(12) Wind energy conversion systems, as permitted in section 30-410, supplemental regulations.

(e) *Standards.*

(1) All storage of merchandise, materials, products or equipment shall be within a fully enclosed building or in an open yard so screened that the items being stored are not visible from the street or any adjacent property.

(2) Outdoor display of merchandise is prohibited, except as follows:

a. Merchandise may be displayed outdoors as part of a temporary use, as permitted in section 30-406, temporary uses. Nursery stock, accessory landscaping decorations, and seasonal and holiday decorations may also be displayed outdoors during the appropriate season. Such displays are permitted in accordance with the following provisions:

1. Displays shall not be located in a right-of-way.

2. Displays shall not be located in parking spaces used to meet the minimum number of parking spaces as required elsewhere in the City Code. Displays that are part of a bazaar, craft sale, garage or yard sale,

or similar temporary event are exempt from this requirement, as determined by the city manager.

3. Displays shall not impede vehicular or pedestrian access.

4. Displays shall not alter the structure of any building.

5. Displays shall not create a health or safety hazard.

6. Displays shall be well kept and orderly.

7. Signs may be displayed as permitted elsewhere in the City Code.

8. The display of seasonal items shall be limited to a time period that is customary for the season associated with the display, which shall be at the discretion of the city manager.

(3) Outdoor service areas and equipment such as loading docks, mechanical equipment, storage areas or waste containers shall be located in the rear or side yard and screened as required elsewhere in the City Code.

(f) *Height, area, width, setback and open space requirements.*

(1) *Maximum* height: Forty (40) feet, not to exceed three (3) stories.

(2) *Minimum* lot area: None.

(3) *Minimum* lot width: None.

(4) *Minimum setbacks:*

a. *Front yard:* Twenty-five (25) feet.

b. *Rear yard:* None, except twenty (20) feet when adjacent to a residential use or district, or ten (10) feet when adjacent to an agricultural use or district.

c. *Side yard:* None, except twenty (20) feet when adjacent to a residential use or district, or ten (10) feet when adjacent to an agricultural use or district.

(5) *Minimum open space.* Fifteen (15) percent of the lot area.

(Ord. No. 4109, art. 2, 3-1-10; Ord. No. 4149, art. 4, 8-16-10; Ord. No. 4206, arts. 8, 20, 3-7-11)

Sec. 30-332. - CBD, central business district.

- (a) *Purpose.* The central business district [CBD] provides for the development of high density, compact, pedestrian oriented shopping, office, service, entertainment and residential districts. The districts are intended to be mixed-use districts that accommodate a variety of uses. It is intended specifically for the older downtown areas including: Broadway, Riverfront and Good Hope/Haarig areas of the City of Cape Girardeau. It is intended to allow flexible setbacks, smaller lot sizes, and increased lot coverage to encourage dense development in the urban core of the community. This district is designed to protect the small community appeal, integrity, character, and charm within the central business district by encouraging redevelopment that focuses on architecturally appropriate design standards typical of the city's early development history. These areas may also be experiencing or be in need of rehabilitation or redevelopment. This district is intended to accommodate the transition that must occur if these areas are to continue to contribute to the vitality of the city. The regulations of the central business district are intended to allow greater flexibility for tracts of land in the central business district than is permitted by other district regulations, where the planned development of such tracts would better reflect the character of the site and enhance the appearance and economic vitality of the downtown area.
- (b) *Permitted uses.*
- (1) Any business that provides, displays, advertises and sells goods, supplies or services to the general public, as long as all activities associated with said business are contained entirely indoors as stated in the standards set forth in section 30-332(e)(2).
 - (2) General retail and office, including banks and financial institutions.
 - (3) Any governmental building, including police and fire stations.
 - (4) Residential uses.
 - (5) Hotels.
 - (6) Medical facilities.
 - (7) Health and fitness centers.
 - (8) Public parks, playgrounds and recreational facilities.
 - (9) Private institutions of higher education.
 - (10) Nursing homes, senior citizen housing or retirement homes.
 - (11) Commercial day cares.
 - (12) Microbrewery.
 - (13) Bed and breakfasts.
 - (14) Restaurants, bars.
- (c) *Permitted uses (accessory).*
- (1) Accessory buildings and uses customarily incidental to the above uses including, but not limited to, garages, and dumpster storage facilities as permitted in section 30-403, supplemental regulations.
 - (2) Solar energy systems, as permitted in section 30-410, supplemental regulations.
- (d) *Special uses.*
- (1) Helicopter landing pad, heliport or other landing areas in relationship with medical facilities.
 - (2) Telecommunication tower, as permitted in section 30-404, supplemental regulations.
 - (3) Marina or dock.
 - (4) The allowance of additional height, not to exceed sixty (60) feet or five (5) stories.
 - (5) Excursion gambling boat or floating gambling facility, as permitted in section 30-409, supplemental

regulations.

- (6) Wind energy conversion systems, as permitted in section 30-410, supplemental regulations.
- (7) Public utilities, except for buildings and accessory structures that are normal and customary in a zoning district which would allow other buildings of the same nature as a use-by-right.

(e) *Standards.*

- (1) All activities and permitted uses except the following shall be conducted entirely within a closed building.
 - a. Off-street parking and loading facilities.
 - b. Banks and financial institutions including automatic teller machines and drive-thru facilities with a maximum of two (2) teller stations or lanes.
 - c. Outdoor eating and drinking facilities.
 - d. Public parks, playgrounds and recreational facilities.
 - e. Outdoor live or amplified music provided that they are in compliance with the city's nuisance ordinance.
- (2) All activities and permitted uses except the following shall be conducted entirely within a closed building.
 - a. Off-street parking and loading facilities.
 - b. Banks and financial institutions including automatic teller machines and drive-thru facilities with a maximum of two (2) teller stations or lanes.
 - c. Outdoor eating and drinking facilities.
 - d. Public parks, playgrounds and recreational facilities.
 - e. Outdoor live or amplified music provided that they are in compliance with the city's nuisance ordinance.
- (3) Alteration of existing buildings:
 - a. Original window openings on public facing elevations should be maintained or retained.
 - b. Original upper story design details and features shall not be removed or obscured.
- (4) New construction shall be compatible with the existing buildings in scale, height, materials, massing and rhythm and proportion of openings.
- (5) Storefronts shall maintain traditional size, shape, spacing, patterns and alignment of openings of storefronts.
- (6) The primary entrance for commercial buildings shall be oriented toward the street.
- (7) Building setbacks:
 - a. *Residential:* Should be aligned by a uniform distance from sidewalks.
 - b. *Commercial:* Maintain alignment of facades along sidewalks.
- (8) Height:
 - a. The height of additions or new construction should be within a similar range of the buildings in the surrounding blocks.
 - b. Corner buildings or buildings on the ends should be similar in height to buildings on adjoining corners.
- (9) Materials that are comparable in quality, color, texture, finish and dimension to existing materials and buildings within the district should be used.
- (10) Consistent rooflines should be maintained with adjacent buildings.

(f) *Height, area, bulk and setback requirements.*

- (1) *Maximum Height:* Three (3) stories not to exceed forty (40) feet.
- (2) *Minimum Lot Area:* None.
- (3) *Minimum Lot Width:* None.
- (4) *Maximum Density:* None.
- (5) *Minimum Yard Requirements:*
 - a. *Front yard:* None, except fifteen (15) feet when across from a residential zoning district.
 - b. *Rear yard:* None, except fifteen (15) feet when adjacent to a residential zoning district.
 - c. *Side yard:* None, except fifteen (15) feet when adjacent to a residential zoning district.
- (6) *Maximum Building Coverage, including accessory buildings:* One hundred (100) percent of the lot.
- (g) *Open space, landscaping and bufferyard requirements.*
 - (1) Open space requirements: No minimum percentage required.
 - (2) Landscaping shall be provided as required in chapter 25 of the City Code.
 - (3) A twenty-foot wide bufferyard shall be required adjacent to any property in the AG, AG-1, RE, R-1, R-2 or R-3 zoning districts. This bufferyard shall comply with the requirements of chapter 25 of the City Code.
- (h) *Parking regulations.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific use set forth in section 25-202
(Ord. No. 4109, art. 2, 3-1-10; Ord. No. 4149, art. 4, 8-16-10; Ord. No. 4206, arts. 8, 16—19, 3-7-11)

Staff: Bruce Taylor, Deputy City
Agenda: Clerk/Administrative Aide
11/7/2016

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

Approval of the October 17, 2016, City Council regular session and closed session minutes.

ATTACHMENTS:

Name:

[2016.10.17_RegularsessionMinutes.pdf](#)

Description:

October 17, 2016, Council Minutes regular Session

REGULAR SESSION – October 17, 2016**CLOSED SESSION**

Legal actions and litigation, confidential communications with legal counsel, and personnel matters, pursuant to RSMo. Sections 610.021(1) and (3).

A Motion was made by Victor Gunn, Seconded by Robbie Guard to convene to closed session. Motion passed. 7-0. Ayes: Bowen, Fox, Guard, Gunn, Moore, Rediger, Uzoaru.

INVOCATION

City Attorney Eric Cunningham

PLEDGE OF ALLEGIANCE**CALL TO ORDER**

The Cape Girardeau City Council convened in regular session on Tuesday, October 17, 2016, at 7:00p.m., with Mayor Harry Rediger presiding and Council Members Wayne Bowen, Bob Fox, Robbie Guard, Victor Gunn, Shelly Moore, and Joseph Uzoaru present.

ADOPTION OF THE AGENDA

A Motion was made by Robbie Guard, Seconded by Victor Gunn to adopt. Motion passed. 7-0. Ayes: Bowen, Fox, Guard, Gunn, Moore, Rediger, Uzoaru.

PRESENTATIONS

Mayor Harry Rediger presented the 2016 Domestic Violence Awareness Month Proclamation to the Safe House for Women Director, Jessica Hill and Shelter Director Kim Dixon. Jessica Hill spoke about the efforts of Safe House for Women and fundraising events planned soon.

COMMUNICATIONS/REPORTS

Mayor Harry Rediger spoke about Heritage Days that took place September 30 through October 2, 2016. He said that during his visit on the LST, he was given the Bow Door Key from the captain and crew. Mayor Rediger presented the key and plaque to City Manager Scott Meyer. It will be displayed in City Hall.

Mayor Harry Rediger said that he had attended the groundbreaking ceremonies for the new Fire Station and for the new Police/Court Facility. He expressed his gratitude to the citizens for their support that made these projects possible.

Mayor Harry Rediger said that he participated in the Kick-Off of the 4th Annual Project Homeless Connect held October 7, 2016, at the Osage Centre. He said over 400 people were served with the help of over 100 volunteers. In addition to having resources for housing needs, providers were on hand related to medical, financial and stressful situation needs.

Mayor Harry Rediger attended the Pepsi MidAmerica Open House and Ribbon Cutting for its new facility at the City's business park. He said that he was glad the business had the vision of being the anchor of our business park. Mayor Rediger continued that as he travelled LaSalle Avenue, it reminded him of his time serving on the Transportation Trust Fund committee before he was Mayor. He said that the visionary concept of LaSalle which was supported by the committee led to the new developments and jobs in the area.

Council Member Wayne Bowen said that he attended Freedom Fest on October 8, 2016. The event was sponsored by Christ Church of the Heartland, and it honored fire and police personnel and first responders. City Manager Scott Meyer and representatives from the City Fire and Police Departments spoke at the event. Council Member Bowen said that wanted to thank the church publically for having the event.

Council Member Robbie Guard said the Red Cross and the City Fire Department will be providing and installing smoke detectors on November 5, 2016.

Council Member Shelly Moore reminded the audience that Stop Needless Acts of Violence Please (SNAP) holds their regular meeting on the fourth Tuesday of each month.

Mayor Harry Rediger recognized a group of Cub Scouts in the audience. Council Member Victor Gunn asked the Scout Master to speak about the group. Mindy Sinning introduced the group as the Webelos from Cub Pack 20, which is chartered by the Cape Girardeau Evening Optimist Club. The group is made up of 4th and 5th graders, and they meet at Alma Schrader Elementary School. This group is working on their Building a Better World elective. They are learning about government and their community. The group will be working on a recycling project in the near future. If the members meet the requirements, they will become Boy Scouts in February.

City Manager Scott Meyer asked Parks and Recreation Director Julia Thompson to speak about her and her staff's experience at the National Recreation and Park Association Annual Conference. Julia Thompson said that since the national conference was held in Saint Louis, more staff members were able to attend. Staff experienced several great educational sessions, as well as learning about products and vendors. She said that her staff appreciated being able to connect with several Parks and Recreation providers.

Parks and Recreation Director Julia Thompson also reported that the Haunted Hall of Horror is in its 25th year and is now open. After Halloween, staff will help prepare for Spaghetti Day, a Parks Foundation fundraiser, scheduled for November 10, 2016. People or businesses interested in sponsoring Spaghetti Day can contact the Parks and Recreation Department for information.

APPEARANCES

Susan Layton representing the Industrial Development Authority of the County of Cape Girardeau appeared in support of the Resolution related to approval of refinancing projects of the IDA for capital projects of St. Francis Medical Center.

No other appearances.

CONSENT AGENDA

Approval of the October 3, 2016, City Council regular session minutes.

BILL NO. 16-171, an Ordinance authorizing the issuance of a Special Tax Bill for property located at 929 Walnut Street for the demolition of a dangerous building and for the abatement of nuisance under the provisions of Chapter 7 and Chapter 13 of the Code of Ordinances of the City of Cape Girardeau. Second and Third Readings.

BILL NO. 16-172, an Ordinance authorizing the issuance of a Special Tax Bill on property located at 1010 Hickory Street for the demolition of a dangerous building and for the abatement of nuisance under the provisions of Chapter 7 and Chapter 13 of the Code of Ordinances of the City of Cape Girardeau. Second and Third Readings.

BILL NO. 16-173, an Ordinance authorizing the issuance of a Special Tax Bill on property located at 1005 Locust Street for the demolition of a dangerous building and for the abatement of nuisance under the provisions of Chapter 7 and Chapter 13 of the Code of Ordinances of the City of Cape Girardeau. Second and Third Readings.

BILL NO. 16-174, an Ordinance accepting a Corrected Permanent Stormwater Easement from SEMO Land, L.L.C., for property located in Forest Hills Estates, in the City of Cape Girardeau, Missouri. Second and Third Readings.

BILL NO. 16-175, an Ordinance accepting a Special Warranty Deed from Jerry L Priest Living Trust for property located at 725 Independence Street, in the City of Cape Girardeau, Missouri. Second and Third Readings.

BILL NO. 16-176, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 423 North Broadview Street, in the City and County of Cape Girardeau, Missouri from M-2 to C-2. Second and Third Readings.

BILL NO. 16-177, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at the southeast corner of Lexington Avenue and North Sprigg Street, in the City and County of Cape Girardeau, Missouri from R-1, to R-4 and NC. Second and Third Readings.

BILL NO. 16-178, an Ordinance granting a Special Use Permit to Stacy Busch-Heisserer, for purposes of constructing, maintaining, and operating a kennel at 2039 Cape LaCroix Road, in the City and County of Cape Girardeau, Missouri. Second and Third Readings.

BILL NO. 16-181, an Ordinance approving the record plat of Forest Hills Estates Fifth Addition. Second and Third Readings.

BILL NO. 16-170, a Resolution of the City Council of the City of Cape Girardeau, Missouri, approving refinancing projects of The Industrial Development Authority of the County of Cape Girardeau, Missouri, located in the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 16-182, a Resolution authorizing the City Manager to execute an Agreement with Reinhold Electric, Inc., for the construction of fiber optic improvements to serve the new Police Station/Municipal Court, and Fire Station 4, in the City of Cape Girardeau, Missouri.

BILL NO. 16-183, a Resolution authorizing the City Manager to execute a License and Indemnity Agreement with Southeast Missouri University Foundation, for installation of conduit and fiber

cable along Independence Street, between Pacific Street and Ellis Street, in the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 16-184, a Resolution authorizing the City Manager to execute a Release of Lien for property located at 1009 South Ellis Street, under the Federal Home Loan Bank Affordable Housing Grant Program, in the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 16-185, a Resolution authorizing applications to the Transportation Alternatives Program, for Independence Street Sidewalks, and authorizing the City Manager to execute all necessary grant program documents. Reading and Passage.

BILL NO. 16-186, a Resolution authorizing applications to the Transportation Alternatives Program, for Cape Rock Drive Sidewalks, and authorizing the City Manager to execute all necessary grant documents. Reading and Passage.

BILL NO. 16-187, a Resolution authorizing the City Manager to execute an Escrow Agreement with Baldwin Enterprises, LLC, and First State Bank and Trust, for Baldwin Village, in the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 16-189, a Resolution authorizing the City Manager to execute an Agreement with Johnson Controls, Inc., for Access Control software. Reading and Passage.

Wayne Bowen abstained from 16-183 related to a License and Indemnity Agreement with Southeast Missouri University Foundation for financial reasons, because he is employed by Southeast Missouri State University.

Bill No. 16-171 will be Ordinance 4898; Bill No. 16-172 will be Ordinance 4899; Bill No. 16-173 will be Ordinance 4900; Bill No. 16-174 will be Ordinance 4901; Bill No. 16-175 will be Ordinance 4902; Bill No. 16-176 will be Ordinance 4903; Bill No. 16-177 will be Ordinance 4904; Bill No. 16-178 will be Ordinance 4905; Bill No. 16-181 will be Ordinance 4906; Bill No. 16-170 will be Resolution 3029; Bill No. 16-182 will be Resolution 3030; Bill No. 16-183 will be Resolution 3031; Bill No. 16-184 will be Resolution 3032; Bill No. 16-185 will be Resolution 3033; Bill No. 16-186 will be Resolution 3034; Bill No. 16-187 will be Resolution 3035; and Bill No. 16-189 will be Resolution 3036.

A Motion was made by Victor Gunn, Seconded by Joseph Uzoaru to approve and adopt. Motion passed. 7-0. Ayes: Bowen, Fox, Guard, Gunn, Moore, Rediger, Uzoaru.

NEW ORDINANCES

BILL NO. 16-188, an Ordinance approving the record plat of Riverview Gardens No. 2. First Reading.

A Motion was made by Joseph Uzoaru, Seconded by Victor Gunn to approve. Motion passed. 7-0. Ayes: Bowen, Fox, Guard, Gunn, Moore, Rediger, Uzoaru.

APPOINTMENTS

Appointments to the Parks and Recreation Advisory Board

Tracey Glenn, Angel Hillman, Percy Huston, and Terry Slattery were appointed to the Cape Girardeau Park and Recreation Advisory Board for terms expiring October 13, 2019.

A Motion was made by Joseph Uzoaru, Seconded by Robbie Guard to appoint. Motion passed. 7-0. Ayes: Bowen, Fox, Guard, Gunn, Moore, Rediger, Uzoaru.

Appointments to the Planning and Zoning Commission

Larry Dowdy, Jeff Glenn, and Kevin Greaser were appointed to the Planning and Zoning Commission for terms expiring November 1, 2020.

A Motion was made by Wayne Bowen, Seconded by Joseph Uzoaru to appoint. Motion passed. 7-0. Ayes: Bowen, Fox, Guard, Gunn, Moore, Rediger, Uzoaru.

MEETING ADJOURNMENT

A Motion was made by Robbie Guard, Seconded by Victor Gunn to adjourn from regular session and to convene to closed session for personnel issues, pursuant to RSMo. Sections 610.021(3).

The regular session ended at 7:25 p.m.

Motion passed. 7-0. Ayes: Bowen, Fox, Guard, Gunn, Moore, Rediger, Uzoaru.

Harry Rediger, Mayor

Bruce Taylor, Deputy City Clerk



Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-244

SUBJECT

An Ordinance approving the record plat of Riverview Gardens No. 2.

EXECUTIVE SUMMARY

The attached ordinance approves the record plat of Riverview Gardens No. 2.

BACKGROUND/DISCUSSION

A record plat has been submitted for Riverview Gardens No. 2, located along Rivercrest Drive and Roberts Street. The subdivision is zoned R-2 (Single-Family Urban Residential). The plat resubdivides four lots and part of a lot by combining them into a single lot.

STAFF RECOMMENDATION

The staff report to the Planning and Zoning Commission recommended approval of the record plat.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its October 12, 2016 meeting, recommended approval of the record plat with a vote of 9 in favor, 0 in opposition, and 0 abstaining.

ATTACHMENTS:

Name:	Description:
<input type="checkbox"/> Riverview Gardens No 2.doc	Ordinance
<input type="checkbox"/> Staff Review Referral Action Form.pdf	Riverview Gardens No. 2 - Staff RRA Form
<input type="checkbox"/> Map - Riverview Gardens No.pdf	Riverview Gardens No. 2 - Map
<input type="checkbox"/> Application.pdf	Riverview Gardens No. 2 - Application
<input type="checkbox"/> s16140.pdf	Riverview Gardens No. 2 - Record Plat

BILL NO. 16-188

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECORD PLAT OF
RIVERVIEW GARDENS NO. 2

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

ARTICLE 1. The record plat of Riverview Gardens No. 2, a resubdivision of all of Lot Numbers 35, 36, 37, 38 & a part of Lot 34 of Riverview Gardens as recorded in Plat Book No. 11 at Page No. 23, lying in a part of Outlot 70, United States Private Survey No. 2199, Township 31 North, Range 14 East of the Fifth Principal Meridian, in the City of Cape Girardeau, County of Cape Girardeau, State of Missouri, submitted by Isaac Larry Driskell and Rebecca Carlene Driskell, bearing the certification of R. Christopher Bowen, a Registered Land Surveyor, dated October 5, 2016, including any exceptions and variances contained therein, is hereby approved.

ARTICLE 2. The City Clerk is hereby directed to sign the record plat with the date of Council approval and affix thereto the seal of the City of Cape Girardeau, Missouri.

ARTICLE 3. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

Harry E. Rediger, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk

CITY OF CAPE GIRARDEAU, MISSOURI
 City Staff Review, Referral and Action - Subdivision Application

FILE: Riverview Gardens No. 2 Record Plat

LOCATION: Rivercrest Drive

STAFF REVIEW & COMMENTS:

A record plat has been submitted to combine four lots and part of a lot on Rivercrest Drive. SEE STAFF REPORT FOR MORE DETAILS.

 City Planner

 Date

 City Attorney

 Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:

 City Manager

 Date

Planning & Zoning Commission

RECOMMENDED ACTION:

	Favor	Oppose	Abstain		Favor	Oppose	Abstain
Trae Bertrand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Scott McClanahan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Dowdy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bruce Skinner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jeff Glenn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Doug Spooler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tom Welch	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patrick Koetting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

VOTE COUNT: 9 Favor 0 Oppose 0 Abstain

COMMENTS:

CITIZENS COMMENTING AT MEETING:

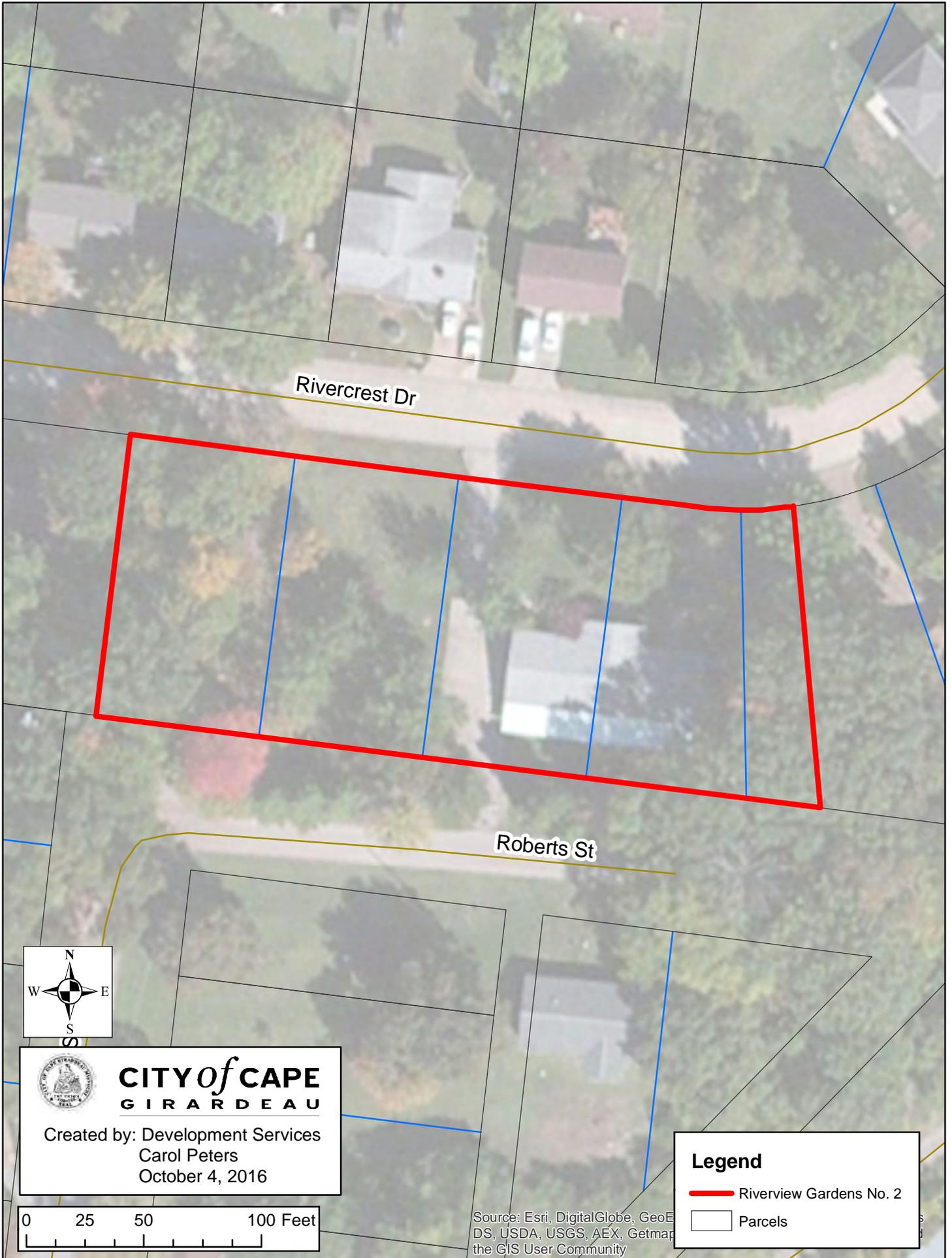
 Doug Spooler
 Planning & Zoning Commission Secretary

City Council Action

Ordinance 1st Reading 10/17/16 Ordinance 2nd & 3rd Reading: _____

ORDINANCE # _____ **Effective Date:** _____

Riverview Gardens No. 2





SUBDIVISION PLAT APPLICATION
CITY of CAPE GIRARDEAU

DEVELOPMENT SERVICES DEPARTMENT, 401 INDEPENDENCE ST, CAPE GIRARDEAU, MO 63703 (573) 339-6327

Name of Subdivision <i>Riverview Gardens No. 2</i>		Type of Plat: Preliminary, Record, or Boundary Adjustment Record	
Applicant Isaac Larry Driskell		Property Owner of Record (if other than Applicant)	
Mailing Address 45 Rivercrest Drive	City, State, Zip Cape Girardeau, MO 63701	Mailing Address	City, State, Zip
Telephone 573-450-0904	Email	Telephone	Email
Contact Person (If Applicant is a Business or Organization)		(Attach additional owners information, if necessary)	
Professional Engineer/Surveyor (if other than Applicant) Bowen Engineering and Surveying		Developer (if other than Applicant)	
Mailing Address 2121 Megan Drive	City, State, Zip Cape Girardeau, MO 63701	Mailing Address	City, State, Zip
Telephone 573-339-5900	Email chriskelley@bowenengsurv.com	Telephone	Email

**ADDITIONAL ITEMS
REQUIRED**

See Instructions for more information.

In addition to this completed application form, the following items must be submitted:

- Review Fee (payable to City of Cape Girardeau)
 - Single-Family or Two-Family Residential: \$20.00 per lot (\$100.00 minimum)
 - Multi-Family Residential: \$20.00 per dwelling unit (\$100.00 minimum)
 - Non-Residential : \$20.00 per acre (\$100.00 minimum)
- Recording Fee Deposit (payable to City of Cape Girardeau)

Sheet Size	Record Plat	Boundary Adjustment Plat
18" x 24"	\$44.00	\$24.00
24" x 36"	\$69.00	\$29.00

(The City reserves the right to issue a partial refund or collect an additional fee if the actual recording cost differs from the deposit amount)
- Two (2) full size prints of the plat
- Digital file of the plat in .pdf format (can be emailed)

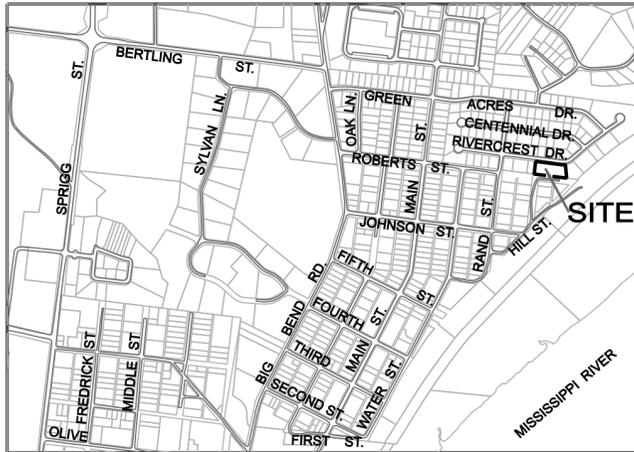
CERTIFICATION

I hereby certify that I am the sole Property Owner of Record or an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf. I acknowledge that plats for subdivisions involving public improvements will be held from City Council review until the improvements are completed and ready for acceptance by the City, or an escrow agreement for the improvements is executed. I further acknowledge that plats for subdivisions involving common land and/or elements require the submission of covenants and a deed ensuring the perpetual maintenance and supervision of the common land and/or elements by trustees prior to recording of the record plat.


 Applicant Signature and Printed Name

September 21 2016
 Date

OFFICE USE ONLY	
Date Received & By <u>9-21-16</u>	MUNIS Application No. _____
Planning & Zoning Commission Recommendation _____	Date _____
City Council Final Action _____	Date _____



LOCATION MAP

SURVEY NOTES:

THIS SURVEY CREATES A NEW ONE LOT SUBDIVISION FROM THE PARENT TRACT RECORDED IN DOCUMENT NO. 2015-12527

MEASURED DIMENSIONS SHOWN WITHOUT PARENTHESES DEED OR RECORD DIMENSIONS SHOWN WITH PARENTHESES

BASIS OF SURVEY DATUM - NAD83, M.S.P.C. ZONE 2401 EAST CORS STATION MOJK OF THE MoDOT GPS RTK NETWORK

LATITUDE	37°24'44.45833"	NORTH
LONGITUDE	089°39'00.22114"	WEST
ELLIPSOID HEIGHT	383.98	U.S. SURVEY FEET
NORTHING	575,956.0987	U.S. SURVEY FEET
EASTING	1,067,057.151	U.S. SURVEY FEET
ELEVATION	477.03	U.S. SURVEY FEET

AS PUBLISHED ON NATIONAL GEODETIC DATA SHEETS, RETRIEVAL DATE FEBRUARY 04, 2015 AND CONVERTED FROM METERS TO U.S. SURVEY FEET.

SURVEY CLASS - URBAN

REFERENCES:

RECORD PLAT OF RIVERVIEW GARDENS AS RECORDED IN PLAT BOOK NO. 11 AT PAGE NO. 23

GENERAL WARRANTY DEED, BOOK NO. 464 - PAGE NO. 713
 GENERAL WARRANTY DEED, BOOK NO. 1211 - PAGE NO. 822
 GENERAL WARRANTY DEED, DOCUMENT NO. 2015-12527

ONLINE MAPPING RECORDS FOR CAPE GIRARDEAU, COUNTY, [HTTP://EMAPS.EMAPSPPLUS.COM/STANDARD/CAPEGCOMO.HTML](http://EMAPS.EMAPSPPLUS.COM/STANDARD/CAPEGCOMO.HTML)

FLOOD ZONE INFORMATION

THE PROPERTY IS IN ZONE X AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. THE EFFECTIVE FLOOD INSURANCE RATE MAP FOR THE PROPERTY IS MAP NO. 29031C0259F, DATED JANUARY 20, 2016.

SURVEY MONUMENT NOTES:

- + - FOUND CHISELED "+"
- ⊙ - FOUND CORNER AS SHOWN
- - SET 1/2" IRON PIN



GRAPHIC SCALE

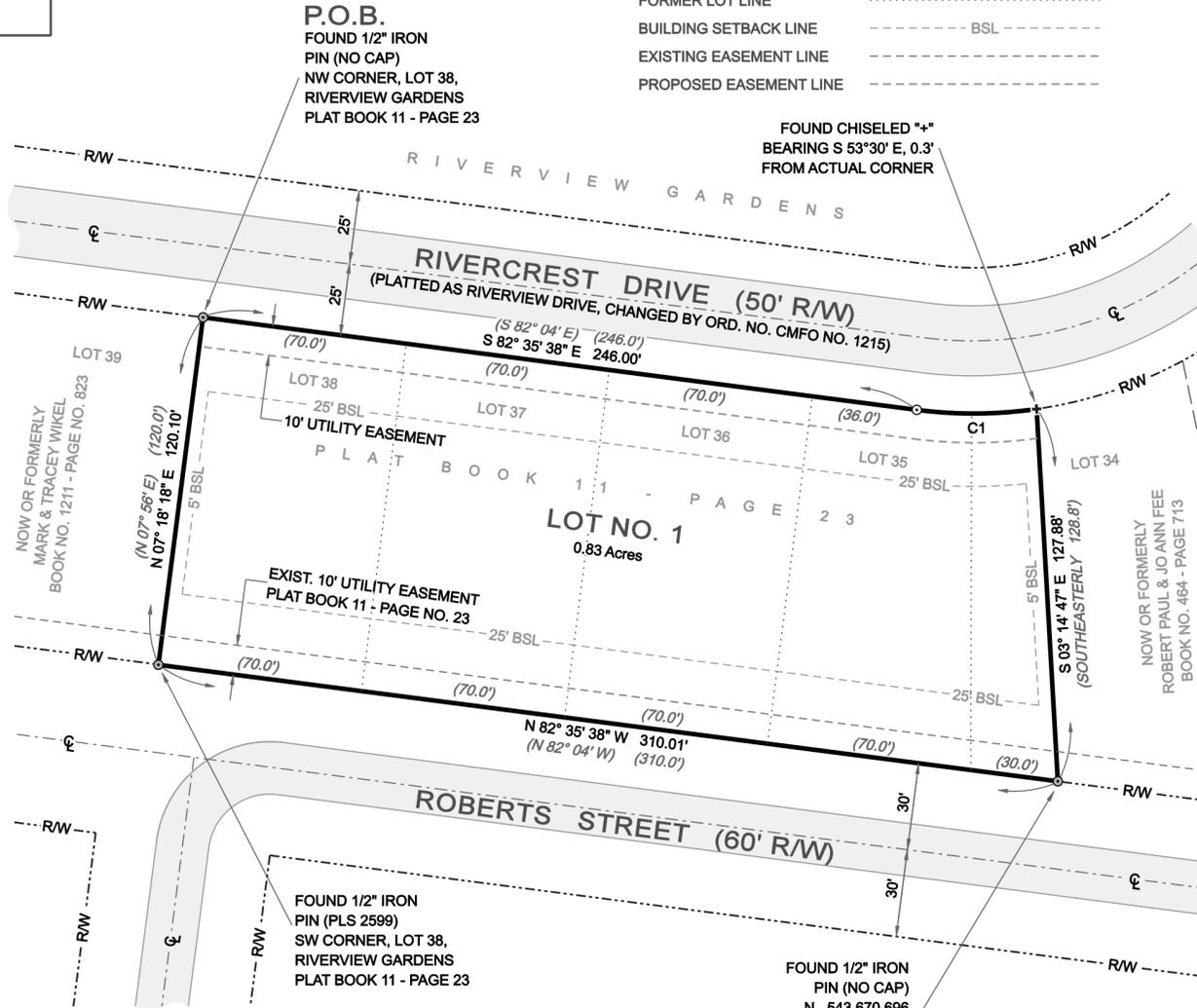


RECORD PLAT OF: RIVERVIEW GARDENS NO. 2

A RESUBDIVISION OF
 ALL OF LOT NUMBERS 35, 36, 37, 38 & A PART OF LOT 34 OF RIVERVIEW GARDENS AS RECORDED IN PLAT BOOK NO. 11 AT PAGE NO. 23, LYING IN A PART OF OUTLOT 70, UNITED STATES PRIVATE SURVEY NO. 2199, TOWNSHIP 31 NORTH, RANGE 14 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI

SURVEY LEGEND

CENTERLINE	---
RIGHT OF WAY LINE	---
SUBDIVISION PROPERTY LINE	---
ADJOINER'S PROPERTY LINE	---
FORMER LOT LINE	---
BUILDING SETBACK LINE	---
EXISTING EASEMENT LINE	---
PROPOSED EASEMENT LINE	---



ZONING INFORMATION:

ZONING: R-2- SINGLE FAMILY URBAN RESIDENTIAL DISTRICT

NUMBER OF LOTS = 1

PROPOSED LOT SIZE = 0.83 ACRES - LOT 1
 TOTAL AREA OF SUBDIVISION = 0.83 ACRES

MAX. HEIGHT: 2-1/2 STORIES NOT TO EXCEED 35 FEET.

MIN. LOT AREA: 8,000 SQ. FEET

MIN. LOT WIDTH: 60 FEET

MIN. YARD REQUIREMENTS:
 FRONT YARD - TWENTY-FIVE (25) FEET

REAR YARD - TWENTY-FIVE (25) FEET

SIDE YARD - FIVE (5) FEET

CURVE DIMENSION TABLE

NO.	RADIUS	DELTA	LENGTH	TANGENT	CHORD	BEARING
1	150.40'	15° 39' 13"	41.09'	20.67'	40.96'	N 89° 34' 45" E

SUBDIVISION DEDICATION

WE, THE UNDERSIGNED, ISAAC LARRY DRISKELL AND REBECCA CARLENE DRISKELL, HUSBAND AND WIFE, OWNERS OF ALL OF LOT NUMBERS 35, 36, 37, 38 AND A PART OF LOT 34 OF RIVERVIEW GARDENS AS RECORDED IN PLAT BOOK NO. 11 AT PAGE NO. 23, LYING IN A PART OF OUTLOT 70, UNITED STATES PRIVATE SURVEY NO. 2199, TOWNSHIP 31 NORTH, RANGE 14 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT NO. 38, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF RIVERCREST DRIVE; THENCE S 82° 35' 38" E, 246.00 FEET ALONG SAID SOUTH LINE TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 150.40 FEET AND A CENTRAL ANGLE OF 15° 39' 13"; THENCE IN A SOUTHEASTERLY AND NORTHEASTERLY DIRECTION ALONG SAID CURVE AND RIGHT OF WAY LINE, 41.09 FEET; THENCE LEAVING SAID LINE, S 03° 14' 47" E, 127.88 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF ROBERTS STREET; THENCE N 82° 35' 38" W, 310.01 FEET ALONG SAID NORTH LINE TO THE SOUTHWEST CORNER OF LOT NO. 38; THENCE N 07° 18' 18" E, 120.10 FEET ALONG THE WEST LINE OF SAID LOT TO THE POINT OF BEGINNING, CONTAINING 0.83 ACRES, MORE OR LESS.

HEREBY DECLARE THAT WE HAVE CAUSED SAID LAND TO BE SUBDIVIDED INTO A LOT AS NUMBERED AND DESIGNATED ON THIS PLAT, AND DO HEREBY NAME SAID SUBDIVISION, "RIVERVIEW GARDENS NO. 2".

THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE CITY OF CAPE GIRARDEAU, MISSOURI, IN PERPETUITY FOR PUBLIC PURPOSES, INCLUDING THE INSTALLATION, MAINTENANCE, REPAIR, REPLACEMENT, AND EXPANSION OF CITY WATER AND SEWER SYSTEMS, AND AS MAY BE AUTHORIZED BY THE CITY TO BE USED BY A PUBLIC OR PRIVATE UTILITY FOR PURPOSES RELATED TO THE INSTALLATION, MAINTENANCE, REPAIR, REPLACEMENT, AND EXPANSION OF SUCH UTILITY SYSTEMS.

IN WITNESS WHEREOF, SIGNED THIS _____ DAY OF _____, 20____ A.D.

ISAAC LARRY DRISKELL, HUSBAND REBECCA CARLENE DRISKELL, WIFE
STATE OF MISSOURI
COUNTY OF CAPE GIRARDEAU) ss

BEFORE ME, A NOTARY PUBLIC FOR SAID COUNTY AND STATE, APPEARED ISAAC LARRY DRISKELL AND REBECCA CARLENE DRISKELL, HUSBAND AND WIFE, KNOWN TO ME TO BE THE PERSONS DESCRIBED HEREIN, WHO DID EXECUTE THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND AFFIX MY OFFICIAL SEAL THIS _____ DAY OF _____, 20____

NOTARY PUBLIC MY TERM EXPIRES

I, _____, CITY CLERK OF CAPE GIRARDEAU, MISSOURI, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI BY ORDINANCE NO. _____ PASSED AND APPROVED THIS _____ DAY OF _____, 20____ A.D.

CITY CLERK OF CAPE GIRARDEAU, MISSOURI
STATE OF MISSOURI
COUNTY OF CAPE GIRARDEAU) ss
 FILED FOR RECORD THIS _____ DAY OF _____, 20____ A.D.

AND DULY RECORDED IN DOCUMENT NO. _____

ANDREW DAVID BLATTNER, CAPE GIRARDEAU COUNTY RECORDER OF DEEDS

STATE OF MISSOURI
COUNTY OF CAPE GIRARDEAU) ss

THIS IS TO CERTIFY THAT AT THE REQUEST OF ISAAC DRISKELL THE TRACTS SHOWN HEREON WERE SURVEYED UNDER MY DIRECT SUPERVISION, AND THE RESULTS OF SAID SURVEY ARE REPRESENTED CORRECTLY ON THIS PLAT. SAID SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS OF THE MISSOURI DEPARTMENT OF AGRICULTURE, DIVISION OF WEIGHTS AND MEASURES. THERE MAY EXIST OTHER DOCUMENTS THAT COULD AFFECT THIS PARCEL, OF WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. IN WITNESS WHEREOF, I HERETO SET MY SEAL AND SIGNATURE

THIS _____ DAY OF _____, 2016 A.D.

R. CHRISTOPHER BOWEN MO. P.L.S. #2232

2121 Meigs Pike
 Cape Girardeau, MO 65702
 Ph 573 339 5900
 Fax 573 339 1391
 www.bowensurvey.com

Bowen
ENGINEERING & SURVEYING
 Consulting Engineers • Land Surveyors • Testing Laboratories

Bowen Engineering & Surveying, P.C.
 Engineering Corporation - Missouri State Certificate of Authority #000383
 Land Surveying Corporation - Missouri State Certificate of Authority #000166

RECORD PLAT
 RIVERVIEW GARDENS NO. 2

ISAAC LARRY DRISKELL
 45 RIVERCREST DRIVE
 CAPE GIRARDEAU, MO

DESCRIPTION	DATE

Copyright © 2016 by Bowen Engineering & Surveying, P.C.

JOB NO.	S16-140
DATE	SEPT. 19, 2016
FILE	S16140.DGN
CAICE	S16140.ZIP
DWN BY	JAR
CKD BY	CCK
SCALE	1" = 40'

RECORD PLAT

SHEET NO.
1 of 1

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-248

SUBJECT

A Resolution authorizing the City Manager to execute an Escrow Agreement with Brandon O. Williams Development, LLC, and First Missouri State Bank of Cape County, for Williamsburg Phase 3, in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached resolution authorizes the City Manager to execute an escrow agreement for public sidewalk improvements in Williamsburg Phase 3. The other public improvements have been completed, and the acceptance of those improvements is on this agenda as a separate item. An ordinance approving the record plat of Williamsburg Phase 3 is also on this agenda as a separate item.

BACKGROUND/DISCUSSION

The developer of Williamsburg Phase 3 has submitted public improvement plans for the subdivision. The plans have been approved by the City's engineering staff. Per Section 25-1308 of the City Code, the developer is required to either complete the public improvements or execute an escrow or performance bond agreement prior to approval of the record plat. The developer has elected to execute an escrow agreement for the public sidewalk improvements totaling \$26,157.65 based on a cost estimate prepared by the City's engineering staff. The agreement is attached along with the cost estimate. The other public improvements have been completed, and the acceptance of those improvements is on this agenda as a separate item. An ordinance approving the record plat of Williamsburg Phase 3 is also on this agenda as a separate item.

FINANCIAL IMPACT

Per the escrow agreement, if the developer does not complete the public sidewalk improvements in two years, the City may complete the improvements instead and draw from the escrow account to cover its costs.

STAFF RECOMMENDATION

Staff recommends approval of the resolution authorizing the City Manager to execute the escrow agreement for Williamsburg Phase 3.

ATTACHMENTS:

Name:

Description:

- [Williamsburg Phase 3-Brandon O Williams Escrow.doc](#)
- [Escrow Agreement Williamsburg Phase 3 \(sidewalks\) Partially Executed.pdf](#)
- [Williamsburg Ph. 3 Sidewalk Escrow.pdf](#)

Resolution
Williamsburg Phase 3 - Escrow Agreement
Cost Estimate - Sidewalks

BILL NO. 16-192

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN ESCROW AGREEMENT WITH BRANDON O. WILLIAMS DEVELOPMENT, LLC, AND FIRST MISSOURI STATE BANK OF CAPE COUNTY, FOR WILLIAMSBURG PHASE 3, 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 an Escrow Agreement with Brandon O. Williams Development, LLC, and First Missouri State Bank of Cape County, for Williamsburg Phase 3, a subdivision in the City of Cape Girardeau, Missouri. The Agreement shall be in substantially the form attached hereto as Exhibit A, which document is hereby approved by the City Council, and incorporated herein by reference, with such changes therein as shall be approved by the officers of the City executing the same.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2016.

Harry E. Rediger, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk

ESCROW AGREEMENT

This Escrow Agreement, hereinafter referred to as "Agreement", is made and entered into this 2nd day of November, 2016, by and between BRANDON O. WILLIAMS DEVELOPMENT, LLC, a Missouri Limited Liability Company, having its principal office and place of business at 2985 Boutin Drive, Cape Girardeau, Missouri 63701, hereinafter referred to as "Developer", and FIRST MISSOURI STATE BANK OF CAPE COUNTY, hereinafter referred to as "Escrow Agent", and the CITY OF CAPE GIRARDEAU, MISSOURI, a municipal corporation, hereinafter referred to as "City".

WITNESSETH:

WHEREAS, Developer is the owner of Williamsburg Phase 3, a proposed subdivision located within the City of Cape Girardeau, Missouri, and has submitted to the City improvement plans and specifications, which have been approved by the City, and has submitted a record plat with request that said plat and the plans and specifications for the improvements in the proposed subdivision be accepted and approved by the City, and

WHEREAS, Developer proposes to meet the ordinance requirements of the City with respect to the posting of this Agreement prior to the approval by the City of the plat proposed for said subdivision,

NOW, THEREFORE, In consideration of the foregoing and of the mutual promises and agreements contained herein, the parties to this Agreement stipulate and agree as follows:

1. Developer has submitted to the City a record plat of Williamsburg Phase 3, hereinafter referred to as "Proposed Subdivision", with request that said plat be approved by the City. Developer has also submitted improvement plans for the Proposed Subdivision, which have been approved by the City.

2. An Irrevocable Letter of Credit has been issued for the cost of the improvements in the Proposed Subdivision by First Missouri State Bank of Cape County, hereinafter referred to as "Financial Institution". The Irrevocable Letter of Credit, a copy of which is attached to this Agreement and made a part hereof as though fully set out herein, has been placed in the possession of the Escrow Agent. Said Irrevocable Letter of Credit is a commitment to the Developer from the Financial Institution that it will serve as the primary lender for the development of the Proposed Subdivision and commits itself for enough funds to complete the improvements in the Proposed Subdivision.

3. A copy of the most recent financial statement of the Financial Institution is made available for the purpose of guaranteeing to the City that the Financial Institution, as the issuer of the Letter of Credit to the Developer, has sufficient resources with which to uphold its guarantee.

4. Escrow Agent agrees to hold the original of the Irrevocable Letter of Credit issued by the Financial Institution subject to the provisions of this Agreement and the ordinances of the City of Cape Girardeau, as they may appertain to the provisions of this Agreement. Escrow Agent

agrees to set up a special escrow account subject to audit by the City in which all funds made available by the Financial Institution for the improvements in the Proposed Subdivision will be deposited. Escrow Agent may release all such funds to the Developer only for the purpose of completing the improvements in the Proposed Subdivision.

5. Escrow Agent shall not release more than ninety-five percent (95%) of all funds deposited with them as Escrow Agent by the Financial Institution for the improvements in the Proposed Subdivision except on the approval of the Administrative Officer of the City and until the City is satisfied that the improvements for the development of the Proposed Subdivision have been completed in accordance with the plat, the approved improvement plans, and the applicable City ordinances. City agrees that it will not unreasonably prevent the release of the final five percent (5%) of the sums deposited with the Escrow Agent.

6. City may, from time to time, partially release the Escrow Agent from all or any part of their obligations and shall do so by written notification from the City's Administrative Officer.

7. Upon approval by the City through its Administrative Officer for the release of all funds held by the Escrow Agent, this Agreement shall be terminated and the Developer and the Escrow Agent shall be released from any further obligation to the City insofar as the provisions of this Agreement are concerned.

8. In the event of the failure, refusal or inability of the Escrow Agent to serve as determined by the Administrative Officer of said City, the City shall appoint a substitute who will have the same responsibilities as the Escrow Agent named herein.

9. If, after two (2) years from the date of this Agreement, all the improvements shown on the approved improvement plans and specifications have not been completed, the City may require the Escrow Agent to remit to the City cash or negotiable instruments constituting the balance of the escrow account required to complete the improvements.

10. This Agreement shall not in any fashion be construed to limit the powers, rights, or duties of the City, but shall be construed in the light of the applicable City ordinances.

11. No part of this Agreement may be assigned by the Escrow Agent or the Developer without first obtaining the express written consent of such assignment by the City, but the City agrees not to unreasonably withhold such consent.

IN WITNESS WHEREOF, the parties have executed this Agreement in triplicate as of the date first above written.

DEVELOPER

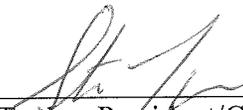
Brandon O. Williams Development, LLC



Brandon O. Williams, Managing Member

ESCROW AGENT

First Missouri State Bank of Cape County



Steve Taylor, President/CEO

CITY

City of Cape Girardeau, Missouri

Scott A. Meyer, City Manager

(Seal)

ATTEST:

City Clerk

STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

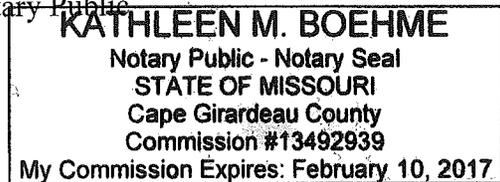
On this 2nd day of November, 2016, before me personally appeared Brandon O. Williams, Managing Member of Brandon O. Williams Development, LLC, a Missouri Limited Liability Company, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as the free act and deed of said Limited Liability Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the State and County aforesaid, the date first above written.



Notary Public

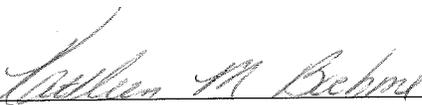
Name/My Commission Expires:



STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

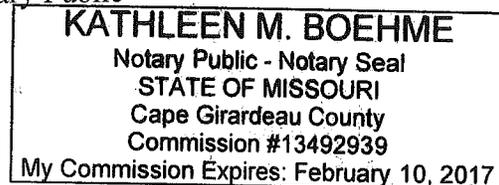
On this 2nd day of November, 2016, before me personally appeared Steve Taylor, President and CEO of First Missouri State Bank of Cape County, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as the free act and deed of said Bank.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the State and County aforesaid, the date first above written.



Notary Public

Name/My Commission Expires:



DATE: November 2, 2016

FROM: First Missouri State Bank of Cape County
2 S. Mount Auburn Road
Cape Girardeau, Missouri 63703

TO: Brandon O. Williams Development, LLC
2985 Boutin Drive
Cape Girardeau, Missouri 63701

AND

City of Cape Girardeau, Missouri – Beneficiary
City Hall, 401 Independence Street
Cape Girardeau, Missouri 63703

IRREVOCABLE LETTER OF CREDIT #370

We hereby issue this Irrevocable Letter of Credit in your favor up to the aggregate amount of Twenty-Six Thousand One Hundred Fifty-Seven and 65/100 dollars (\$26,157.65) available upon your demand and upon the approval of Beneficiary – City of Cape Girardeau for the cost of developing Williamsburg Phase 3 subdivision according to the record plat and improvement plans and specifications on file at the City of Cape Girardeau. If you do not complete the improvements as specified within two (2) years, Beneficiary – City of Cape Girardeau may, pursuant to the procedures in the City ordinances, draw the balance of your account required to complete said improvements.

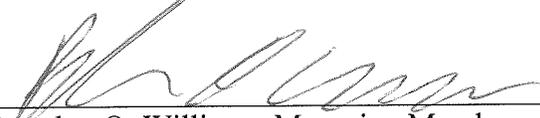
FINANCIAL INSTITUTION
First Missouri State Bank of Cape County



Steve Taylor, President/CEO

Accepted this 2nd day of November, 2016.

DEVELOPER
Brandon O. Williams Development, LLC



Brandon O. Williams, Managing Member

Approved pursuant to City Council action this ____ day of _____, 2016.

CITY
City of Cape Girardeau, Missouri

(Seal)

Scott A. Meyer, City Manager

ATTEST:

City Clerk

STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

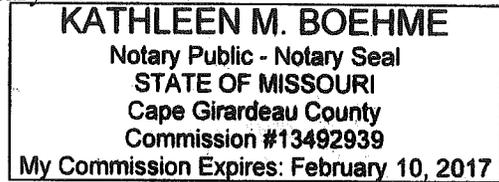
On this 2nd day of November, 2016, before me personally appeared Steve Taylor, President and CEO of First Missouri State Bank of Cape County, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as the free act and deed of said Bank.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the State and County aforesaid, the date first above written.



Notary Public

Name/My Commission Expires:



STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

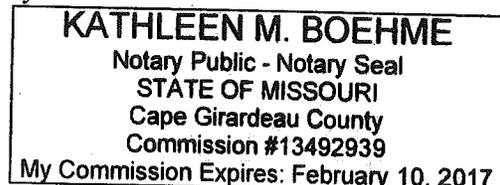
On this 2nd day of November, 2016, before me personally appeared Brandon O. Williams, Managing Member of Brandon O. Williams Development, LLC, a Missouri Limited Liability Company, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as the free act and deed of said Limited Liability Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the State and County aforesaid, the date first above written.



Notary Public

Name/My Commission Expires:



Staff: Lori Meyer, Human
Agenda: Resources/Risk Manager
11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-249

SUBJECT

2017 Health Insurance Renewal

EXECUTIVE SUMMARY

This item provides for the final approval of health insurance renewal for employees for 2017.

BACKGROUND/DISCUSSION

Attached is a summary from CBIZ Benefits & Insurance Services that highlights the medical insurance plan renewal. Per the City's request, CBIZ conducted a formal review of the marketplace. As a result, Anthem continues to offer the most competitive plan structure and strongest network of providers.

Current claims are higher compared to last year at this time. The current plan is running at 98% of expected paid claims year to date versus 82% last year at this same time. The plan will require an increase in funding by the City and through employee premium rate increases.

It is recommended to continue to offer the additional Anthem "Blue Preferred Select" plans. These are PPO and HSA plan options with the same benefits as the regular plans but utilizing a narrow network of providers.

CBIZ does recommend converting the current minimum premium plan to a fully self-funded model. The City can continue to fund at expected paid claim levels.

FINANCIAL IMPACT

The renewal will not require any plan design changes. There will be an increase in both employee premiums (paid for by the City) and in dependent care premium rates.

The self-funded plan does increase the potential claims that may need to be paid by the City during plan year as a result of the elimination of the 10% carryover claims provision included in our current plan. Elimination of the carryover provision would require the City to pay these claims in the current plan year instead of carrying them over into a future plan year. Under either plan these claims will still be the responsibility of the City. The self-funded plan will eliminate the terminal liability obligation included in our current plan and will provide for greater flexibility with future annual renewals.

For the past several years the City has set rates and developed budgets based on expected claims experience. Based on expected claims the annual costs of providing employee health coverage is expected to increase approximately \$233,000. The impact to this year's budget will be approximately \$116,500. This year's budget had included \$95,700 to cover the costs of the insurance renewal.

STAFF RECOMMENDATION

Staff recommends Council adopt the Anthem Plans as described in the communication from CBIZ dated October 28, 2016.

ATTACHMENTS:

Name:

Description:

[Resolution-Insurance. Anthem Blue Cross 2016.doc](#)

Resolution

[Medical Plan RFP and Renewal letter eff 1-1-17 REVISED 2 .doc](#)

CBIZ letter

[2017 Ins Premium Rates.doc](#)

Rates - Active Employees

[2017 Ins Premium Rates COBRA.doc](#)

Rates - COBRA

BILL NO. 16-195

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH ANTHEM BLUE CROSS FOR EMPLOYEE HEALTH INSURANCE SERVICES, 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 Contract with Anthem Blue Cross for employee health insurance services, in the City of Cape Girardeau. Said Contract shall contain the terms set out in the proposal from Anthem Blue Cross. A copy of the proposal information is attached hereto and made a part hereof.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2016.

Harry E. Rediger, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



CBIZ Benefits & Insurance Services

700 W. 47th Street, Suite 1100

Kansas City, MO 64112

Tel: (816) 945-5500

www.cbiz.com

October 28th, 2016

Ms. Lori Meyer
Human Resources and Risk Manager
City of Cape Girardeau, Missouri
401 Independence Street
P.O. Box 617
Cape Girardeau, MO 63702

Re: Medical Plan RFP and Renewal Effective 01/1/17

Dear Lori:

The health insurance plan for the employees of the City of Cape Girardeau is due to renew with Anthem Blue Cross and Blue Shield effective January 1, 2017. As part of the renewal process, CBIZ requested proposals from the marketplace for replacement options for the current plans. The following information is the result of the RFP process, as well as the renewal from Anthem.

Background

It is important to understand the current plan and the financial implications of terminating this arrangement if the move to a new plan is considered.

The City's current plan is considered a fully insured plan. It is an "unfunded" plan -- the City holds their own reserves to pay for incurred but not recorded (IBNR) claims if the plan is cancelled. Also, the City pays for claims as they are processed by Anthem. Thus, if claims are lower than projected, the City keeps these funds.

The current contract, which has been in place many years (prior to CBIZ's involvement) does have a deficit carry-forward provision. In other words, if the plan's expenses outweigh the claim liability limits in place, the City is responsible for this deficit, but does not have to pay for this immediately. It is an eventual obligation, either in lower claim years, or at cancellation. If the City terminates the plan to move to another vendor, they will be responsible for the run off claims, as well as any accumulated deficit.

The contract does limit the deficit carry forward to 10% of the cumulative maximum claims liability for that year.

The current obligation, if the City were to terminate, would be as follows:

Total Termination Liability (IBNR / Run-out claims liability) as of August 1, 2016: \$461,886.48

At the point of termination, The City is obligated to cut a check within 15 days for this total amount. There is no credit for run out claims being lower than this amount. There is also no obligation to the City if the amount is higher. There is no additional administrative fee.

The point of this calculation is that this is an obligation that will exist if the City cancels the current contract. Thus, in our analysis, this number was added to the cost of the other possible plans.

Latest Claims Experience

The City's claims experience has deteriorated over the last 2 years. For the year 8/1/13-7/31/14, claims were \$2,114,535 or \$283.26 per member, per month(PMPM). The following year, claims increased to \$2,539,063, and to \$328.04 PMPM, or 20% and 16% respectively. For 8/1/15 to 7/31/16, claims increased to \$2,967,958, and \$375.88 PMPM, increases of 17% and 15% respectively.

The previous numbers were all net of claims over stop loss. These numbers have increased dramatically over the last three years as well, from \$54,267, to \$149,617 to \$1,241,061 over stop loss points for the last three years.

Your PMPM cost year to date in 2016(to 9/30/16) is \$414.08, with over \$250,000 in stop loss credits.

Your total cost year to date for 2016 (1/1/16-9/30/16) has been approximately \$2,847,201 for claims and administration. If you add HSA contributions by the City of \$43,650, that total would be \$2,890,851. Your funding has been approximately \$2,980,239, inclusive of the City's HSA contributions.

Analysis

When presenting analysis of the Request for Proposal process, CBIZ reviews several important criteria for every vendor. The most important points are:

1. Pricing: This is especially critical when reviewing self-funded plans. Many times there are several additional costs in a self-funded plan not included as standard which are included in a fully insured plan.
2. Plan of Benefits: While most of the plans have proposed a very similar plan of benefits, there are always changes when moving from one vendor to another.
3. Network Providers: The availability of providers from one option to another may be critical to the decision making process.
4. Administrative Capabilities of Administrators: How does the vendor interact with employees/policyholder/providers?
5. Health and Productivity/Wellness Capabilities
6. Funding Vehicle of the Plan: Self-funded, fully insured, funded or unfunded.

CBIZ sent the Request for Proposal to eight possible vendors(Aetna, Cigna, Core Source, Humana, Meritain, UMR(United Healthcare), Covenant Services Group/Community Care of Missouri, and HealthSCOPE, requesting self-funded proposals. We received two responses; one from UMR(United Healthcare), and one from Covenant Services Group/Community Care Missouri as well as the renewal from Anthem, by our stated deadline. The rest of the vendors either declined or did not respond.

CBIZ reviewed each response in detail, and provided written and verbal analysis to City staff. Based on the criteria set forth earlier in this letter, and those discussions, we recommended that the City renew with Anthem.

UMR's pricing and plan design were generally in the area of the renewal from Anthem, although final pricing on stop loss coverage would not be formalized until 30 days prior to the actual effective date. Additionally, UMR's network coverage in Cape Girardeau continues to be a challenge, and it is generally recognized that the discounts offered by UMR/United Healthcare are not as aggressive as those of Anthem.

Covenant Services Group offered two options for the takeover of the plan. The first was a traditional self-funded option that was very similar to the UMR proposal, and thus offered no significant advantage over the renewal from Anthem. The second option is through their "Community Care Missouri" offering, utilizing fairly aggressive wellness requirements and utilizing a multi-tier network approach. It was a plan designed for small employers. It also encourages utilization of a narrower network of providers affiliated with St. Francis Hospital. As you know, the City currently offers a higher benefit plan for a narrow network of providers affiliated with Southeast Hospital.

Anthem is the current provider for the City's benefit plan, and has been for many years. Two years ago, the City implemented two additional plans as options for employees. While the benefits are the same for both plans, there is a narrow network available for both options which provide the employees with a lower cost option for selecting this network.

Pricing:

Current Plan: Anthem has provided both a current plan renewal as well as pricing for a self-funded option. The pricing for the current minimum premium plan components would be as follows:

-) Aggregate Stop Loss: 0%
-) Individual Stop Loss(\$150,000): +9.5%
-) Administrative Costs: +3%
-) Maximum Claims: +9.7%

The plan would have an overall increase of 9.75% (on a composite rate basis) over last year's maximum factors. Estimated maximum costs for 2017, based on current enrollments, would be as follows:

Fixed Expenses:	\$ 702,232
Maximum Claims:	<u>\$3,835,822</u>
Total:	\$4,538,054

This would not include the cost of HSA contributions, which are approximately \$58,200 annually.

Based on expected claims(as the City budgets today), the cost would be estimated as follows:

Fixed Expenses:	\$ 702,232
Expected Claims:	<u>\$3,335,497</u>
Total:	\$4,037,729

This cost also does not include the increase in factors for the Terminal Liability Fund which would increase by 12.8%, or approximately \$60,000.

Should the City move to a fully self-funded plan approach (Administrative Services Only, or ASO), there would be some contractual changes. First, the City would eliminate the Terminal Liability provision of the plan. Instead of being obligated to the full amount of the Terminal Liability account at termination (currently at approximately \$461,000), the City would simply pay the run-out claims at termination, +15% administrative cost. Our actuarial department estimates the City's current runout claims level at approximately \$175,000. Additionally, the aggregate stop loss maximum would be set at 125% of expected paid claims vs. the current 115%. The individual expense components of the plan would be priced as follows:

-) Aggregate Stop Loss: -35%
-) Specific Stop Loss(\$150,000): +9.5%
-) Administration: +1%
-) Maximum Claims: +19.3%

The City would save approximately \$20,000 annually in fixed costs. Total estimated maximum annual costs would be:

Fixed Expenses:	\$ 683,350
Maximum Claims:	<u>\$4,169,388</u>
Total:	\$4,852,738

This would not include the cost of HSA contributions, which are approximately \$58,200 annually.

Based on expected claims (as the City budgets today), the cost would be estimated as follows:

Fixed Expenses:	\$ 683,350
Expected Claims:	<u>\$3,335,497</u>
Total:	\$4,018,847

Again, with the ASO plan, there is a 25% corridor, vs. the current 15%. However, there is no deficit carryforward. Today's contract includes a deficit carryforward provision. Should the City continue to fund at expected claim levels, your annual expected cost would be less under the ASO contract.

Plan of Benefits:

Anthem's pricing has assumed keeping the current plan of benefits, under either the current minimum premium contract or the ASO. Anthem has also proposed an option which would replace both plans with two new plan designs—the Blue Preferred Options. Employees would still choose annually between the traditional plan and the HSA. However, the employee would have three levels of possible benefit. The highest level (slightly higher than today's benefit) would be available if the employee chose to see a provider in the "narrow network". If the employee chose to see a provider in the current "broad" network, they would receive the same level of benefit as is available in the current plan of benefits. There would also be a third level if the employee chose to seek care outside either network.

Pricing for this new option would be similar to the current plans renewal. Given that there is fairly low participation in the narrow network offerings now, we believe offering these plans, which are fairly new to the area, would be premature. More study is required.

Renewal Recommendation

After thorough analysis and discussions with City Administration, it is our recommendation to renew with Anthem, change the funding mechanism to a self-funded platform, leave the current benefit plans in place, and increase the employee and dependent rates by 8-9%, depending on the plan and level of coverage. This increase should adequately fund the increased cost for the plan effective January 1, 2017. The proposed rates are included in a separate attachment.

Please keep in mind that if actual costs are less over the year, the City will keep the surplus.

If we can provide any further data, please let us know.

Thank you for your continued confidence and support.

Sincerely,

David J. Johnson, CEBS
Senior Benefits Consultant

/dlr

cc: Mr. Scott Meyer, City Manager, City of Cape Girardeau, MO
Mr. John Richbourg, Finance Director, City of Cape Girardeau, MO

City of Cape Girardeau 2017 Health Insurance Rates – ACTIVE EMPLOYEES
Effective January 1, 2017

(Proposed) Monthly Premium Rate Costs

PPO Rates

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$603.58	\$436.64	\$327.46	\$702.50

PPO Rates – Narrow Network (New Option in 2015)

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$572.88*	\$375.02	\$273.52	\$631.38

HSA Rates[†]

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$548.98	\$395.66	\$296.76	\$637.14

HSA Rates – Narrow Network[†] (New Option in 2015)

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$521.70**	\$340.92	\$248.80	\$573.90

Dental Rates

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$31.40	\$19.50	\$16.72	\$35.68

Cost of “Employee Only” plan paid by the City. All other dependent premiums paid by employee.

* PPO Narrow Network “Employee Only” will receive an additional \$30 per month gross pay on their paycheck.

**HSA Narrow Network “Employee Only” will receive an additional \$27 per month gross pay on their paycheck.

[†]An additional \$50 per month is contributed to employee’s Health Savings Account.

City of Cape Girardeau 2017 Health Insurance Rates – COBRA
Effective January 1, 2017

(Proposed) Monthly Premium Rate Costs*

PPO Rates

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$615.65	\$1,061.02	\$949.66	\$1,332.20

PPO Rates – Narrow Network (New Option in 2015)

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$584.34	\$966.86	\$863.33	\$1,228.35

HSA Rates

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$559.96	\$963.53	\$862.66	\$1,209.84

HSA Rates – Narrow Network[†] (New Option in 2015)

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$532.13	\$879.87	\$785.91	\$1,117.51

Dental Rates

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$32.03	\$51.92	\$49.08	\$68.42

*The responsible party pays all premium costs. All monthly costs are based on applicable premium rate plus 2% administrative fees.

Staff: Lori Meyer, Human
Agenda: Resources/Risk Manager
11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-250

SUBJECT

2017 Dental Insurance Renewal

EXECUTIVE SUMMARY

This item provides for the final approval of dental insurance renewal for employees for 2017.

BACKGROUND/DISCUSSION

Attached is a summary from CBIZ Benefits & Insurance services that highlights the dental insurance plan renewal. Delta Dental has requested a slight increase in administrative fees of +5.5%. And based on their projections of a trend increase in claim expenses, CBIZ has recommended to raise employee dental premium rates by 8% to cover these increased costs. The employee plan premium rates have not been increased since 2012.

FINANCIAL IMPACT

This renewal allows for the City to keep the same plan design. The slight increase in employee premium rates will cover the increase in administrative fees and projected claims.

STAFF RECOMMENDATION

It is staff's recommendation Council approve the Delta Dental Plan as described in the communication from CBIZ dated October 25, 2016.

ATTACHMENTS:

Name:

Description:

[Resolution-Insurance. Delta Dental 2016.doc](#)

Resolution

[City of Cape Dental Renewal 1-1-17.docx](#)

CBIZ letter

[2017 Ins Premium Rates.doc](#)

Rates - Active Employees

[2017 Ins Premium Rates COBRA.doc](#)

Rates - COBRA

BILL NO. 16-196

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH DELTA DENTAL FOR EMPLOYEE DENTAL INSURANCE SERVICES, 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 Contract with Delta Dental for employee dental insurance services, in the City of Cape Girardeau. Said Contract shall contain the terms set out in the proposal from Delta Dental. A copy of the proposal information is attached hereto and made a part hereof.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2016.

Harry E. Rediger, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



October 25, 2016

Ms. Lori Meyer
 Human Resources and Risk Manager
 City of Cape Girardeau
 401 Independence Street
 P.O. Box 617
 Cape Girardeau, MO 63702

Re: Delta Dental Plan Renewal Effective January 1, 2017

Dear Lori:

Your dental plan with Delta Dental of Missouri is set to renew on January 1, 2017. The following information is related to that renewal action.

History

As you know, the City sets their own conventional equivalent rates to fund the cost of your self-funded plan. Your rates have remained stable for the past several years.

Effective January 1, 2012, Delta Dental requested a 5% increase in administrative fees, to a rate of \$5.84 per employee per month. Additionally, the City increased dental rates by 2% for the first time in many years. The City continued at existing levels for 2013.

Effective January 1, 2014, Delta Dental requested no increase in administration fees, and the City elected to keep funding levels unchanged.

Delta again requested no increase in administrative fees for the 2015 renewal, which will remain in effect until January 1, 2017. The City left the dental funding rates at current levels effective January 1, 2016.

Claims Experience

Based on reporting from Delta Dental, your paid claims from 8/1/14-7/31/16 were \$193,877. This was almost exactly equivalent to 8/1/14 to 7/31/15(\$193,959), the time period used last year for renewal. Your number of covered subscribers did fluctuate (from 468 to 483) but overall was down from 501. Thus your claim amount per employee per month increased from \$30.73 to \$33.65.

Current Funding Analysis

Based on actual paid claims year-to-date in 2016, and estimated collected premium from July 2016, your year-to-date expenses in 2016 are estimated as follows:

Actual Paid Claims (01/01/16– 07/31/16)	\$123,326
Estimated Administrative Cost (3,388 x \$5.84)	<u>\$ 19,786</u>
Estimated Expenses	\$143,112
Estimated Collected (01/01/16 – 07/31/16) (\$18,897 x 7)	<u>\$132,279</u>
Deficit	\$10,833

Administrative Fee Increase

As you know, Delta Dental has not requested an increase in administrative fees since 2012. Delta has requested a slight increase (+5.5%) effective 1/1/17. This would increase your per employee rate from \$5.84 to \$6.13. This would equate to an annual increase of approximately \$1,692.

Renewal Rate Recommendation

We have projected that the City will collect approximately \$226,758 in 2016, based on current participation in your plan as well as the current billed rates. After the administrative fee increase and a trend increase in claims, Delta has projected that expenses will be \$253,523 in 2017.

Based on these projections, we would recommend that the City increase your dental rates by 8%. The plan rates have not increased since 2012, and are equivalent to the annual rate of dental inflation.

Your current and proposed rates are as follows:

Current(1/1/16-12/31/16)

Employee only:	\$29.08
Additional for spouse only:	\$18.06
Additional for child(ren) only:	\$15.48
Additional for spouse and child(ren):	\$33.04

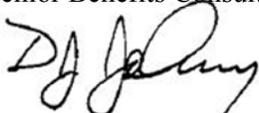
Renewal(1/1/17-12/31/17)

Employee only:	\$31.40
Additional for Spouse only:	\$19.50
Additional for child(ren) only:	\$16.72
Additional for Spouse and child(ren):	\$34.68

If we can provide any further information, please let us know. Thank you for your continued confidence and support.

Sincerely,

David J. Johnson, CEBS
Senior Benefits Consultant



John Richbourg, City of Cape Girardeau
CBIZ Benefits & Insurance Services, Inc.

cc: /cgo

City of Cape Girardeau 2017 Health Insurance Rates – ACTIVE EMPLOYEES
Effective January 1, 2017

(Proposed) Monthly Premium Rate Costs

PPO Rates

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$603.58	\$436.64	\$327.46	\$702.50

PPO Rates – Narrow Network (New Option in 2015)

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$572.88*	\$375.02	\$273.52	\$631.38

HSA Rates[†]

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$548.98	\$395.66	\$296.76	\$637.14

HSA Rates – Narrow Network[†] (New Option in 2015)

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$521.70**	\$340.92	\$248.80	\$573.90

Dental Rates

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$31.40	\$19.50	\$16.72	\$35.68

Cost of “Employee Only” plan paid by the City. All other dependent premiums paid by employee.

* PPO Narrow Network “Employee Only” will receive an additional \$30 per month gross pay on their paycheck.

**HSA Narrow Network “Employee Only” will receive an additional \$27 per month gross pay on their paycheck.

[†]An additional \$50 per month is contributed to employee’s Health Savings Account.

City of Cape Girardeau 2017 Health Insurance Rates – COBRA
Effective January 1, 2017

(Proposed) Monthly Premium Rate Costs*

PPO Rates

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$615.65	\$1,061.02	\$949.66	\$1,332.20

PPO Rates – Narrow Network (New Option in 2015)

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$584.34	\$966.86	\$863.33	\$1,228.35

HSA Rates

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$559.96	\$963.53	\$862.66	\$1,209.84

HSA Rates – Narrow Network[†] (New Option in 2015)

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$532.13	\$879.87	\$785.91	\$1,117.51

Dental Rates

<u>Employee Only</u>	<u>Employee & Spouse</u>	<u>Employee & Child(ren)</u>	<u>Employee & Family</u>
\$32.03	\$51.92	\$49.08	\$68.42

*The responsible party pays all premium costs. All monthly costs are based on applicable premium rate plus 2% administrative fees.

Staff: Gayle L. Conrad, Director of
Agenda: Citizen Services/City Clerk
11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-251

SUBJECT

A Resolution authorizing the City Manager to execute an Agreement between the Cape Girardeau Area Chamber of Commerce and the City of Cape Girardeau, Missouri, for operation of the Convention and Visitors Bureau.

EXECUTIVE SUMMARY

This is a Resolution to authorize the City Manager to execute a new Agreement on behalf of the City for the Cape Girardeau Area Chamber of Commerce to continue its operation of the Convention and Visitors Bureau.

BACKGROUND/DISCUSSION

The current agreement between the City and the Chamber for the operation of the CVB expires on June 30, 2017. As you are aware, the CVB recently moved into offices with the Chamber at 220 North Fountain. Chamber President John Mehner previously appeared before the Council and requested an early renewal of the CVB Operations Agreement. At the direction of the Council, staff has worked with Mr. Mehner and prepared a new CVB Operations Agreement to replace the current agreement. The Chamber Executive Board reviewed and approved this agreement at their November 1st meeting.

Listed below are some of the more substantive changes to the previous agreement that have been agreed to by City staff and the Chamber:

1. The first term will run January 1, 2017, through June 30 2020, with two additional three-year term options.
2. Establishes a six-member Convention and Visitors Bureau Executive Board, which will replace the current Executive Board and CVB Task Force. Three members will be appointed by the Chamber Board, one of which will be the Chamber President. Three members will be appointed by the City Council, one of which will be the City Manager.
3. Clarifies the duties and responsibilities of the CVB Executive Board.
4. Clarifies the Chamber's Scope of Services for operation of the CVB, including marketing, sales, management and reporting.

FINANCIAL IMPACT

See the attached Agreement for payment obligations.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

The obligations contained in the Agreement are paid solely from the proceeds of the City's Hotel/Motel/Restaurant Tax.

STAFF RECOMMENDATION

City staff recommends City Council approval of the attached Resolution.

ATTACHMENTS:

Name:

- [Resolution for Operation of CVB 2016.1.doc](#)
- [Chamber CVB Contract.2016.draft6.clean.doc](#)

Description:

- Resolution
- CVB Operations Agreement

BILL NO. 16-197

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CAPE GIRARDEAU AREA CHAMBER OF COMMERCE, INC., AND THE CITY OF CAPE GIRARDEAU, MISSOURI, FOR OPERATION OF THE CONVENTION AND VISITORS BUREAU, 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 an agreement between the Cape Girardeau Area Chamber of Commerce, Inc. and the City of Cape Girardeau, Missouri, for operation of the Convention and Visitors Bureau, in the City of Cape Girardeau, Missouri, in substantially the same form as attached to this Resolution and made a part hereof.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2016.

Harry E. Rediger, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk

**AGREEMENT BETWEEN THE CAPE GIRARDEAU
AREA CHAMBER OF COMMERCE, INC. AND THE CITY OF CAPE
GIRARDEAU, MISSOURI, FOR OPERATION OF THE CONVENTION
AND VISITORS BUREAU**

THIS AGREEMENT, made and entered into this _____ day of _____, 2016, is by and between the Cape Girardeau Area Chamber of Commerce, Inc., a Missouri Not-for-Profit Corporation (hereinafter referred to as "Chamber"), and the City of Cape Girardeau, Missouri, a Missouri Constitutional Charter City (hereinafter referred to as "City").

WITNESSETH:

WHEREAS, the Chamber is a not-for-profit corporation, engaged primarily in business and tourism marketing; and

WHEREAS, the Chamber has shown and demonstrated evidence of its tourism marketing activities and plans and has provided tourism marketing activities and plans to City in the past through its prior operation of the Cape Girardeau Convention and Visitors Bureau (hereinafter referred to as "CVB"); and

WHEREAS, on April 20, 2012, the City entered into an Agreement with Chamber for the operation of the Cape Girardeau Convention and Visitors Bureau and to perform tourism marketing services for a term expiring July 1, 2017; and

WHEREAS, Chamber represents that it is equipped, competent and able to undertake such an assignment.

WHEREAS, the City and Chamber desire to enter into an early renewal of said agreement.

NOW, THEREFORE, in consideration of the mutual undertakings and mutual benefits from the Chamber taking over the operation of the Cape Girardeau Convention and Visitors Bureau and providing the tourism marketing services herein set forth, Chamber and City agree as follows:

I. SCOPE OF SERVICES

Chamber shall manage all activities and operations of the CVB, including, but not limited to, advertising, promotion, marketing/sales, events management, public relations, procurement, as well as support services for athletic events, conferences, conventions, meetings, tour groups,

exhibitions, performances and special events (hereinafter referred to as "Events").

- A. Convention and Visitors Bureau: Chamber shall staff and operate at least one office open to visitors at a visible and accessible location during regular business hours as directed by the CVB Executive Board and on-site during appropriate periods of major events. The regular visitor's office shall have all local, state and regional promotional material in addition to retail items promoting Cape Girardeau, the Cape Girardeau region, and locally produced goods and services.

- B. Marketing: Promote Cape Girardeau and the area's many amenities and Events as a destination by developing and implementing a strategic promotional program for Cape Girardeau, including, without limitation, the following:
 - 1. Maintain and promote the Cape Girardeau visitor brand online via websites, social media and digital marketing;
 - 2. Design, print and distribute tourism brochures and materials;
 - 3. Other current integrated marketing components and industry best practices including, but not limited to, paid and earned media placement and surveying of visitors; and
 - 4. Work cooperatively with the City to market city and non-city facilities and amenities including, but not limited to, the following:
 - a. Conference Center, 104 South Vantage Drive, Cape Girardeau, Missouri, as defined in a Development Agreement between the City and Drury Southwest, Inc. dated November 1, 2015, Section 8.1(c).
 - b. Cape Girardeau SportsPlex, 2526 Jim Drury Way, Cape Girardeau, Missouri.
 - c. Osage Centre, 1625 N. Kingshighway, Cape Girardeau, Missouri
 - d. A.C. Brase Arena, 410 Kiwanis Drive, Cape Girardeau, MO

- e. Shawnee Park Center, 835 S. West End Boulevard, Cape Girardeau, MO
- f. Shawnee Park Sports Complex, 1157 S. West End Boulevard, Cape Girardeau, MO
- g. Cape Splash Family Aquatic Center, 1565 N. Kingshighway, Cape Girardeau, MO
- h. Cape Jaycee Municipal Golf Course, 3280 Perryville Road, Cape Girardeau, MO
- I. Show Me Center, 1333 N. Sprigg St., Cape Girardeau, MO
- J. River Campus, 518 S. Fountain St., Cape Girardeau, MO

C. Sales: Expand the area amenities and Events market through sales and support activity, including, without limitation, the following:

- 1. Recruit, create, market, host, promote and coordinate Events and other activities from visiting groups and individuals that will generate a positive economic impact upon the City;
- 2. Solicit business, develop and submit bid packages and respond to requests for proposals;
- 3. Support and service Events in the City by supplying digital services, badges, printed materials, banners, posters, pamphlets, periodicals and CVB goods and services as necessary, and especially for events of over 15 visitors, including those taking place in the facilities noted in paragraph B.4 above;
- 4. Coordinate with local hospitality organizations and provide opportunities for local businesses to be associated with conventions and other activities and to enjoy the recognition and value that accompanies such events; and
- 5. Sponsor Community Events.

D. Ambassadors: Provide tourism services through the use of part-time employees and volunteers for Events, tour guides, staffing the Visitors Center, and other duties as necessary.

- E. Management: Provide unified management and coordination for Cape Girardeau's tourism and marketing activities and plans.

II. CITY RESPONSIBILITIES

- A. City shall work cooperatively with the Chamber and CVB in marketing and promoting the City of Cape Girardeau.
- B. City shall provide in a timely fashion to Chamber all funds appropriated to the Chamber by the City under this Agreement.
- C. City shall provide a timely response to all Chamber briefing and reports relating to the CVB.

III. CONVENTION AND VISITORS BUREAU EXECUTIVE BOARD

An Executive Board for the Convention and Visitors Bureau shall be established.

- A. The Executive Board shall consist of six (6) voting members as follows:
 - Three (3) members selected by the City Council of the City of Cape Girardeau, one of which shall be the City Manager.
 - Three (3) members selected by the Board of Directors of the Cape Girardeau Chamber of Commerce, one of which shall be the Chamber President.
- B. The City Council and Chamber Board of Directors shall each initially appoint one member for a term of three years, one member for a term of two years, and one member for a term of one year, with all terms expiring on December 31 of each year. All subsequent terms shall be for three (3) years. Voting members of the Executive Board may serve no more than three consecutive full terms and shall abide by the advisory board attendance policy as stated in Section 2-101 of the City Code of Ordinances. Members of the Executive Board shall not be compensated for their services.
- C. Members of the Executive Board may not be relatives, within the fourth degree of consanguinity or affinity of members of the Chamber of Commerce Board of

Directors or elected officials of the City of Cape Girardeau.

- D. The Executive Board shall hold open meetings at least quarterly in each calendar year. The Director of the CVB will serve as liaison to the Board and will prepare, post and distribute the agenda for all meetings as required by the Missouri Open Meetings and Records Law. The posting shall include the date, time and location of the meeting, as well as a tentative agenda. Minutes of all meetings shall be prepared and submitted to the City Clerk.

- E. The Executive Board shall have the following duties:
 - 1. Provide oversight on the operations of the CVB, including methods of promoting tourism, conventions, meetings and other activities and events.
 - 2. Provide input for development of a long-term strategic plan for operations of the CVB, to be prepared by the CVB Director.
 - 3. Provide input for the Annual Marketing and Business Plan, including short and long term goals, plans, policies, and proposed projects for the CVB, to be prepared by the CVB Director.
 - 4. Provide input for the annual operating budget of the CVB and ensure that the annual operating budget clearly reflects the full cost of CVB operations.
 - 5. Submit oversight and input recommendations to the Chamber Board of Directors for final approval.

IV. TERM AND TIME OF PERFORMANCE

The first term of this Agreement shall run from January 1, 2017, through June 30, 2020, with two additional three (3) year options. The services of the Chamber are to commence upon that date, and all tasks defined in the Scope of Services shall be undertaken and implemented in such sequence as to assure the expeditious completion in light of the purpose of this Agreement.

V. COMPENSATION AND METHOD OF PAYMENT

The fiscal year of the CVB runs from July 1 through June 30 of each year.

- A. The Chamber shall submit to the City in writing a proposed Annual Budget by February 1 of each year. Through June 30, 2017, the Chamber shall operate the CVB under the 2016-2017 operating budget previously approved by the City Council, in the amount of \$654,800.00.
- B. Beginning with the 2017-2018 CVB Operating Budget, each Annual Budget is subject to annual approval by the City Council during its regular budgeting process. Any administrative expenses must be included in the proposed Annual Budget. The total charge for administrative expenses may not exceed ten (10) percent of the proposed Annual Budget including those administrative expenses.
- C. As required in the Settlement Agreement and Release of All Claims, paragraph 5, dated December 18, 2003, entered into by James L. Drury, MidAmerica Hotels Corporation, and the City of Cape Girardeau, Missouri, and the Amendment to Settlement Agreement and Release of All Claims dated February 28, 2014, entered into between MidAmerica Hotels Corporation, Diane Drury Edwards and the City of Cape Girardeau, Missouri, the CVB budget shall not increase more than three percent (3%) annually, except for periods of tremendous growth defined as seven percent (7%) or greater growth in hotel/motel and restaurant tax for any consecutive twelve (12) month period. In the year immediately following such a growth period, the CVB operating budget may increase a defined percentage not to exceed one-half ($\frac{1}{2}$) of the growth percentage realized in the tax revenue and never to exceed ten percent (10%) in any one year.
- D. City shall pay to Chamber one-fourth ($\frac{1}{4}$) of the approved Annual Budget on or before the tenth (10) day of July, October, January and April for each quarter services are rendered. Any monies from the Chamber's approved Annual Budget for the CVB which are unspent at the end of the budget year shall be placed in a "Project Development Fund", and shall not be carried

over to any subsequent budget year. No monies in that Project Development Fund shall be spent by the Chamber for any reason without the prior approval of the City Council. All payments from the City to the Chamber described in this Agreement are subject to annual appropriation by the City Council.

VI. REPORTING AND DOCUMENTATION

- A. Generally: Chamber shall file requested reports and maintain records in accordance with the requirements prescribed by the City with respect to all matters covered by this Agreement. Failure of Chamber to provide the required information may be grounds for delay or denial of any further payments hereby by the City.

- B. Quarterly Updates: On or before the 10th of January, April, July and October of each year for the term of this Agreement, Chamber shall submit to the City Manager a written report identifying the nature and scope of CVB's activities performed relative to this Agreement for the prior quarter. Such report shall include, but not be limited to, the following:
 - 1. Dates of Events or other programs held in the City during the previous quarter;
 - 2. Estimated number of attendees of each Event;
 - 3. Sponsoring organization of each Event;
 - 4. Upcoming Events for the next quarter, differentiating between promoted, sponsored and delivered Events; and
 - 5. Number of visitor inquiries received during the previous quarter.

- C. Annual Reporting: Chamber shall complete the following within 120 days after the end of the CVB's fiscal year:
 - 1. Present an "Annual Report" to the City Council which shall include, but not be limited to:
 - a. A list of projects, Events and activities accomplished under this Agreement by the CVB

during the preceding fiscal year, differentiating between promoted, sponsored and delivered events.

- b. The number of Events booked during the previous fiscal year, including estimated attendance and economic impact to the City.
- c. Information on the CVB's best efforts to achieve tourism and marketing goals as defined by the CVB's Annual Marketing/Business Plan.

2. Submit to the City Manager, or designee, a Marketing and Business Plan, including specific marketing goals and programs for the upcoming year for conventions, meetings, projects and other events.

3. Submit to the City Manager the CVB's annual audited financial statements in a form mutually agreeable to both parties provided by an independent certified public accountant approved by the City. This shall include the presentation of comparative financial statements, which include a balance sheet, statement of revenue and expenses, statement of changes in equity, and statement of changes in cash position.

D. Accounting Practices: CVB shall keep financial records consistent with Generally Accepted Accounting Principles.

VII. AUDIT, INSPECTION OF RECORDS, AND PERFORMANCE REVIEW

Chamber shall permit an authorized representative of the City to inspect and audit all data and records of the Chamber related to its performance under this Agreement. City may conduct a semi-annual performance review of the services provided by the Chamber. If there are performance issues, City may deem said issues a violation and, in such event, the process to remedy such violation pursuant to Section XVIII of this Agreement shall then apply.

VIII. USE OF THE EQUIPMENT AND CONTENTS

All equipment, data, materials, and other work products purchased or generated for CVB operations, as set out in this Agreement, shall be owned by the City of Cape Girardeau.

Chamber agrees to comply with all City Ordinances and State or Federal Laws affecting the operation of the business. Upon termination of this agreement, all data, materials, work products or equipment purchased or generated as stated above shall be surrendered to the City.

IX. SUBCONTRACTS

Chamber and City hereby agree that this Agreement shall not be assigned, transferred, conveyed or otherwise disposed of without the prior written consent of the other party to the Agreement.

X. DISCRIMINATION PROVISIONS

Chamber and its contractors and employees will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. Chamber will take affirmative action to ensure that applicants are employed in good faith. Chamber and its contractors and employees will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the Rules, Regulations, and Relevant Orders of the Secretary of Labor.

XI. COMPLIANCE WITH THE LAW

All parties shall comply with all applicable federal, state and local laws, ordinances, codes and regulations.

XII. INTEREST OF LOCAL PUBLIC OFFICERS

No member of the City Council of the City of Cape Girardeau, or any officer, employee, or agent of the City who exercises any functions or responsibilities in connection with review or approval of the work to which this Agreement pertains, shall have any personal interest, direct or indirect, in the Agreement or in the proceeds thereof, except as permitted by the laws of the State of Missouri.

XIII. FUTURE MAINTENANCE

Members shall not enter into any project which will require ongoing maintenance on the part of the City without the prior written approval of the Cape Girardeau City Council.

XIV. INDEPENDENT CONTRACTOR

Chamber is not authorized or empowered to make any commitments or incur any obligation or indebtedness on behalf of the City, but merely to provide the services provided for herein as an independent contractor. Chamber agrees to indemnify, protect and save harmless the City from any and all claims of persons or companies for injuries to persons or property arising out of Chamber's, or its agents, servants, or employees, actions in performance of the services herein identified. In addition, City shall not be liable or responsible in any manner to any contractor, subcontractor, servant or employee with whom the Chamber has contracted for additional services under the terms of this Agreement.

XV. INSURANCE

Chamber shall maintain liability insurance covering all aspects of the CVB in an amount equal to the liability limits established in Section 537.600, RSMo., et seq., as amended, and shall name the City as an additional insured. In no event shall any employee, contractor or agent of the Chamber acting under the terms of this Agreement be considered an employee of the City for purposes of the City's program of workers' compensation insurance. The Chamber shall indemnify and hold the City harmless from any claims, lawsuits, liabilities, and damages of any kind, including all attorney fees, arising out of the Chamber's actions under this Agreement.

XVI. CANCELLATION, TERMINATION OR SUSPENSION

- A. This Agreement may be terminated at any time by the written, mutual agreement of all parties, provided all applicable laws and regulations are complied with. City shall have the right at its option to terminate this Agreement and be free of all obligations hereunder in the event that Chamber is in default or violation of the terms, conditions, assurances, or certifications of this Agreement.
- B. In the event of such default or violation by Chamber, City shall send to Chamber by certified mail a notice of demand to cure default, explaining the specific nature and extent of the default or violation. Chamber shall cure or remedy said violation or default within twenty (20) working days after receipt of said notice, unless a longer time is agreed upon by both

parties in writing. In case the default is not cured or remedied within twenty (20) working days or a longer time if agreed upon, City may exercise its option to terminate this Agreement upon five (5) days written notice thereafter. Termination as aforesaid shall not relieve Chamber of liability to City for damages sustained by City by virtue of any breach of this Agreement.

- C. Notwithstanding the aforesaid, City reserves the right at its option to terminate this Agreement on or before June 1 of each year for any reason by giving written notice of such decision to the Chamber. In that event, Chamber shall restore all operations of the CVB to the City on or before June 30 of that year.
- D. If this Agreement is cancelled or terminated by either party, the CVB Executive Board, as defined in Section III hereof, shall be immediately dissolved.

XVII. HOTEL/MOTEL/RESTAURANT TAX

It is expressly understood and agreed between the parties that the City's funds with which to pay for the Chamber's services under this Agreement are derived from the City's current hotel/motel/restaurant license tax. If for any reason that tax expires and is not renewed by the voters of the City of Cape Girardeau, or that tax is held to be void by the final adjudication of a court of competent jurisdiction, then both parties' rights and liabilities under this Agreement shall immediately cease.

XVIII. NOTICE

Any notice required by this Agreement is deemed to be given if it is mailed by United States Certified Mail, postage prepaid, and is addressed as hereinafter specified. Notice to City shall be addressed to:

City Manager
City of Cape Girardeau
401 Independence, P.O. Box 617
Cape Girardeau, MO 63702-0617

Notice to Chamber shall be addressed to:

President
Cape Girardeau Area Chamber of Commerce
220 N. Fountain St.
Cape Girardeau, MO 63701

XIX. AMENDMENTS

In order to provide necessary flexibility for the effective execution of this Agreement, whenever both City and Chamber mutually agree, changes to this Agreement may be effected by placing them in written form and incorporating them into this Agreement as an amendment.

XX. SEVERABILITY

It is mutually agreed that if any provision of this Agreement is determined by a court of law to be unconstitutional, illegal or unenforceable, it is the intention of the parties that all other provisions of this Agreement shall remain in full force and effect.

XXI. ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the parties with respect to its subject matter, and any prior agreements, understandings, or other matters, whether oral or written, are of no further force or effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

CITY OF CAPE GIRARDEAU, MISSOURI

By: _____
Scott A. Meyer, City Manager

ATTEST:

Gayle L. Conrad, City Clerk

STATE OF MISSOURI)
)
COUNTY OF CAPE GIRARDEAU) ss.

On this ____ day of _____, 20__, before me personally appeared Scott A. Meyer, to me personally known, who, being by me duly sworn, did say that he is the City Manager of the City of Cape Girardeau, Missouri, a Municipal Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the seal of said City and that the said instrument was signed and sealed on behalf of said City by authority of its City Council and acknowledge said instrument to be the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Cape Girardeau, Missouri, the day and year first above written.

Notary Public

My commission expires: _____

CAPE GIRARDEAU CHAMBER OF COMMERCE

By: _____
John Mehner, President

ATTEST:

Secretary

STATE OF MISSOURI)
)
COUNTY OF CAPE GIRARDEAU) ss.

On this ____ day of _____, 20____, before me personally appeared John Mehner, to me personally known, who, being by me duly sworn, did say that he is the President of the Cape Girardeau Area Chamber of Commerce, Not-For-Profit Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the seal of said Corporation and that the said instrument was signed and sealed on behalf of said Corporation by authority of its Board of Directors and acknowledge said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Cape Girardeau, Missouri, the day and year first above written.

Notary Public

My commission expires: _____

Staff: Molly Hood, Deputy City
Agenda: Manager
11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-252

SUBJECT

Resolution authorizing the City Manager to execute a first amendment to the conference center funding agreement dated November 1, 2015, regarding the construction of a conference center in the City of Cape Girardeau, MO.

EXECUTIVE SUMMARY

In November 2015, the City Council passed a Resolution authorizing the City to enter into certain agreements in connection with the construction of a proposed conference center. The City and Drury Southwest, Inc. (DSW) entered into a Development Agreement and a Conference Center Funding Agreement to facilitate the development of a new conference center. The conference center is currently under construction and is scheduled for completion in summer 2017.

DSW is working on financing for the project and part of that financing would include a collateral assignment of DSW's interest in the agreements. The City Manager has the authority to provide consent for the assignment of the Development Agreement; however, the Conference Center Funding Agreement must be amended to permit the collateral assignment of DSW's interest. The attached Resolution authorizes the execution of an amendment to the Conference Center Funding Agreement.

FINANCIAL IMPACT

Amending the Conference Center Funding Agreement for the assignment has no financial impact.

STAFF RECOMMENDATION

It is recommended the City Council approve the resolution authorizing the City Manager to execute a first amendment to the conference center funding agreement dated November 1, 2015, regarding the construction of a conference center in the City of Cape Girardeau, MO.

ATTACHMENTS:

Name:

- [Amend Funding Agreement-Conference Center \(2\).doc](#)
- [Exhibit A First Amendment of Funding Agreement.docx](#)

Description:

- Resolution
- Exhibit A

BILL NO. 16-199

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE CONFERENCE CENTER FUNDING AGREEMENT DATED NOVEMBER 1, 2015, 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 First Amendment to the Conference Center Funding Agreement dated November 1, 2015, with DI Hotels Sun LLC; DDC Hotels, Inc.; MidAmerica Hotels Corporation; Drury Southwest, Inc., regarding the construction of a Conference Center in the City of Cape Girardeau, Missouri. The First Amendment shall be in substantially the form attached hereto as Exhibit A, which document is hereby approved by the City Council, and incorporated herein by reference, with such changes therein as shall be approved by the officers of the City executing the same.

PASSED AND ADOPTED THIS 7th DAY OF NOVEMBER, 2016.

Harry E. Rediger, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk

_____[Space Above this Line for Recording Data]_____

Title of Document: **FIRST AMENDMENT TO CONFERENCE CENTER
FUNDING AGREEMENT**

Date of Document: _____, 2016

Grantors' Names: City of Cape Girardeau, Missouri
DI Hotels Sun, LLC, a Missouri limited liability company
DDC Hotels, Inc., a Missouri corporation
MidAmerica Hotels Corporation, a Missouri corporation
Drury Southwest, Inc., a Missouri corporation

Grantors Addresses: see next page

Legal Description: See Exhibit A

This document modified that certain Conference Center Funding Agreement dated November 1, 2015 and recorded in the Real Property Records of Cape Girardeau County, Missouri at Document # 2015-13391.

**DI Hotels Sun, LLC
101 South Farrar Drive
Cape Girardeau, MO 63701
Attn: Dennis Vollink**

**DDC Hotels, Inc.
721 Emerson Road
Suite 200
St. Louis, MO 63141
Attn: Larry Hasselfeld**

**MidAmerica Hotels Corporation
105 South Mt. Auburn Rd
Cape Girardeau, MO 63703
Attn: Diane Drury Edwards**

FIRST AMENDMENT TO CONFERENCE CENTER FUNDING AGREEMENT

THIS FIRST AMENDMENT TO CONFERENCE CENTER FUNDING AGREEMENT (the “**First Amendment**”) is made and entered into as of this ___ day of _____, 2016, by and among the CITY OF CAPE GIRARDEAU, MISSOURI, a home rule city organized and existing under the laws of the State of Missouri (the “**City**”), DI Hotels Sun, LLC, a Missouri limited liability company (“**Hotel Owner #1**”), DDC Hotels, Inc., a Missouri corporation (“**Hotel Owner #2**”), MidAmerica Hotels Corporation, a Missouri corporation (“**Hotel Owner #3**”, and together with Hotel Owner #1 and Hotel Owner #2, collectively and with any other hotel owners added to this Agreement per **Section 3.1(b)** hereof, the “**Hotel Owners**”) and **DRURY SOUTHWEST, INC.**, a Missouri corporation (the “**Company**”).

RECITALS:

1. The City and the Hotel Owners (collectively, the “**Parties**”) entered into that certain Conference Center Funding Agreement dated November 1, 2015, and recorded in the Real Property Records of Cape Girardeau County, Missouri as Document #2015-13391 (the “**Agreement**”), to jointly fund the development and construction of the Conference Center on the Project Site, the legal description of which is attached hereto as Exhibit A, and incorporated herein by this reference, upon the terms and conditions more particularly described in the Agreement.
2. The Parties desire to amend the Agreement for the purposes provided herein.
3. The words and phrases having a defined meaning in the Agreement shall have the same respective meanings when used herein unless otherwise stated herein.

NOW THEREFORE, in consideration of the premises and the mutual agreements of the parties set forth in the Agreement and herein, the Agreement is amended as follows:

1. Section 5.1 is deleted in its entirety and replaced with the following:

Section 5.1 Benefits Run in Favor of the Company. The benefits granted by the City and the Hotel Owners to the Company pursuant to this Agreement shall belong solely to the Company, and such benefits shall not be transferred, assigned, pledged or in any other manner hypothecated, except that the rights of the Company may be transferred to successor owners of the Conference Center and the benefits of the Company may be transferred, assigned, collaterally assigned, or pledged to Company’s lender (the “**Lender**”) as security for the purpose of financing the construction of the Project by the Company, and a purchaser at a foreclosure sale, trustee’s sale, or, if Company transfers its interest to Lender in lieu of foreclosure, the purchaser from Lender of such interest transferred in lieu of foreclosure.

2. Except as expressly modified hereby, all of the terms and conditions of the Agreement shall remain unaltered and in full force and effect.

[Signature pages to follow]

WITNESS the due execution hereof as of the date first written above.

**CITY OF CAPE GIRARDEAU,
MISSOURI**

By: _____
Name: Scott Meyer
Title: City Manager

(Seal)

ATTEST:

Gayle Conrad, City Clerk

CITY ACKNOWLEDGMENT

STATE OF MISSOURI)
) SS.
COUNTY OF CAPE GIRARDEAU)

On this ____ day of _____, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Scott Meyer and Gayle Conrad, who acknowledged themselves to be, respectively, the City Manager and City Clerk of **CITY OF CAPE GIRARDEAU, MISSOURI**, a home rule city organized and existing under the laws of the State of Missouri, and that they, as such City Manager and City Clerk are authorized by the City Council of such City, to execute the foregoing instrument for the purposes therein contained by signing the name of the City by themselves as City Manager and City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Printed Name:

Notary Public in and for said State



*Notary – please affix seal in area
Designated above*

WITNESS the due execution hereof as of the date first written above.

DRURY SOUTHWEST, INC.

By: _____
Dennis J. Vollink, President

STATE OF MISSOURI)
) SS.
COUNTY OF CAPE GIRARDEAU)

On this _____ day of _____ 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis J. Vollink, who acknowledged himself to be the President of Drury Southwest, Inc., a Missouri corporation, duly organized and existing under the laws of the State Missouri, and that he as such officer being authorized by said company so to do executed the foregoing instrument for the purposes therein contained by signing the name of the association by herself as an officer.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Karen Seabaugh

Notary Public in and for said State



*Notary – please affix seal in area
Designated above*

WITNESS the due execution hereof as of the date first written above.

HOTEL OWNER #1
DI Hotels Sun, LLC
By: DSW Inns, LLC, its manager

By: _____
Dennis J. Vollink, President

STATE OF MISSOURI)
) SS.
COUNTY OF CAPE GIRARDEAU)

On this _____ day of _____ 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis J. Vollink, who acknowledged himself to be the President of DSW Inns, LLC, a Missouri limited liability company, manager of DI Hotels Sun, LLC, duly organized and existing under the laws of the State Missouri, and that he as such officer being authorized by said company so to do executed the foregoing instrument for the purposes therein contained by signing the name of the association by herself as an officer.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Karen Seabaugh
Notary Public in and for said State



*Notary – please affix seal in area
Designated above*

WITNESS the due execution hereof as of the date first written above.

HOTEL OWNER #2
DDC Hotels, Inc.

By: _____
Name: _____
Title: _____

STATE OF MISSOURI)
) SS.
COUNTY OF CAPE GIRARDEAU)

On this _____ day of _____ 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, who acknowledged him/herself to be the _____ of DDC Hotels, Inc., a Missouri corporation, duly organized and existing under the laws of the State Missouri, and that he/she as such officer being authorized by said company so to do executed the foregoing instrument for the purposes therein contained by signing the name of the association by herself as an officer.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Printed Name:

Notary Public in and for said State

*Notary – please affix seal in area
Designated above*

WITNESS the due execution hereof as of the date first written above.

**HOTEL OWNER #3
MidAmerica Hotels Corporation**

By: _____
Name: _____
Title: _____

STATE OF MISSOURI)
) SS.
COUNTY OF CAPE GIRARDEAU)

On this _____ day of _____ 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, who acknowledged him/herself to be the _____ of MidAmerica Hotels Corporation, a Missouri corporation, duly organized and existing under the laws of the State Missouri, and that he/she as such officer being authorized by said company so to do executed the foregoing instrument for the purposes therein contained by signing the name of the association by herself as an officer.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Printed Name:

Notary Public in and for said State



*Notary – please affix seal in area
Designated above*

EXHIBIT A

LEGAL DESCRIPTION OF PROJECT SITE

A part of United States Private Survey No. 3090, Township 30 North, Range 13 East of the Fifth Principal Meridian, City and County of Cape Girardeau, State of Missouri, being more particularly described as follows: Commencing at the northeast corner of U.S.P.S. 3090; thence South 06° 02' 34" West, 1930.30 feet along the east line of U.S.P.S. 3090; thence leaving said east line, North 83° 57' 26" West, 864.52 feet to a point on the West right of way of Farrar Drive; thence North 06° 01' 47" East, 14.87 feet along said right of way to a point being at the intersection of the west right of way of Farrar Drive and the south right of way of Percy Drive, said point being also the northeast corner of a tract of land recorded in the land records of the County Recorder's Office in Book No. 415 at Page No. 629; thence along the north line of said tract and the south right of way line of Percy Drive, North 84° 00' 40" West, 429.50 feet to the true point of beginning; thence continuing along said right of way line, North 84° 00' 40" West, 266.46 feet; thence North 88° 54' 36" West, 303.95 feet along said right of way to a point on the easterly right of way of Interstate Route 55, point being 235.00 feet easterly of and normal to the centerline of Interstate 55, sta. 1193+24.91; thence leaving said south right of way and along the easterly right of way of Interstate 55, South 19° 56' 06" East, 175.09 feet to a point being 235.00 feet easterly of and normal to the centerline of Interstate 55, sta. 1195+00; thence continuing along said right of way, South 33° 29' 40" East, 467.26 feet to a point being 344.55 feet easterly of and normal to the centerline of Interstate 55, sta. 1199+54.24; thence leaving said right of way, North 56° 44' 33" East, 465.92 feet; thence North 33° 22' 16" West, 260.15 feet; thence North 05° 45' 17" East, 48.15 feet to the point of beginning.

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-253

SUBJECT

Approval of a Partial Release of Escrow Agreement for Redhawk Commons Phase 2.

EXECUTIVE SUMMARY

The attached document releases a portion of the escrow for Redhawk Commons Phase 2. The developer has completed all of the public improvements except the sidewalks.

BACKGROUND/DISCUSSION

On March 14, 2016, an escrow agreement was executed by and between the City, BWE Holdings, LLC, and First Missouri State Bank of Cape County in the amount of \$76,668.24 for public improvements in Redhawk Commons Phase 2. The agreement constitutes a performance guarantee for the public improvements. BWE Holdings, LLC has completed all of the public improvements except the sidewalks, and has requested a partial release of the escrow in the amount of \$71,223.24. The improvements have been satisfactorily completed and are ready for acceptance. The attached document releases a portion of the escrow in the amount requested.

FINANCIAL IMPACT

The breakdown of the escrow amount is as follows:

Paving \$40,697.50 (of which \$5,445.00 is for sidewalks; not yet completed)
Sanitary Sewers \$17,970.24
Water \$18,000.50

Total \$76,668.24 - \$5,445.00 = \$71,223.24. Per the escrow agreement, the City may not release more than 95% of the escrow amount until all of the improvements are completed. The amount requested to be released does not exceed the 95% threshold.

STAFF RECOMMENDATION

Staff recommends approval of the Partial Release of Escrow Agreement for Redhawk Commons Phase 2.

ATTACHMENTS:

Name:

Description:

[Partial Release of Escrow Agreement - Redhawk Commons Phase 2 - November 2016.pdf](#)

Partial Release of Escrow Agreement

PARTIAL RELEASE OF ESCROW AGREEMENT
REDHAWK COMMONS PHASE 2

Partial Release is made this ____ day of _____, 2016, by the CITY OF CAPE GIRARDEAU, MISSOURI, 401 Independence Street, Cape Girardeau, MO 63703, hereinafter referred to as "City", to BWE HOLDINGS, LLC, hereinafter referred to as "Developer", and to FIRST MISSOURI STATE BANK OF CAPE COUNTY, hereinafter referred to as "Escrow Agent".

WITNESSETH:

On March 14, 2016, the City, the Developer, and the Escrow Agent entered into an Escrow Agreement for the development of Redhawk Commons Phase 2, in the City of Cape Girardeau, Missouri.

The City Council of the City of Cape Girardeau, Missouri, has determined that a portion of the work covered by the Escrow Agreement for said subdivision, as set out in the improvement plans and specifications therefore, has been satisfactorily completed.

NOW, THEREFORE, in consideration of the satisfactory completion of a portion of the improvements set forth in the plans and specifications for said subdivision, the City hereby authorizes and directs the Escrow Agent to release to the Developer **\$71,223.24** of the \$76,668.24 held by the Escrow Agent pursuant to the Escrow Agreement. The Developer and the Escrow Agent are hereby discharged from said portion of their obligations to the City under the Escrow Agreement but are specifically not released and not discharged from the remainder of their obligations with respect to the Escrow Agreement, which will remain in effect until the balance of the improvements have been completed satisfactorily.

IN WITNESS WHEREOF, this Partial Release has been executed on the above date.

CITY OF CAPE GIRARDEAU, MISSOURI

Scott A. Meyer, City Manager

ATTEST:

City Clerk

Staff: Casey Brunke, P.E. City Engineer
Agenda: 11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-254

SUBJECT

Acceptance of Improvements and Authorization of Final Payment to Fronabarger Concreters, Inc., for the Walnut Street and West End Boulevard Improvements, a TTF4 project.

EXECUTIVE SUMMARY

The West End portion of the project was for improvements to West End Boulevard from Linden Street to Jefferson Avenue. Section one was south of Highway 74 which included reconstruction of the street to 36-foot wide pavement and the addition of two 6-foot wide sidewalks. Section two was north of Highway 74 and included construction of two 6-foot wide sidewalks.

The Walnut portion of the project began at Sprigg Street and ended at West End Boulevard. The first section of the project, from Sprigg Street to Beaudean Lane, added two 6-foot wide sidewalks. Section two began at Beaudean Lane and ended at West End Boulevard. It included acquiring new right of way and construction of a new 36-foot wide street and two 6-foot wide sidewalks.

BACKGROUND/DISCUSSION

See Engineer's Final Report.

FINANCIAL IMPACT

The construction cost for the Walnut Street and West End Boulevard Improvements was \$2,027,180.77 and were funded by the Transportation Trust Fund 4.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

The Walnut Street and West End Boulevard projects will provide additional access points for the surrounding neighborhoods, establish a connection to Shawnee Park, and help create pedestrian friendly neighborhoods.

STAFF RECOMMENDATION

Staff recommends the Council accept, by motion, the improvements as indicated and approve the final payment of \$247,601.28 to Fronabarger Concreters, Incorporated.

PUBLIC OUTREACH

Presentations were made to the public and to civic organizations prior to each election to continue the Transportation Trust Fund Sales Tax. Part of the TTF money is designated for the repair and rejuvenation of existing streets, curbs, gutters and sidewalks. The citizens voted favorably for the fourth phase of the Transportation Sales Tax on August 3, 2010.

ATTACHMENTS:

Name:

Description:

[Engineer's Final Report 6126 CB Edit.pdf](#)

Engineer's Final Report

November 2, 2016

Engineer's Final Report on the Walnut Street/West End Boulevard Improvements

To the City Manager
Of the City of Cape Girardeau, Missouri

Dear Sir:

I hereby report that the Walnut Street/West End Boulevard improvements have been completed by Fronabarger Concreters, Incorporated. The projects were originally designed as separate projects. The Walnut Street portion of the project began at Sprigg Street and ended at West End Boulevard. The West End Boulevard portion of the project was for improvements to West End Boulevard from Linden Street to Jefferson Avenue. It was decided that combining the projects into one would result in better bid proposals.

The West End Boulevard portion of the project was for improvements to West End Boulevard from Linden Street to Jefferson Avenue. Section one was south of Highway 74 which included reconstruction of the street to 36-foot wide pavement and the addition of two 6-foot wide sidewalks. Section two was north of Highway 74 and included construction of two 6-foot wide sidewalks.

The Walnut Street portion of the project began at Sprigg Street and ended at West End Boulevard. The first section of the project, from Sprigg Street to Beaudean Lane, added two 6-foot wide sidewalks. Section two began at Beaudean Lane and ended at West End Boulevard. It included acquiring new right of way and construction of a new 36-foot wide street and two 6-foot wide sidewalks.

During the course of the project, it was determined that a new street light needed to be installed in the 1400 Block of Jefferson Street for an increase in costs of \$680.05. Another additional project cost was the asbestos testing and remediation for two buildings, 836 South West End Boulevard and 721 Beaudean Lane. TruTest Environmental Solutions performed the asbestos testing and found asbestos tiles in the building at 836 South West End Boulevard. Midwest Environmental Studies was contracted to remove and dispose of the tiles in an environmentally safe manner. The asbestos inspection and removal added \$840.00 to the contract price.

The original contract time was three hundred (300) calendar days for substantial completion and three hundred thirty (330) calendar days for final completion. The Notice to Proceed was issued for February 8, 2015. Substantial Completion was reached on December 9, 2015.

The original contract amount was \$1,963,393.00. Change Order #1 brought all items to as-built quantities. The adjustments in the Change Order increased the contract by \$63,787.77 for a total construction contract amount of \$2,027,180.77.

Below is the cost of said improvements:

<u>No</u>	<u>Item</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total Price</u>
1.	Temporary Traffic Control	1	LS	\$ 12,500.00	\$ 12,500.00
2.	Temporary Construction Exit Drive	1	EA	\$ 450.00	\$ 450.00
3.	Removal of Existing Improvements	1	LS	\$ 85,000.00	\$ 85,000.00
4.	Clearing, Grubbing and Trimming	5.6	AC	\$ 5,000.00	\$ 28,000.00
5.	Tree Removal	24	EA	\$ 350.00	\$ 8,400.00
6.	Shrub Removal	2	EA	\$ 75.00	\$ 150.00
7.	Relocate Commercial Sign	0	EA	\$ 550.00	\$ 0.00
8.	Fabric Silt Fence	1,787	LF	\$ 2.75	\$ 4,914.25
9.	Temporary Rock Ditch Check	143	LF	\$ 175.00	\$ 25,025.00
10.	Inlet Protection Device	4	EA	\$ 125.00	\$ 500.00
11.	Turf Reinforcement Mat. Type 1	0.00	SY	\$ 2.00	\$ 0.00
12.	Earthwork-Excavation	6,960	CY	\$ 6.00	\$ 41,760.00
13.	Earthwork-Embankment	19,500	CY	\$ 10.00	\$ 195,000.00
14.	Seed and Mulch	4.2	AC	\$ 3,000.00	\$ 12,600.00
15.	7" Concrete Pavement-Streets	11,844.03	SY	\$ 32.00	\$ 379,008.96
16.	4" Type 1 Aggregate Base-Streets	13,032.03	SY	\$ 4.00	\$ 52,128.12
17.	6" Concrete Pavement-Alleys & Drives	1,643.91	SY	\$ 38.50	\$ 63,290.54
18.	4" Type 1 Aggregate Base-Alleys & Drives	1,672.91	SY	\$ 4.00	\$ 6,691.64
19.	4" Concrete Sidewalk	6,520.91	SY	\$ 36.00	\$ 234,752.76
20.	4" Type 1 Aggregate Base-Sidewalk	8,519.74	SY	\$ 4.00	\$ 34,078.96
21.	Sidewalk Connection to Existing Pavement	37	EA	\$ 100.00	\$ 3,700.00
22.	Type 1 Sidewalk Wall	32	LF	\$ 65.00	\$ 2,080.00
23.	Asphalt Milling	408	SY	\$ 10.00	\$ 4,080.00
24.	4" Bituminous Base	27	TON	\$ 350.00	\$ 9,450.00
25.	1½" Bituminous BP-1	10	TON	\$ 385.00	\$ 3,850.00

Engineer's Final Report
Walnut/West End Blvd.
November 2, 2016
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26.	1½" Bituminous BP-2	44	TON	\$ 230.00	\$ 10,120.00
27.	Truncated Domes	680.20	SF	\$ 25.00	\$ 17,005.00
28.	Pavement Marking-Striping	1	LS	\$ 6,100.00	\$ 6,100.00
29.	Traffic Signage-Permanent	38	EA	\$ 200.00	\$ 7,600.00
30.	Traffic Signage- Relocate	8	EA	\$ 150.00	\$ 1,200.00
31.	Curb Inlet (5' x 2'-6")	15	EA	\$ 2,000.00	\$ 30,000.00
32.	Area Inlet (3' x 3')	1	EA	\$ 1,850.00	\$ 1,850.00
33.	Area Inlet (5' x 5')	1	EA	\$ 2,500.00	\$ 2,500.00
34.	Junction Box (3' x 3')	1	EA	\$ 1,850.00	\$ 1,850.00
35.	Junction Box (4' x 4')	3	EA	\$ 2,500.00	\$ 7,500.00
36.	Junction Box (7' x 7')	2	EA	\$ 4,200.00	\$ 8,400.00
37.	54" RCP Class III	47.60	LF	\$ 200.00	\$ 9,520.00
38.	36" RCP Class III	131	LF	\$ 95.00	\$ 12,445.00
39.	24" RCP Class III	194	LF	\$ 75.00	\$ 14,550.00
40.	18" RCP Class III Or ADS N-12 HP Storm	18.50	LF	\$ 125.00	\$ 2,312.50
41.	15" RCP Class III Or ADS N-12 HP Storm	616.50	LF	\$ 55.00	\$ 33,907.50
42.	54" RCP F.E.S	1	EA	\$ 2,500.00	\$ 2,500.00
43.	36" RCP F.E.S.	2	EA	\$ 1,200.00	\$ 2,400.00
44.	18" RCP F.E.S.	1	EA	\$ 500.00	\$ 500.00
45.	15" RCP F.E.S.	2	EA	\$ 450.00	\$ 900.00
46.	Type II Rock Blanket	1,341.48	SY	\$ 25.00	\$ 33,537.00
47.	Permanent Erosion Control Geotextile	1,341.48	SY	\$ 2.00	\$ 2,682.96
48.	Reinforced Concrete Box Culvert-West End	1	LS	\$235,000.00	\$ 235,000.00
49.	Reinforced Concrete Box Culvert-Walnut	1	LS	\$170,000.00	\$ 170,000.00
50.	Segmental Block Retaining Wall	2,500	SF	\$ 28.00	\$ 70,000.00
51.	Stairwell "A" w/Concrete Retaining Walls	1	LS	\$ 7,500.00	\$ 7,500.00
52.	Stairwell "B" w/Concrete Retaining Walls	1	LS	\$ 7,500.00	\$ 7,500.00

Engineer's Final Report
Walnut/West End Blvd.
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53.	Mailbox Relocation	7	EA	\$ 150.00	\$ 1,050.00
54.	Adjust Water Meter Pit	1	EA	\$ 175.00	\$ 175.00
55.	Adjust Water Valve Box	14	EA	\$ 175.00	\$ 2,450.00
56.	Adjust Junction Manhole Rim	2	EA	\$ 750.00	\$ 1,500.00
57.	Adjust Sanitary Sewer Manhole Rim	2	EA	\$ 750.00	\$ 1,500.00
58.	Adjust Gas Valve Box	4	EA	\$ 150.00	\$ 600.00
59.	Relocate Yard Light	1	EA	\$ 1,365.00	\$ 1,365.00
60.	Grout & Abandon 24" RCP	62	LF	\$ 27.00	\$ 1,674.00
61.	Street Lighting	1	LS	\$ 30,520.00	\$ 30,520.00
62.	Chain-Link Fence (48 in.)	249	LF	\$ 30.00	\$ 7,470.00
63.	Crusher Run (with fabric)	1,109.96	TON	\$ 15.00	\$ 16,649.40
64.	Curb/Gutter	80.70	LF	\$ 35.00	\$ 2,824.50
65.	Shawnee Sidewalk	1	LS	\$ 5,428.63	\$ 5,428.63
66.	Segmental Block Wall (Arena Parking)	1,041	SF	\$ 28.00	\$ 29,148.00
67.	Driveway at 826 West End Boulevard	1	LS	\$ 3,331.05	\$ 3,331.05
68.	Items to Finish Arena Parking Lot Wall	1	LS	\$ 5,805.00	\$ 5,805.00

TOTAL CONSTRUCTION CONTRACT ITEMS **\$2,027,180.77**

LESS PREVIOUS PAYMENTS \$1,779,579.49

AMOUNT DUE THE CONTRACTOR \$ 247,601.28

CONSULTANT FEES \$ 141,983.87

DESIGN ENGINEERING COSTS \$ 27,959.10

CONSTRUCTION ENGINEERING/INSPECTION COSTS \$ 76,864.38

OTHER COSTS \$ 4,254.27

ACQUISITION COSTS \$ 189,685.22

TOTAL PROJECT COSTS **\$2,467,957.61**

Resolution No. 2601 passed on April 4, 2011, authorized the City Manager to enter into an agreement with Bowen Engineering and Surveying. A Notice to Proceed was given to Bowen Engineering on August 21, 2012. Originally the project was to be bid out as two separate projects.

West End Boulevard Task Order #1 was for the topographic survey and civil engineering of the site. Task Order #2 was for the final design of the project. Task Order #3 eliminated the segmental wall on the west side of the project. This work required additional survey field work, redesign of the box culvert extension, and additions/revisions to the storm sewer. It also included the updating of the grading plans, cross sections, and quantities.

Walnut Street Task Order #1 was for the conceptual and schematic design of the project. Task Order #2 ordered the final design. Task Order #3 added a waterline extension from West End Boulevard to Beaudean Lane. In January 2014, the two projects were combined into one and this work comprised Task Order #4.

On January 27, 2015, bids were received for this project. Five (5) bids were received with a total cost ranging from \$2,292,480.00 to \$1,963,393.00. The Engineer's Cost Estimate was \$1,904,165.00. The low bid of \$1,963,393.00 was submitted by Fronabarger Concreters, Inc. On February 2, 2015, the City Manager, by Resolution 2871, authorized a contract with Fronabarger Concreters, Inc., for the Walnut Street and West End Boulevard Improvements.

Transportation Trust Fund IV provided the monies for the costs associated with this project.

Sincerely,



Casey Brunke, P. E.
City Engineer

CB/kj

Walnut Street/West End Boulevard

Project Reference Code 1737025-71160-P1017
Purchase Order No. 152254

Staff: Casey Brunke P.E., City Engineer
Agenda: 11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-255

SUBJECT

Acceptance of public improvements to serve Redhawk Commons Phase 2.

BACKGROUND/DISCUSSION

BWE Holdings LLC extended sanitary sewer, water, storm sewer, parking lots, and sidewalk infrastructure to serve Redhawk Commons Phase 2. Sidewalks along Old Sprigg Street have been escrowed and will be publicly maintained once constructed. Internal sidewalks for the development will be privately maintained.

Sanitary Sewer

333 LF of 6 inch PVC Sanitary Sewer Main
128 LF of 8 inch PVC Sanitary Sewer Main
1 - 4 ft diameter Sanitary Sewer Manhole
4 - 8" X 6" Wyes

Water

223 LF of 8 inch PVC Water Main
1 - 8 inch Gate Valve
1 - Fire Hydrant Assembly

Sidewalk

805 SY of 4 inch P.C.C. Sidewalk

Pavement

1354 SY of 6 inch P.C.C. Pavement for Parking Stalls
1231 SY of 7 inch P.C.C. Pavement for Driving Lanes

The improvements are complete and ready to be accepted into the City's system. These improvements were inspected by City Staff and were completed generally in accordance with the approved plans.

STAFF RECOMMENDATION

Staff recommends the Council accept, by motion, the public improvements to serve Redhawk Commons Phase 2 into the City's System.

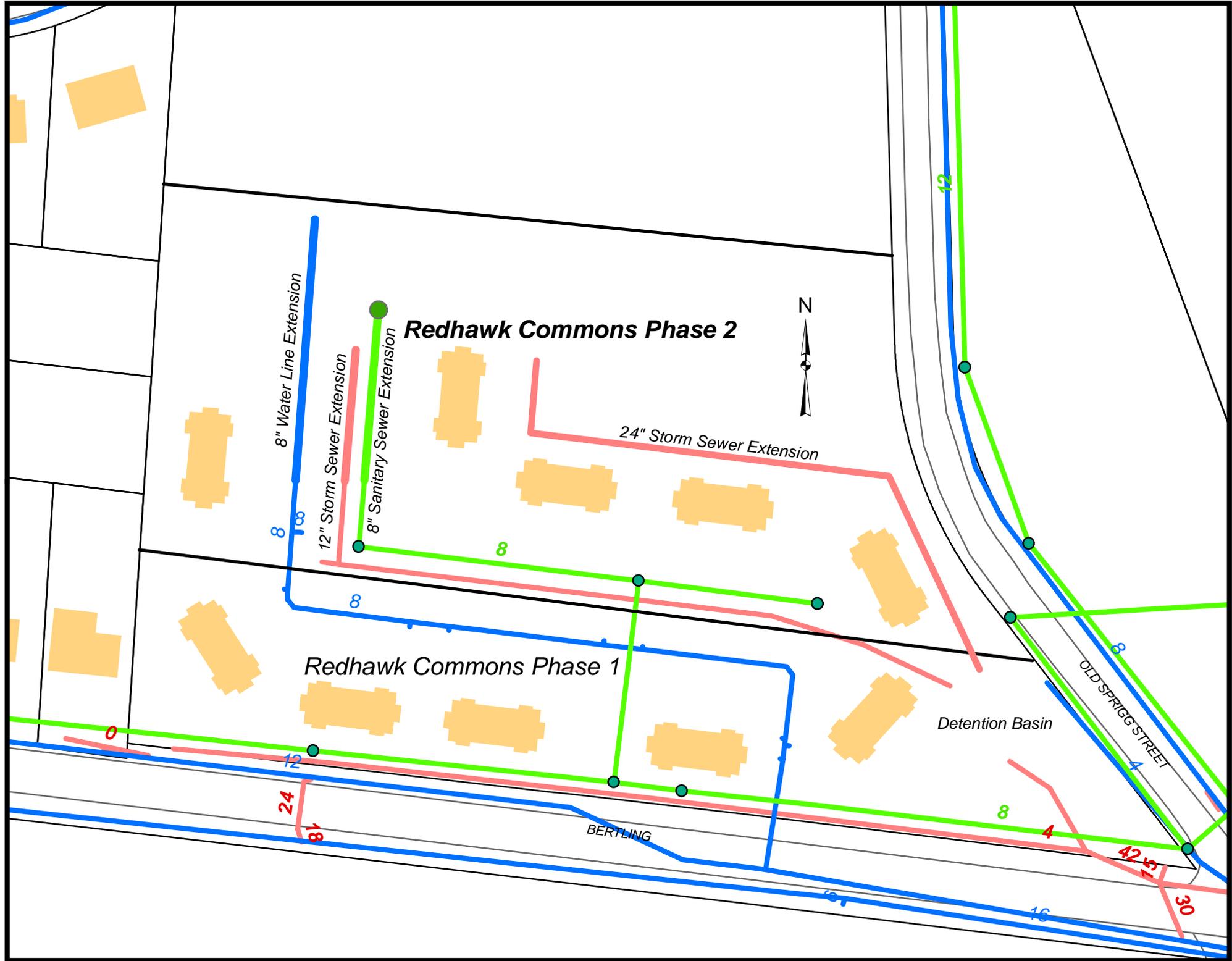
ATTACHMENTS:

Name:

[Redhawk Commons Phase 2.pdf](#)

Description:

Redhawk Commons Phase 2 Map



Redhawk Commons Phase 2

Redhawk Commons Phase 1

8" Water Line Extension

12" Storm Sewer Extension

8" Sanitary Sewer Extension

24" Storm Sewer Extension

Detention Basin

BERTLING

OLD SPRIGG STREET



Staff: Casey Brunke P.E., City Engineer
Agenda: 11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-256

SUBJECT

Acceptance of public improvements to serve Baldwin Village.

BACKGROUND/DISCUSSION

Nathan Lorenz of N & J Holdings, LLC extended sanitary sewer, water, storm sewer, and street infrastructure to serve Baldwin Village.

Water

1,501 LF of 8 inch PVC Water Main
4 - 8 inch Gate Valves
4 - 8"x8"x8" Tees
2 - Dead End Flush Devices
3 - Fire Hydrant Assemblies

Storm Sewer

802.6 LF of 15 inch RCP
138 LF of 18 inch RCP
19 LF of 24 inch RCP
1 - 15 inch Flared End Section
1 - 24 inch Flared End Section
1 - Junction Manhole
3 - Curb Inlets
3 - Area Inlets

Paving

3,592 SY of 7 inch Concrete Pavement and Curb
1,345 SY of 4 inch Concrete Sidewalk
6 - ADA Sidewalk Ramps

The improvements are complete and ready to be accepted into the City's system. These improvements were inspected by City Staff and were completed generally in accordance with the approved plans.

STAFF RECOMMENDATION

Staff recommends the Council accept, by motion, the public improvements to serve Baldwin Village into the City's System.

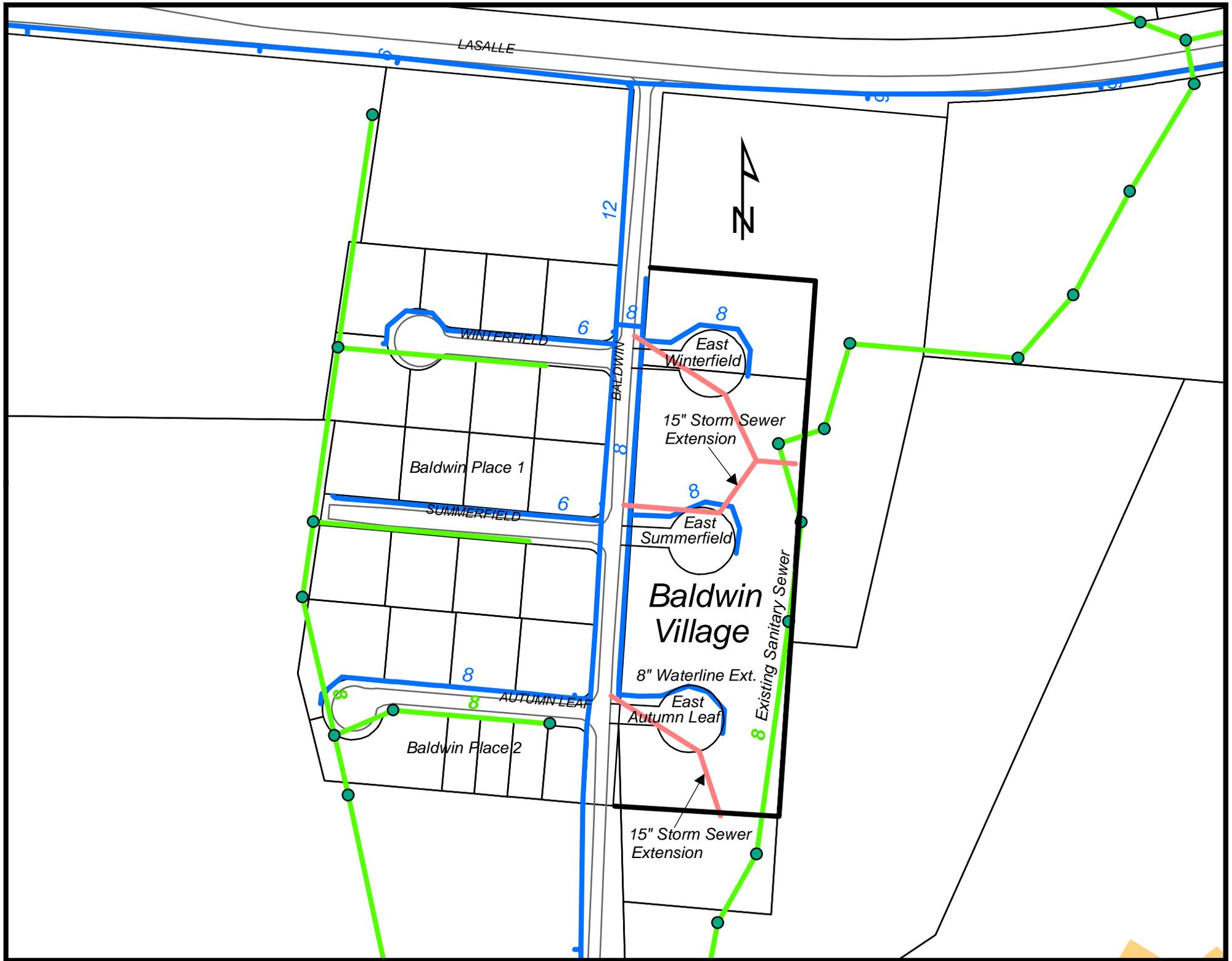
ATTACHMENTS:

Name:

[Baldwin_Village.pdf](#)

Description:

Location Map



Staff: Casey Brunke P.E., City Engineer
Agenda: 11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-257

SUBJECT

Acceptance of public improvements to serve Williamsburg Phase 3.

BACKGROUND/DISCUSSION

Brandon O. Williams Development LLC extended sanitary sewer, water, storm sewer, and street infrastructure to serve Williamsburg Phase 3.

Sanitary Sewer

784 LF of 8 inch PVC Sanitary Sewer Main
169 LF of 4 inch PVC Sanitary Sewer Main
5 - 4 ft diameter Sanitary Sewer Manholes
13 - 8" x 4" Sewer Wyes

Water

437 LF of 8 inch PVC Water Main
1 Fire Hydrant Assembly
1 - 8 inch Gate Valves

Storm Sewer

634 LF of 15 inch diameter RCP
15 LF of 24 inch diameter RCP
1 - 24 inch diameter Flared End Section
3 - 5 ft x 5 ft Junction Manhole
3 - Junction Structures
3 - Catch Basins
3 - Curb Inlets

Paving

1013 LF Concrete Curb
506.5 LF Extension of Williamsburg Drive

Lighting

1 - Street Light

The improvements are complete and ready to be accepted into the City's system. These improvements were inspected by City Staff and were completed generally in accordance with the approved plans.

STAFF RECOMMENDATION

Staff recommends the Council accept, by motion, the public improvements to serve Williamsburg Phase 3 into the City's System.

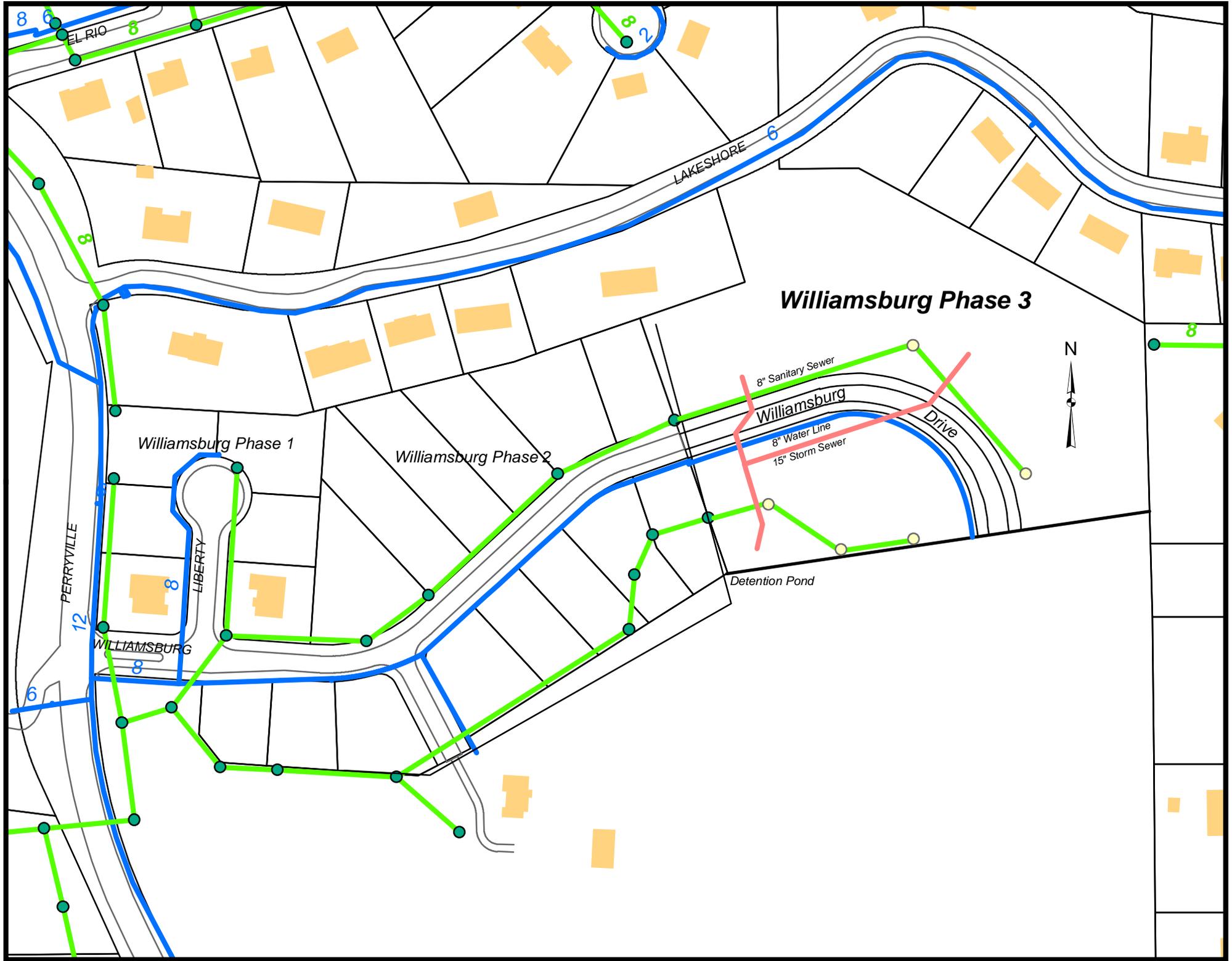
ATTACHMENTS:

Name:

[Williamsburg Phase 3.pdf](#)

Description:

Williamsburg Phase 3 Improvements Map



Williamsburg Phase 3



Williamsburg Phase 1

Williamsburg Phase 2

8" Sanitary Sewer

8" Water Line

15" Storm Sewer

Detention Pond

Williamsburg Drive

8
6
EL RIO

8
2

LAKESHORE 6

8

8

LIBERTY

WILLIAMSBURG

PERRYVILLE

12

6

8

8

Staff: Casey Brunke P.E., City Engineer
Agenda: 11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-258

SUBJECT

An Ordinance to establish a stop sign on Hazel Street in the City of Cape Girardeau, Missouri by amending Traffic Schedule C of the City Code.

BACKGROUND/DISCUSSION

City staff became aware a Stop Sign is not present at the Hazel Street and Themis Street intersection. A Stop Sign should be installed to delineate traffic right-of-way at this intersection.

FINANCIAL IMPACT

Establishing the stop sign will require no direct funding. Public Works crews will install the stop sign.

STAFF RECOMMENDATION

Staff Recommends the City Council amend Schedule C of the Traffic Ordinance as stated in the summary attachment as it relates to Hazel Street.

ATTACHMENTS:

Name:

- [Hazel Street New Stop Sign.doc](#)
- [Hazel and Themis Stop Sign.pdf](#)
- [Hazel and Themis Stop Sign Ord Info.doc](#)

Description:

Ordinance
Location Map
Ord Info

BILL NO. 16-190

ORDINANCE NO. _____

AN ORDINANCE AMENDING SCHEDULE C OF SECTION
26-121 OF THE CODE OF ORDINANCES OF THE CITY
OF CAPE GIRARDEAU, MISSOURI, BY ESTABLISHING
A STOP SIGN ON HAZEL STREET

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

ARTICLE 1. Schedule C of Section 26-121 of the Code of
Ordinances of the City of Cape Girardeau, Missouri, is hereby
amended by establishing a stop sign, in the City of Cape
Girardeau, Missouri, at the following location:

Hazel Street, at Themis Street, facing south.

ARTICLE 2. This ordinance shall be in full force and
effect ten days after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

Harry E. Rediger, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk

City of Cape Girardeau

Traffic Schedule C

Proposed Stop Sign

Hazel Street at Themis Street



Hazel and Themis Ordinance Info

Schedule C – Stop Signs

NEW

Hazel Street at Themis Street, facing south

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-259

SUBJECT

An Ordinance approving the record plat of Williamsburg Phase 3.

EXECUTIVE SUMMARY

The attached ordinance approves the record plat of Williamsburg Phase 3. The plat has been held pending completion of the public improvements and execution of the escrow agreement for the sidewalks. A motion accepting the public improvements and a resolution authorizing execution of the escrow agreement are on this agenda as separate items.

BACKGROUND/DISCUSSION

A record plat has been submitted for Williamsburg Phase 3, located east of Perryville Road and south of Lakeshore Drive. The subdivision is zoned R-1 (Single-Family Suburban Residential). The plat consists of ten (10) single-family residential lots and dedicated right-of-way for one public street (Williamsburg Drive). The required minimum 10 foot wide utility easement is shown adjacent to the front and rear lot lines of each lot. Lots 22, 24, 25, 26, 29 and 30 each contain a building setback line that follows an easement line. In these areas, the building setback is greater than the standard setback for the R-1 district. Despite the greater setbacks, these lots contain sufficient buildable area. The utility and drainage easement on Lots 29 and 30 is to accommodate a sanitary sewer main and a stormwater detention basin. The plat has been held pending completion of the public improvements and execution of the escrow agreement for the sidewalks. A motion accepting the public improvements and a resolution authorizing execution of the escrow agreement are on this agenda as separate items.

STAFF RECOMMENDATION

The staff report to the Planning and Zoning Commission recommended approval of the record plat.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its August 12, 2015 meeting, recommended approval of the record plat with a vote of 8 in favor, 0 in opposition, and 0 abstaining.

ATTACHMENTS:

Name:

- [Williamsburg Phase 3.doc](#)
- [Staff Review-Referral-Action Form.pdf](#)
- [Map - Williamsburg Phase 3.pdf](#)
- [Application - Williamsburg Phase 3 Record Plat.pdf](#)
- [Williamsburg Phase 3 Record Plat.pdf](#)

Description:

- Ordinance
- Williamsburg Phase 3 - Staff RRA Form
- Williamsburg Phase 3 - Map
- Williamsburg Phase 3 - Application
- Williamsburg Phase 3 - Record Plat

BILL NO. 16-191

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECORD PLAT OF
WILLIAMSBURG PHASE 3

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

ARTICLE 1. The record plat of Williamsburg Phase 3, a subdivision being part of United States Private Survey No. 2198, Township 31 North, Range 13 East of the Fifth Principal Meridian, in the City and County of Cape Girardeau, the State of Missouri, submitted by Brandon O. Williams Development, LLC, bearing the certification of Brian W. Strickland, a Registered Land Surveyor, dated October 28, 2016, is hereby approved.

ARTICLE 2. The City Clerk is hereby directed to sign the record plat with the date of Council approval and affix thereto the seal of the City of Cape Girardeau, Missouri.

ARTICLE 3. This ordinance shall be in full force and effect ten days after its passage and approval.

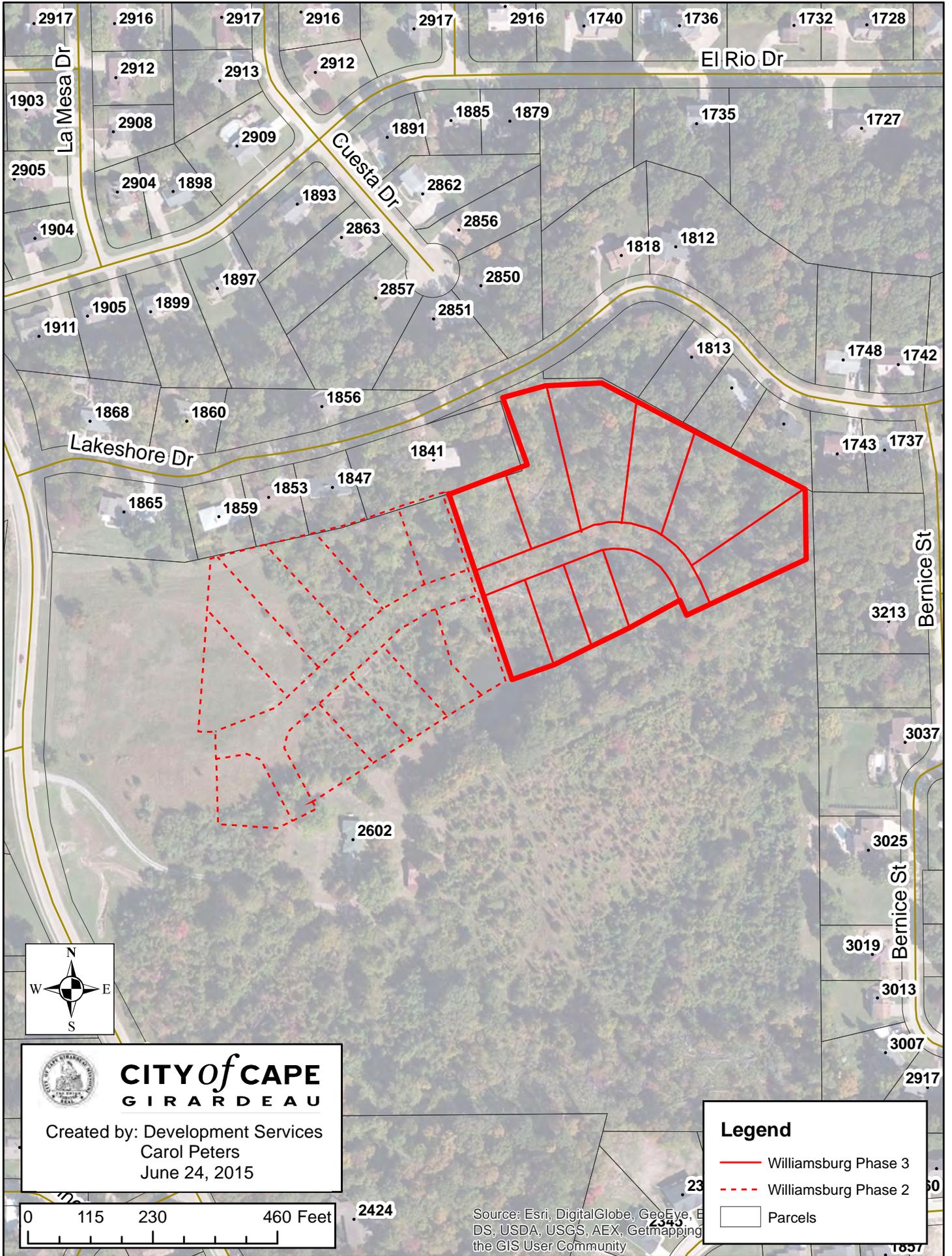
PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

Harry E. Rediger, Mayor

ATTEST:

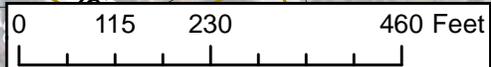
Bruce Taylor, Deputy City Clerk

Williamsburg Phase 3 Subdivision



**CITY of CAPE
GIRARDEAU**

Created by: Development Services
Carol Peters
June 24, 2015



Legend

- Williamsburg Phase 3
- - - Williamsburg Phase 2
- Parcels

Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AEX, Getmapping, the GIS User Community



SUBDIVISION PLAT APPLICATION
CITY of CAPE GIRARDEAU

DEVELOPMENT SERVICES DEPARTMENT, 401 INDEPENDENCE ST, CAPE GIRARDEAU, MO 63703 (573) 339-6327

Name of Subdivision Williamsburg Phase 3		Type of Plat (Preliminary, Record, Boundary Adjustment) Record Plat	
Applicant Brandon O. Williams Development, LLC.		Property Owner of Record (if other than Applicant)	
Mailing Address 2985 Boutin Drive	City, State, Zip Cape Girardeau, MO	Mailing Address	City, State, Zip
Telephone 573-335-3382	Email bowconstruction@aol.com	Telephone	Email
Contact Person (If Applicant is a Business or Organization) Brandon Williams		<i>(Attach additional owners information if necessary)</i>	
Professional Engineer / Surveyor Brian Strickland		Developer Brandon O. Williams Development, LLC.	
Mailing Address 113 W. Main, Suite 1	City, State, Zip Jackson, MO 63755	Mailing Address 2985 Boutin Drive	City, State, Zip Cape Girardeau, MO 63701
Telephone 573-243-4080	Email bstrick@stricklandengineering.com	Telephone 573-335-3382	Email

**ADDITIONAL ITEMS
REQUIRED**

- In addition to this application, the following items must be submitted:
- Review Fee (payable to City of Cape Girardeau)
 - Single-Family and Two-Family Residential \$18.00 per lot (\$90.00 minimum)
 - Multi-Family Residential \$18.00 per dwelling unit (\$90.00 minimum)
 - Non-Residential \$18.00 per acre (\$90.00 minimum)
 - Recording Fee Deposit (payable to City of Cape Girardeau – Record Plat or Boundary Adjustment only)
 - 18" x 24" sheet size \$44.00
 - 24" x 36" sheet size \$69.00
 - (The City reserves the right to issue a partial refund or collect an additional fee if the actual recording cost differs from the deposit amount)*
 - Three (3) full size copies of the plat (Preliminary Plat or Boundary Adjustment only)
 - Four (4) full size copies of the plat (Record Plat only)
 - One (1) reduced size (8-1/2" x 11") copy of the plat

CERTIFICATION

I certify that I am the Property Owner of Record, or an Agent authorized by the Property Owner to file this application on their behalf. I understand and acknowledge that any public improvements depicted on the plat shall be completed, or an escrow agreement executed, prior to City Council's acceptance of the record plat.

Brandon Williams
Applicant Signature

6-22-15
Date

OFFICE USE ONLY			
Date Received	<u>6-22-15</u>	By	<u>AY</u>
Planning & Zoning Commission Recommendation	_____	Date	_____
City Council Final Action	_____	Date	_____

VICINITY MAP



SITE

RECORD PLAT FOR WILLIAMSBURG PHASE 3

PART OF UNITED STATES PRIVATE SURVEY NO. 2198, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY AND COUNTY OF CAPE GIRARDEAU, THE STATE OF MISSOURI

SUBDIVISION DEDICATION
 BRANDON O. WILLIAMS DEVELOPMENT, LLC, THE OWNER OF PART OF UNITED STATES PRIVATE SURVEY NUMBER 2198, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF CAPE GIRARDEAU, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT AN AXLE AT THE NORTHWEST CORNER OF LOT 80 OF ARBOR HEIGHTS FIFTH ADDITION AS RECORDED IN PLAT BOOK 24 ON PAGE 43; THENCE NORTH 89 DEGREES 12 MINUTES 40 SECONDS WEST 790.05 FEET TO THE EAST LINE OF PERRYVILLE ROAD; THENCE ALONG SAID EAST LINE NORTH 26 DEGREES 43 MINUTES 03 SECONDS WEST 388.78 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 770.00 FEET, CHORD BEARING NORTH 13 DEGREES 42 MINUTES 08 SECONDS WEST 349.82 FEET TO THE SOUTH LINE OF WILLIAMSBURG DRIVE; THENCE ALONG SAID LINE SOUTH 86 DEGREES 13 MINUTES 04 SECONDS EAST 146.43 FEET TO THE NORTHWEST CORNER OF LOT 7 OF WILLIAMSBURG PHASE 1; THENCE LEAVING SAID LINE SOUTH 03 DEGREES 46 MINUTES 56 SECONDS WEST 72.62 FEET; THENCE SOUTH 38 DEGREES 42 MINUTES 45 SECONDS EAST 49.01 FEET; THENCE SOUTH 86 DEGREES 13 MINUTES 04 SECONDS EAST 268.26 FEET; THENCE NORTH 62 DEGREES 31 MINUTES 49 SECONDS EAST 80.19 FEET; THENCE NORTH 27 DEGREES 28 MINUTES 24 SECONDS WEST 14.19 FEET; THENCE NORTH 57 DEGREES 35 MINUTES 30 SECONDS EAST 421.74 FEET TO THE SOUTHEAST CORNER OF LOT 14 OF WILLIAMSBURG PHASE 2 FOR THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 18 DEGREES 59 MINUTES 54 SECONDS WEST 365.85 FEET TO THE SOUTH LINE OF LAKEVIEW ESTATES SUBDIVISION NUMBER 1; THENCE ALONG SAID SOUTH LINE NORTH 71 DEGREES 00 MINUTES 06 SECONDS EAST 160.00 FEET TO THE SOUTHEAST CORNER OF LAKEVIEW ESTATES SUBDIVISION NUMBER 1; THENCE ALONG THE EAST LINE OF LAKEVIEW ESTATES SUBDIVISION NUMBER 1 NORTH 19 DEGREES 52 MINUTES 53 SECONDS WEST 133.15 FEET; THENCE LEAVING SAID EAST LINE, NORTH 76 DEGREES 14 MINUTES 05 SECONDS EAST 85.36 FEET TO THE SOUTH LINE OF LAKEVIEW ESTATES SUBDIVISION FIFTH ADDITION; THENCE ALONG SAID SOUTH LINE NORTH 88 DEGREES 32 MINUTES 36 SECONDS WEST 349.82 FEET; THENCE SOUTH 62 DEGREES 27 MINUTES 24 SECONDS EAST 443.93 FEET TO THE WEST LINE OF LAKEVIEW ESTATES SUBDIVISION THIRD ADDITION; THENCE ALONG SAID WEST LINE SOUTH 00 DEGREES 39 MINUTES 21 SECONDS EAST 129.09 FEET; THENCE LEAVING SAID WEST LINE SOUTH 66 DEGREES 55 MINUTES 19 SECONDS WEST 252.68 FEET; THENCE ALONG A NONTANGENT CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET, CHORD BEARING NORTH 24 DEGREES 35 MINUTES 09 SECONDS WEST 6.65 FEET, AND AN ARC LENGTH OF 6.65 FEET; THENCE NORTH 26 DEGREES 07 MINUTES 37 SECONDS WEST 23.06 FEET; THENCE SOUTH 63 DEGREES 52 MINUTES 23 SECONDS WEST 110.86 FEET; THENCE SOUTH 65 DEGREES 58 MINUTES 21 SECONDS WEST 160.62 FEET; THENCE SOUTH 72 DEGREES 37 MINUTES 38 SECONDS WEST 85.03 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 5.336 ACRES MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS AND LICENSES AFFECTING SAME, EITHER WRITTEN OR IMPLIED.

I DECLARE THAT I HAVE CAUSED THE FOREGOING DESCRIBED TRACT OF LAND TO BE SUBDIVIDED INTO LOTS AS NUMBERED AND STREET RIGHTS OF WAY AS DESIGNATED ON THE ANNEXED PLAT AND THAT I HAVE NAMED SAID SUBDIVISION "WILLIAMSBURG PHASE 3" AND I DO HEREBY ESTABLISH PERMANENT UTILITY AND DRAINAGE EASEMENTS ACROSS CERTAIN PORTIONS OF THE AFORESAID SUBDIVISION WHICH ARE SET FORTH ON THE ANNEXED PLAT. THE RIGHTS OF WAY SHOWN HEREON ARE HEREBY DEDICATED TO THE CITY OF CAPE GIRARDEAU, MISSOURI IN PERPETUITY FOR PUBLIC PURPOSES. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED TO THE CITY OF CAPE GIRARDEAU, MISSOURI IN PERPETUITY FOR PUBLIC PURPOSES, INCLUDING THE INSTALLATION, MAINTENANCE, REPAIR, REPLACEMENT, AND EXPANSION OF CITY WATER AND SEWER SYSTEMS, AND AS MAY BE AUTHORIZED BY THE CITY OF CAPE GIRARDEAU, MISSOURI TO BE USED BY A PUBLIC OR PRIVATE UTILITY FOR PURPOSES RELATED TO THE INSTALLATION, MAINTENANCE, REPAIR, REPLACEMENT, AND EXPANSION OF SUCH UTILITY SYSTEMS.

DETAILED RESTRICTIONS FOR ALL LOTS IN "WILLIAMSBURG PHASE 3" HAVE BEEN RECORDED IN A SEPARATE INSTRUMENT IN DOCUMENT NO. 2014-06128 IN THE LAND RECORDS OF THE COUNTY RECORDERS OFFICE.

IN WITNESS WHEREOF, I HAVE CAUSED THESE PRESENTS TO BE SIGNED THIS _____ DAY OF _____ 20____

BRANDON O. WILLIAMS, OWNER
 BRANDON O. WILLIAMS DEVELOPMENT, LLC.

ON THIS _____ DAY OF _____ 20____, BEFORE ME APPEARED BRANDON O. WILLIAMS, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN DID SAY THAT HE IS THE OWNER OF BRANDON O. WILLIAMS DEVELOPMENT, LLC, A MISSOURI LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED THAT HE EXECUTED THE FOREGOING INSTRUMENT AS THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL ON THE DAY AND YEAR ABOVE WRITTEN.

STATE OF _____ COUNTY OF _____

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

I, _____, CITY CLERK OF THE CITY OF CAPE GIRARDEAU, MISSOURI HEREBY DECLARE THAT THIS PLAT WAS PRESENTED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI ON

THE _____ DAY OF _____ 20____ BY ORDINANCE NO. _____

 CITY CLERK

STATE OF MISSOURI
 COUNTY OF CAPE GIRARDEAU
 FILED FOR RECORD THIS _____ DAY OF _____ 20____ AND DULY
 RECORDED IN DOCUMENT NUMBER _____

ANDREW DAVID BLATTNER
 RECORDER OF DEEDS, CAPE GIRARDEAU COUNTY, MISSOURI

STRICKLAND ENGINEERING
 113 WEST MAIN STREET
 P.O. Box 159
 JACKSON, MISSOURI 63755
 TEL: 573-243-4080
 FAX: 573-243-2191

CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING

RECORD PLAT FOR WILLIAMSBURG PHASE 3 CAPE GIRARDEAU, MISSOURI

SCALE 1" = 40'
 DATE 8-19-15
 DRAWN BY MTM
 CHECKED BY BS
 PROJECT # 15-024

- REFERENCES**
1. DOC. NO. 2010-00222 (SUBJECT)
 2. WILLIAMSBURG PHASE 1 DOC. NO. 2014-06127
 3. WILLIAMSBURG PHASE 2 DOC. NO. 2015-08049
 4. BOOK 910, PAGE 345 (EASEMENTS TO CITY OF CAPE GIRARDEAU)
 5. BOOK 910, PAGE 342 (RIGHT-OF-WAY TO CITY OF CAPE GIRARDEAU)
 6. LAKEVIEW ESTATES 1ST ADDITION PLAT BOOK 6 PAGE 46
 7. LAKEVIEW ESTATES 3RD ADDITION PLAT BOOK 7 PAGE 3
 8. LAKEVIEW ESTATES 5TH ADDITION PLAT BOOK 7 PAGE 30
 9. LAKEVIEW ESTATES 6TH ADDITION PLAT BOOK 9 PAGE 3
 10. LAKEVIEW ESTATES 7TH ADDITION PLAT BOOK 11 PAGE 28
 11. ARBOR HEIGHTS 1ST ADDITION PLAT BOOK 21 PAGE 67
 12. ARBOR HEIGHTS 2ND ADDITION PLAT BOOK 21 PAGE 90
 13. ARBOR HEIGHTS 5TH ADDITION PLAT BOOK 24 PAGE 43
 14. SAN DANGARO 5TH PLAT BOOK 16 PAGE 61
 15. BOOK 199, PAGE 332
 16. BOOK 5, PAGE 773

ZONING CLASSIFICATION
 "R-1" SINGLE-FAMILY SUBURBAN
 RESIDENTIAL DISTRICT
 MINIMUM LOT AREA : 10,000 SQ. FT.
 MINIMUM LOT WIDTH : 80 FT.
 MAXIMUM DENSITY : 4 UNITS / ACRE

WILLIAMSBURG PHASE 3
 NO. OF LOTS = 10
 LARGEST LOT SIZE : 34,111 SQ. FT.
 SMALLEST LOT SIZE : 12,485 SQ. FT.
 TOTAL LOT AREA : 252,438.63 SQ. FT.
 PROPOSED DENSITY : 1.87 UNITS / ACRE

BUILDING SETBACKS (FOR R-1 ZONING)
 30' FRONT SETBACKS
 25' REAR SETBACKS
 6' SIDE SETBACKS

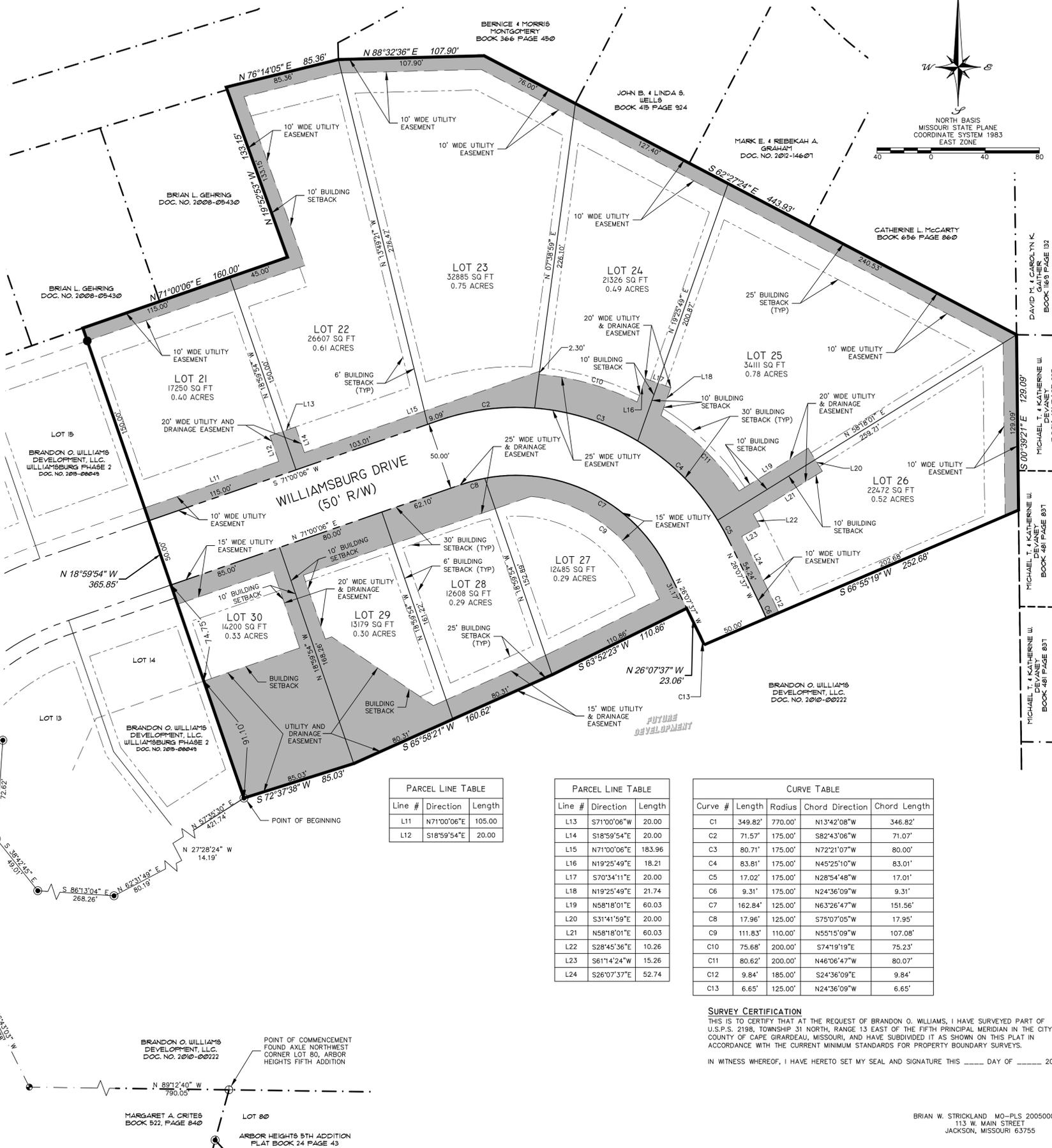
SETBACKS HAVE BEEN ADJUSTED TO ALIGN WITH EASEMENTS ON LOTS 22, 24, 25, 26, 29 AND 30

ACCURACY STANDARD: TYPE SUBURBAN

SURVEYOR'S NOTE
 1/2" IRON RODS WITH PLASTIC CAP SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.

FLOODPLAIN NOTE
 NO LOTS IN THE SUBDIVISION ARE LOCATED WITHIN A FLOOD HAZARD ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 290458 0003 B FOR THE CITY OF CAPE GIRARDEAU, MISSOURI.

- LEGEND**
1. 1/2" IRON ROD (SET)
 2. 5/8" IRON ROD W/ALUM CAP (SET)
 3. IRON ROD W/CAP (FOUND)
 4. IRON ROD (FOUND)
 5. IRON PIPE
 6. STONE
 7. COTTON PICKER SPINDLE
 8. CHISELED CROSS
 9. AXLE
 10. ALUMINUM MONUMENT
 11. RIGHT-OF-WAY MARKER
 12. (M) MEASURED
 13. (R) RECORDED
- PROPERTY BOUNDARY LINE
 - - - RIGHT-OF-WAY LINE
 - - - EASEMENT LINE
 - - - BUILDING SETBACK LINE
 - - - EASEMENT AREA



PARCEL LINE TABLE

Line #	Direction	Length
L11	N71°00'06"E	105.00
L12	S18°59'54"E	20.00

PARCEL LINE TABLE

Line #	Direction	Length
L13	S71°00'06"W	20.00
L14	S18°59'54"E	20.00
L15	N71°00'06"E	183.96
L16	N19°25'49"E	18.21
L17	S70°34'11"E	20.00
L18	N19°25'49"E	21.74
L19	N58°18'01"E	60.03
L20	S31°41'59"E	20.00
L21	N58°18'01"E	60.03
L22	S28°45'36"E	10.26
L23	S61°14'24"W	15.26
L24	S26°07'37"E	52.74

CURVE TABLE

Curve #	Length	Radius	Chord Direction	Chord Length
C1	349.82'	770.00'	N13°42'08"W	346.82'
C2	71.57'	175.00'	S82°43'06"W	71.07'
C3	80.71'	175.00'	N72°21'07"W	80.00'
C4	83.81'	175.00'	N45°25'10"W	83.01'
C5	17.02'	175.00'	N28°54'48"W	17.01'
C6	9.31'	175.00'	N24°36'09"W	9.31'
C7	162.84'	125.00'	N63°26'47"W	151.56'
C8	17.96'	125.00'	S75°07'05"W	17.95'
C9	111.83'	110.00'	N55°15'09"W	107.08'
C10	75.68'	200.00'	S74°19'19"E	75.23'
C11	80.62'	200.00'	N46°06'47"W	80.07'
C12	9.84'	185.00'	S24°36'09"E	9.84'
C13	6.65'	125.00'	N24°36'09"W	6.65'

SURVEY CERTIFICATION
 THIS IS TO CERTIFY THAT AT THE REQUEST OF BRANDON O. WILLIAMS, I HAVE SURVEYED PART OF U.S.P.S. 2198, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, AND HAVE SUBDIVIDED IT AS SHOWN ON THIS PLAT IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

IN WITNESS WHEREOF, I HAVE HERETO SET MY SEAL AND SIGNATURE THIS _____ DAY OF _____ 20____

BRIAN W. STRICKLAND MO-PLS 2005000069
 113 W. MAIN STREET
 JACKSON, MISSOURI 63755

Staff: Bruce W. Loy, Airport Manager
Agenda: 11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-260

SUBJECT

An Ordinance authorizing the City Manager to execute Amendment #1 to the State Block Grant Agreement, Project #14-077A-2, with the Missouri Highways and Transportation Commission to acquire an Aircraft Rescue and Fire Fighting (ARFF) vehicle for the Cape Girardeau Regional Airport.

EXECUTIVE SUMMARY

On June 1, 2015, the City Council approved a State Block Grant Agreement, Project #14-077A-2, with the Missouri Highways and Transportation Commission to fund the design phase for construction of an Aircraft Rescue and Fire Fighting (ARFF) vehicle for the Cape Girardeau Regional Airport. The Council approved the \$11,296 State Block Grant Agreement to fund 90% of the \$12,552 cost for Design Phase Services of this proposed new equipment.

The attached agreement is Amendment #1 to the State Block Grant Agreement, Project #14-077A-2, to acquire an ARFF vehicle. The grant amount of the Amendment #1 is for \$300,385.00, which is approximately 92.43% of the total cost, as bid by the sole bidder, Rosenbauer America, for an amount \$324,967.00. The remaining \$24,582.00, or approximately 7.56%, is the City's share of the remaining grant expense for the ARFF vehicle.

BACKGROUND/DISCUSSION

The current ARFF truck (AP-2) used for first response, aircraft rescue and fire fighting coverage at the Cape Girardeau Regional Airport is over twenty (20) years old. The Federal Aviation Administration (FAA) has mandated that the City replace the current ARFF truck with a new vehicle as soon as possible, in an effort that the City continue to be in compliance with FAR Part 139. On January 20, 2015, the City of Cape Girardeau approved an agreement with Crawford, Murphy, and Tilley, Inc. (CMT) to provide the design phase services for the acquisition of an Aircraft Rescue Fire Fighting (ARFF) vehicle for the Cape Girardeau Regional Airport. Those design phase services expense of \$12,552 were funded 90% with State Block Grant Agreement, Project #14-007A-2, in the amount of \$11,296.00, with a 10% City share of \$1,256.00.

The design phase services were completed and the ARFF truck bids were opened July 19, 2016, with Rosenbauer America providing the sole bidder at \$324,967.00 to manufacture a Rosenbauer Airwolf Class II ARFF Truck pursuant to design specifications. The Missouri Department of Transportation, Aviation Division, has agreed to fund the cost of the ARFF vehicle, with the attached Amendment #1 to the State Block Agreement, Project #14-077A-2, a combination of 90% and 95% for the expense for this ARFF truck, in an amount equal to \$300,385, with the City funding approximately 7.56%, or \$24,582. The combination of the 90% and 95% grant percentage is due to the City of Cape Girardeau being determined as a distressed economic area in the middle of this grant process. As a result MoDOT is providing us 90% funding on \$161,296.00 of the cost and 95% funding on \$159,885.00 of the cost.

Rosenbauer has 365 days to fulfill their contract obligations and deliver the truck.

FINANCIAL IMPACT

The impact of this Amendment #1 State Block Grant Agreement is summarized below:

FAA/MoDOT City Share TOTAL

Design Phase performed by CMT:	\$ 11,296.00	\$ 1,256.00	\$ 12,552.00
Rosenbauer Airwolf ARFF truck:	<u>\$300,385.00</u>	<u>\$24,582.00</u>	<u>\$324,967.00</u>
Total Grant Expense:	\$311,681.00	\$25,238.00	\$336,519.00

(NOTE: These numbers do not include \$20,140.00 in City expenses for optional equipment not eligible for grant funding from the State or the FAA.)

STAFF RECOMMENDATION

It is recommended the City Council approve an ordinance allowing the City Manager to execute the attached Amendment #1 to State Block Grant Agreement, Project #14-077A-2, with the Missouri Highways and Transportation Commission, in the amount of \$300,385.00, with a local match of \$24,582.00, to fund the acquisition of a Rosenbauer Airwolf Class II ARFF Truck to be used for coverage at the Cape Girardeau Regional Airport in the City of Cape Girardeau, Missouri.

ATTACHMENTS:

Name:	Description:
<input type="checkbox"/> MODOT Block Grant Air-Fire Vehicle.doc	Ordinance
<input type="checkbox"/> Amend 1 to SBGA City of Cape Girardeau 14-077A-2.doc	Amendment #1 to SBGA Project #14-077A-2, funding for ARFF Truck

BILL NO. 16-193

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT #1 TO THE STATE BLOCK GRANT AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR AN AIRCRAFT RESCUE AND FIRE-FIGHTING VEHICLE FOR THE CAPE GIRARDEAU REGIONAL AIRPORT

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

Article 1. The City Manager is hereby authorized and directed to execute, on behalf of the City, Amendment #1 to the State Block Grant Agreement between the City of Cape Girardeau and the Missouri Highways and Transportation Commission for the acquisition of an aircraft rescue and fire-fighting vehicle at the Cape Girardeau Regional Airport, Project #14-077A-2, and the City Clerk is hereby authorized and directed to attest to said document and to affix the seal of the City thereto. The Agreement shall be in substantially the form attached hereto as Exhibit A, which document is hereby approved by the City Council, with such changes therein as shall be approved by the officers of the City executing the same.

Article 2. This Ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS _____ day of _____, 2016.

Harry E. Rediger, Mayor

(SEAL)

ATTEST:

Bruce Taylor, Deputy City Clerk

CCO Form: AC10-A
Approved: 05/94 (MLH)
Revised: 01/15 (MWH)
Modified:

Sponsor: City of Cape Girardeau
Project No. 14-077A-2

CFDA Number: CFDA #20.106
CFDA Title: Airport Improvement Program
Federal Agency: Federal Aviation Administration, Department of Transportation

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
AMENDMENT TO STATE BLOCK GRANT AGREEMENT**

AMENDMENT #1

THIS AGREEMENT AMENDMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Cape Girardeau (hereinafter, "Sponsor").

WITNESSETH:

WHEREAS, the parties entered into an Agreement executed by the parties on June 10, 2015, (hereinafter, "Original Agreement") under which the Commission granted the sum not to exceed Eleven Thousand Two Hundred Ninety-Six Dollars (\$11,296) to the Sponsor to assist with Acquire Air Rescue Fire Fighting (ARFF) Vehicle.

WHEREAS, the Commission previously approved funds for Acquire Air Rescue Fire Fighting (ARFF) Vehicle; and

WHEREAS, the level of funding originally approved is not sufficient to cover the costs associated with Acquire Air Rescue Fire Fighting (ARFF) Vehicle.

WHEREAS, the Commission has sufficient funds to increase the grant amount for Acquire Air Rescue Fire Fighting (ARFF) Vehicle.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) **ADDITIONAL GRANT:** The Commission grants to the Sponsor an additional sum not to exceed Three Hundred Thousand Three Hundred Eighty-Five Dollars (\$300,385) for Acquire Air Rescue Fire Fighting (ARFF) Vehicle subject to the following conditions:

(A) The Sponsor shall provide matching funds of not less than Twenty-Four Thousand Five Hundred Eighty-Two Dollars (\$24,582) toward the project in addition to those previously committed by the Sponsor in the Original Agreement.

(B) The project will be carried out in accordance with the assurances (Exhibit 1) given by the Sponsor to the Commission as specified in the Original Agreement.

(C) This Amendment shall expire and the Commission shall not be obligated to pay any part of the costs of the project unless this grant amendment has been executed by the Sponsor on or before December 15, 2016, or such subsequent date as may be prescribed in writing by the Commission.

(D) Based upon the revised project schedule, the original project time period of November 1, 2016, will be extended to May 1, 2018, to allow for completion of the work. Paragraph (2) of the Original Agreement is hereby amended accordingly.

(E) All other terms and conditions of the Original Agreement entered into between the parties shall remain in full force and effect.

(2) ADDITIONAL PROVISIONS: The following provisions are also applicable:

(A) Trafficking in Persons:

1. The prohibitions against trafficking in persons (hereinafter, "Prohibitions") apply to any entity other than a State, local government, Indian tribe, or foreign public entity. This includes private Sponsors, public Sponsor employees, subrecipients of private or public Sponsors, and individuals covered by third party contracts. Prohibitions include:

a. Engaging in severe forms of trafficking in persons during the period of time that the agreement is in effect;

b. Procuring a commercial sex act during the period of time that the agreement is in effect; or

c. Using forced labor in the performance of the agreement, including subcontracts or subagreements under the agreement.

2. In addition to all other remedies for noncompliance that are available to the Federal Aviation Administration (hereinafter, "FAA"), Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. 7104(g)), allows the FAA to unilaterally terminate this agreement, without penalty, if a private entity:

a. Is determined to have violated the Prohibitions; or

b. Has an employee who the FAA determines has violated the Prohibitions through conduct that is either:

i. Associated with performance under this agreement; or

ii. Imputed to the Sponsor or subrecipient using 2 CFR Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by the FAA at 49 CFR Part 29.

(B) Suspension and Debarment: Sponsors entering into "covered transactions", as defined by 2 CFR § 180.200, must:

1. Verify the non-federal entity is eligible to participate in this Federal program by:

a. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if non-federal entity is excluded or disqualified; or

b. Collecting a certification statement from the non-federal entity attesting they are not excluded or disqualified from participating; or

c. Adding a clause or condition to covered transactions attesting individual or firm are not excluded or disqualified from participating; and

2. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions (e.g. subcontracts).

(C) System for Award Management Registration and Universal Identifier:

1. Requirement for System for Award Management (hereinafter, "SAM"): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the SAM until the Commission submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Commission review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).

2. Requirement for Data Universal Numbering System (hereinafter, "DUNS") Numbers:

a. The Sponsor that it cannot receive a subgrant unless it has provided its DUNS number to the Commission.

b. The Commission may not make a subgrant to the Sponsor unless it has provided its DUNS number to the Commission.

c. Data Universal Numbering System: DUNS number

means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D & B) to uniquely identify business entities. A DUNS number may be obtained from D & B

by telephone (currently 866-608-8220) or on the web (currently at <http://fedgov/dnb/com/webform>).

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below:

Executed by the Sponsor this ___ day of _____, 20__.

Executed by the Commission this ___ day of _____, 20__.

**MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION**

CITY OF CAPE GIRARDEAU

By _____

Title _____

Title _____

Secretary to the Commission

By _____

Title _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title _____

Ordinance No. _____
(if applicable)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as attorney for the Sponsor do hereby certify that in my opinion the Sponsor is empowered to enter into the foregoing grant Agreement under the laws of the State of Missouri. Further, I have examined the foregoing grant Agreement and the actions taken by said Sponsor and Sponsor's official representative have been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said state and the Airport and Airway Improvement Act of 1982, as amended. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said grant constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

CITY OF CAPE GIRARDEAU

Name of Sponsor's Attorney (typed)

Signature of Sponsor's Attorney

Date _____

Staff: Bruce W. Loy, Airport Manager
Agenda: 11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-261

SUBJECT

An ordinance authorizing the City of Cape Girardeau to enter into an Air Traffic Control Tower Operating Assistance Grant Agreement for the fiscal year 2016-2017 in the amount of \$167,000.

EXECUTIVE SUMMARY

Annually, the Missouri State legislation provides up to \$167,000 to be allocated for reimbursement of air traffic control tower (ATCT) operational expenses for those Missouri municipalities who are currently funding their own air traffic control tower operation. The City of Cape Girardeau is currently eligible for these funds and the attached Airport Assistance Agreement will reimburse the City for up to \$167,000 for the direct costs to operate the air traffic control tower for the period of the fiscal year 2016-2017, which begins July 1, 2016 and ends on June 30, 2017.

BACKGROUND/DISCUSSION

The Air Traffic Control Tower Operating Assistance Grant Agreement funds are available to the City as the result of language within the Missouri State Jet Fuel Tax legislation. The Jet Fuel Tax funds the Missouri State Aviation Trust Fund annually at varying levels. In addition to the Air Traffic Control Tower funding, these Aviation Trust funds are utilized by the Missouri Department of Transportation Aviation Division to fund a variety of airport maintenance and capital improvement projects at over one hundred airports throughout the state.

FINANCIAL IMPACT

The \$167,000 funds provided by this grant will fund roughly 75% of our total Air Traffic Control Tower operational expenses, which normally total approximately \$220,000 annually.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

This grant provides much needed funding which allows the City to sustain an operating air traffic control tower at the Cape Girardeau Regional Airport. These funds can be utilized to cover any operational expense for the ATCT, including personnel and building maintenance expenses.

STAFF RECOMMENDATION

Staff recommends the City Council approve the attached ordinance authorizing the City of Cape Girardeau to enter into the attached Missouri Highways and Transportation Commission Air Traffic Control Tower Operating Assistance Grant Agreement, Project No. AIR 176-077A-2, for the fiscal year 2016-2017 in the amount of \$167,000.00.

ATTACHMENTS:

Name:

[Ordinance-Control Tower Grant 2017.doc](#)

[CGI Air Traffic Control Tower Operating Assistance Grant.doc](#)

Description:

Ordinance

CGI - ATCT Operating Assistance Grant, Project AIR 176-077A-2

BILL NO. 16-194

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING EXECUTION OF AN AIR TRAFFIC CONTROL TOWER OPERATING ASSISTANCE GRANT AGREEMENT FOR THE FISCAL YEAR 2016-2017 WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

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

ARTICLE 1. That the City of Cape Girardeau, Missouri, shall accept and execute the airport assistance agreement with the Missouri Highways and Transportation Commission, for an air traffic control tower operating assistance grant for the Cape Girardeau Regional Airport for the fiscal year 2016-2017.

ARTICLE 2. That the City of Cape Girardeau, Missouri, does hereby ratify and adopt all statements, representations, conditions, and covenants contained in the airport assistance agreement.

ARTICLE 3. That the City Manager is hereby authorized and directed to execute said air traffic control tower operating assistance grant in triplicate on behalf of the City of Cape Girardeau, Missouri, and the City Clerk is hereby authorized and directed to impress thereon the official seal of the City of Cape Girardeau, Missouri, and to attest said execution.

ARTICLE 4. That said air traffic control tower operating assistance grant provides for the granting of financial assistance in the sum of One Hundred Sixty-seven Thousand Dollars (\$167,000.00) in state funds to assist with air traffic tower operation.

ARTICLE 5. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2016.

Harry E. Rediger, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk

CCO Form: MO13
Approved: 1/99 (RMH)
Revised: 01/15 (MWH)
Modified:

Sponsor: City of Cape Girardeau
Project No.: AIR 176-077A-2

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
AIR TRAFFIC CONTROL TOWER OPERATING
ASSISTANCE GRANT AGREEMENT**

THIS AGREEMENT is entered into between the Missouri Highways and Transportation Commission (hereinafter, "Commission"), and the City of Cape Girardeau (hereinafter, "Sponsor").

WITNESSETH:

WHEREAS, the purpose of this Agreement is to provide financial assistance to the Sponsor for the operation of the Air Traffic Control Tower (hereinafter, "Tower") at the Cape Girardeau Regional Airport (hereinafter, "Airport") pursuant to section 305.230 RSMo, and to set forth the conditions upon which the assistance will be provided.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representations set forth below, the parties agree as follows:

(1) SCOPE OF WORK: The Sponsor agrees to operate the Tower in accordance with all rules and regulations of the Federal Aviation Administration and with all applicable Federal and State requirements.

(2) AMOUNT OF GRANT: The Commission agrees to reimburse the Sponsor up to One Hundred Sixty-Seven Thousand Dollars (\$167,000); provided, however, that in the event that state funds available to the Commission under section 305.230 RSMo are reduced so that the Commission is unable to completely satisfy its obligations to all Cities for the current state fiscal year, the Commission may recompute and reduce this grant. The designation of this grant does not create a lump sum quantity contract, but rather only represents the amount of funding available for qualifying expenses to operate the Tower during the period of July 1, 2016 to June 30, 2017. The release of all funding under this Agreement is subject to the Commission's review and approval of all project expenses to ensure that they are qualifying expenses under this program. The grant funds in this paragraph not expended or duly obligated during the project time period shall be released for use in other projects under §305.230 RSMo.

(3) PERFORMANCE OF AGREEMENT: The Sponsor shall immediately notify the Commission in writing of any condition or event which may significantly affect its ability to perform the activities in accordance with the provisions of the Agreement.

(4) COMMISSION'S RIGHT TO INSPECT DOCUMENTS AND AUDIT RECORDS:

(A) The Sponsor shall submit to the Commission such data, reports, documents, and other information relating to the operation of the Tower as the Commission may require at any time.

(B) The Sponsor must maintain all records relating to this Agreement, including, but not limited to, invoices, payrolls, etc. These records must be available at all reasonable times at no charge to the Commission and/or its designees and representatives during the period of this Agreement and any extension thereof, and for three (3) years from the date of final payment made under this Agreement.

(5) THIRD PARTY CONTRACTS:

(A) Prior to execution by either party, the Sponsor shall submit to the Commission for review, comment, and approval all contracts for services included in the Scope of Work Statement to be provided to the Sponsor by a third party.

(B) The Commission shall not be liable to the contractors or subcontractor of the Sponsor or any other person not a party to this Agreement in connection with the performance of this project without specific written consent of the Commission.

(6) PAYMENTS:

(A) Timing of Payments: The Commission's payments to the Sponsor will be made on a quarterly basis. The Commission will provide a reimbursement form to be completed by the Sponsor when requesting funds.

(B) Limitations on Commission Contribution: Funds made available to the Commission and the Sponsor are subject to appropriations made by the General Assembly.

(7) RIGHT OF COMMISSION TO TERMINATE AGREEMENT: Upon written notice to the Sponsor, the Commission reserves the right to suspend or terminate all or part of the financial assistance herein provided if the Sponsor is, or has been, in violation of any of the terms of this Agreement.

(8) COMMISSION'S REPRESENTATIVE: The Commission's Chief Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of the Agreement.

(9) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the Sponsor shall defend, indemnify and hold harmless the Commission, including its members and department employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the Sponsor's wrongful or negligent performance of its obligations under this Agreement.

(B) The Sponsor will require any contractor procured by the Sponsor to work under this Agreement:

(1) To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and the Missouri Department of Transportation and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities (\$500,000 per claimant and \$3,000,000 per occurrence) as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(10) NONDISCRIMINATION CLAUSE: The Sponsor shall comply with all state and federal statutes applicable to the Sponsor relating to nondiscrimination, including, but not limited to, Chapter 213, RSMo; Title VI and Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. Sections 2000d and 2000e, *et seq.*); and with any provision of the "Americans with Disabilities Act" (42 U.S.C. Section 12101, *et seq.*).

(11) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The Sponsor shall comply with all local, state and federal laws and regulations relating to the performance of the Agreement.

(12) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or respecting its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(13) NONSOLICITATION: The Sponsor warrants that it has not employed or retained any company or person, other than a bona fide employee working for the Sponsor, to solicit or secure this Agreement, and that it has not paid or agreed to pay

any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingency upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, the Commission shall have the right to annul this Agreement without liability, or in its discretion, to deduct from the Agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gifts, or contingent fee.

(14) AMENDMENTS: Any change in the Agreement, whether by modification or supplementation, must be accomplished by a supplemental agreement signed and approved by the duly authorized representatives of the Sponsor and the Commission.

(15) DISPUTES: Any disputes that arise under this Agreement shall be decided by the Commission or its representative.

(16) ASSIGNMENT: The Sponsor shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(17) BANKRUPTCY: Upon filing for any bankruptcy or insolvency proceeding by or against the Sponsor, whether voluntarily, or upon the appointment of a receiver, trustee, or assignee, for the benefit of creditors, the Commission reserves the right and sole discretion to either cancel this Agreement or affirm this Agreement and hold the Sponsor responsible for damages.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties have entered into this agreement on the last date written below.

Executed by the Sponsor this _____ day of _____, 20____.

Executed by the Commission this _____ day of _____, 20____.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF CAPE GIRARDEAU

Title _____

By _____
Title _____

Attest:

Attest:

Secretary to the Commission

By _____
Title _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title _____

Ordinance No. _____

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-262

SUBJECT

An Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 627, 631, and 635 South Sprigg Street, in the City and County of Cape Girardeau, Missouri from C-1 to CBD.

EXECUTIVE SUMMARY

The attached ordinance rezones the properties at 627, 631, and 635 South Sprigg Street. A public hearing to consider the rezoning request was held November 7, 2016.

BACKGROUND/DISCUSSION

An application has been submitted to rezone the properties at 627, 631, and 635 South Sprigg Street from C-1 (General Commercial) to CBD (Central Business District). The immediately surrounding properties are zoned C-1 (General Commercial) to the north and east, and R-3 (High Density Single-Family Residential) to the west and south. This area is characterized by residential and commercial uses. The Comprehensive Plan's Future Land Use and Infrastructure Map shows this area as Downtown Commercial. A public hearing to consider the rezoning request was held November 7, 2016.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

In considering a rezoning request, both the Planning and Zoning Commission and the City Council must determine if the proposed zoning district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties. The 600 block of South Sprigg Street (west side) contains six properties which were previously used as a bed and breakfast, a banquet facility, a single-family dwelling, a duplex, and two multi-family dwellings. Except for the bed and breakfast, these uses were at the time considered nonconforming per Section 30-407 of the Zoning Code. The entire block was recently sold to two buyers, both of whom have expressed interest in resuming the previous residential uses as well as the banquet facility. Staff informed the buyers that the nonconforming status for the uses has expired, and that the properties would need to be rezoned in order to allow the uses to resume. Due to the previous and proposed mix of uses for these properties, staff recommended the buyers apply to have them rezoned to CBD. Residential uses and banquet facilities are permitted by right in the CBD district. CBD is reasonable because it is designed to accommodate a mix of residential and commercial uses as proposed by the buyers, and because the properties are located near downtown. CBD is also reasonable given the residential and commercial character of the surrounding properties. (Note: This rezoning application is for the properties at 627, 631, and 635 South Sprigg Street only. A separate application will be submitted for the remaining properties on the block.)

STAFF RECOMMENDATION

The staff report to the Planning and Zoning Commission recommended approval of the rezoning request.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission held a public hearing on the rezoning request at its October 12, 2016

regular meeting, and recommended approval with a vote of 9 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

The City Council's public hearing was advertised in the Southeast Missourian on October 23, 2016. In addition, a sign containing the date, time, location and subject of the Planning and Zoning Commission and City Council public hearings was posted on the properties. Notices were also mailed to the adjacent property owners.

ATTACHMENTS:

Name:	Description:
<input type="checkbox"/> 627-631 635 South Sprigg Rezone CBD.doc	Ordinance
<input type="checkbox"/> Map - Zoning - 627 631 and 635 S Sprigg.pdf	627, 631 & 635 South Sprigg St - Zoning Map
<input type="checkbox"/> Map - FLU - 627 631 and 635 S Sprigg.pdf	627, 631 & 635 South Sprigg St - FLU Map
<input type="checkbox"/> Application - 627 631 635 S Sprigg REZ.pdf	627, 631 & 635 South Sprigg St - Application
<input type="checkbox"/> SUP withdrawal.pdf	Change Request to CBD
<input type="checkbox"/> C-1 as Amended.pdf	C-1 District Regulations
<input type="checkbox"/> CBD.pdf	CBD District Regulations

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI, BY CHANGING THE ZONING OF PROPERTY LOCATED AT 627, 631, AND 635 SOUTH SPRIGG STREET, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI FROM C-1 TO CBD

WHEREAS, the City Planning and Zoning Commission has recommended rezoning all of the property described in Article 1 of this ordinance from C-1, General Commercial District, to CBD, Central Business District; and

WHEREAS, Public Notice of such change was given as prescribed in Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, and a public hearing was held on Monday, November 7, 2016, and

WHEREAS, the City Council of the City of Cape Girardeau, Missouri, has elected to rezone the property described in Article 1 from C-1, General Commercial District, to CBD, Central Business District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, is hereby amended to change the zoning from the present C-1, General Commercial District, to CBD, Central Business District, for the following described property:

617 S. Sprigg

Lot Six (6) in Block One (1) of Giboney Houck Third Subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 2 at Page 51.

631 S. Sprigg

Lot Seven (7) in Block One (1) of Giboney Houck Third Subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 2 at Page 51.

635 S. Sprigg

Lot Eight (8) in Block One (1) of Giboney Houck Third Subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 2 at Page 51.

Article 2. The City Council hereby finds and declares that the property described in Article 1 hereof is at the present time particularly suitable for the purposes and uses of the CBD, Central Business District, and that such changes authorized hereby are reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

Article 3. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

Harry E. Rediger, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk

Rezoning Request - 627, 631 & 635 South Sprigg Street

Requested Rezoning:
from the C-1 (General Commercial) District
to the CBD (Central Business) District
Future Land Use Recommendation: Downtown Commercial



Ellis St

Maple St



 **CITY of CAPE GIRARDEAU**
Created by: Development Services
Carol Peters
September 28, 2016

Legend

-  Property to be Rezoned to CBD
-  Parcels
- Zoning District**
-  C1
-  R3
-  IO

Rezoning Request - 627, 631 & 635 South Sprigg Street

Requested Rezoning:
from the C-1 (General Commercial) District
to the CBD (Central Business) District
Future Land Use Recommendation: Downtown Commercial



Legend

- Property to be Rezoned to CBD
- Parcels
- FLU Recommendation**
- Downtown Commercial
- High Density Residential

**CITY of CAPE GIRARDEAU**
Created by: Development Services
Carol Peters
September 28, 2016

North Arrow
Scale: 0 30 60 120 Feet



REZONING / SPECIAL USE PERMIT APPLICATION
CITY of CAPE GIRARDEAU

DEVELOPMENT SERVICES DEPARTMENT, 401 INDEPENDENCE ST, CAPE GIRARDEAU, MO 63703 (573) 339-6327

Property Address/Location 637 + 633 South Spruce St			
Applicant Bill Hamer		Property Owner of Record (if other than Applicant) Same as applicant	
Mailing Address 637 + 633 South Spruce St		Mailing Address 637 + 633 South Spruce St	
City, State, Zip Cape Girardeau, MO 63703		City, State, Zip Cape Girardeau, MO 63703	
Telephone 337-270-1111	Email billhamer@hamer.com	Telephone	Email
Contact Person (If Applicant is a Business or Organization)		<i>(Attach additional owners information, if necessary)</i>	
Type of Request: Rezoning, Special Use Permit, or Both Rezoning			
Existing Zoning District C1		Proposed Zoning District (Rezoning requests only) R25	
Legal description of property to be rezoned and/or upon which the special use is to be conducted			

Att. on back

Describe the proposed use of the property.
 To use this as mult. family house its set up that away

Application continues on next page

OFFICE USE ONLY			
Date Received & By _____	File No. _____	MUNIS Application No. _____	
Planning & Zoning Commission Recommendation _____		Date _____	
City Council Final Action _____		Date _____	

Special Use Criteria (Special Use Permit requests only)

Explain how the Special Use Permit request meets the criteria below. Attach additional sheets, if necessary.

- 1) The proposed special use will not substantially increase traffic hazards or congestion.
- 2) The proposed special use will not substantially increase fire hazards.
- 3) The proposed special use will not adversely affect the character of the neighborhood.
- 4) The proposed special use will not adversely affect the general welfare of the community.
- 5) The proposed special use will not overtax public utilities.

ADDITIONAL ITEMS REQUIRED

See Instructions for more information.

In addition to this completed application form, the following items must be submitted:

- Application fee (\$135.00 payable to City of Cape Girardeau + additional \$80 for Planned Development rezonings)
- One (1) list of names and mailing addresses of adjacent property owners
- One (1) set of mailing envelopes, stamped and addressed to adjacent property owners
- One (1) full size copy of a plat or survey of the property, if available
- One (1) full size set of plans, drawn to an appropriate scale, depicting existing features to be removed, existing features to remain, and all proposed features such as: buildings and structures, paved areas, curbing, driveways, parking stalls, trash enclosures, fences, retaining walls, light poles, detention basins, landscaping areas, freestanding signs, etc. (Planned Development rezonings and Special Use Permits only)
- Digital file of the plans in .pdf format (Planned Development rezonings and Special Use Permits only; can be emailed)
- One (1) set of Planned Development documents (Planned Development rezonings only)

CERTIFICATIONS

The undersigned hereby certifies that:

- 1) They are the Property Owner(s) of Record for the property described in this application;
- 2) They acknowledge that an approved Special Use Permit becomes null and void if the use for which the permit was granted does not commence within twelve (12) months of the approval date, unless an extension has been granted; and
- 3) They acknowledge that they are responsible for ensuring that all required licenses and permits are obtained prior to commencing any use or work on the property.



Property Owner of Record Signature and Printed Name



Date

(Provide additional owners signatures and printed names in the space below, if applicable)

The undersigned hereby certifies that they are an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf, and that the Property Owner(s) of Record hereby agree to the above certifications.

Applicant Signature and Printed Name

Date

SPECIAL WARRANTY DEED

THIS DEED, made and entered into this 27th day of May, 2016, by and between **First State Community Bank** of the State of Missouri, of Cape Girardeau County, Missouri, **Grantor**, and Ricky Werner, a single person, of Cape Girardeau County, Missouri, **Grantee** (mailing address of said first named grantee is 1722 Crestwood Dr., Cape Girardeau, MO 63701):

WITNESSETH:

For and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, receipt of which is hereby acknowledged;

Grantor does hereby Sell and Convey to Grantee, and his heirs and assigns, the following described real property in Cape Girardeau County, Missouri, to-wit:

(627 S. Sprigg)

Lot Six (6) in Block One (1) of Giboney Houck Third Subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 2 at Page 51.

(631 S. Sprigg)

Lot Seven (7) in Block One (1) of Giboney Houck Third Subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 2 at Page 51.

(635 S. Sprigg)

Lot Eight (8) in Block One (1) of Giboney Houck Third Subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 2 at Page 51.

Charles Langston
703 S. Sprigg

(609 Maple St.)
Regional Property Maintenance
2607 Prairie Ln

All Scott Blank property
Arrowhead Investments
1878 S. Lurthorne TR

Over Corners Church of God
624 & 620 South Ellis

Delta LP
488 Duane
Cape Hill - 2514

Eric Mathison Lockman
2765 S. W. 38th Street
Cape Hill 2514

From: rick werner [<mailto:ipcrick@hotmail.com>]
Sent: Thursday, September 29, 2016 6:16 PM
To: Shrimplin, Ryan
Subject: Re: 627, 631, 635 S. Sprigg St. - P&Z Applications

Ryan, YES I want it rezone to CBD, and thank you so much for doing this for me .Rick Werner

From: Shrimplin, Ryan <rshrimplin@CityofCapeGirardeau.org>
Sent: Thursday, September 29, 2016 7:32 PM
To: rick werner
Cc: Peters, Carol
Subject: RE: 627, 631, 635 S. Sprigg St. - P&Z Applications

Rick,

I just heard from Scott. He still intends to submit his application requesting rezoning his properties to CBD. Therefore, we will proceed as discussed. Please send me an email stating you wish to change your rezoning application to request rezoning all three properties (627, 631, and 635 South Sprigg Street) to CBD. **We will cancel your Special Use Permit application and issue you a refund.**

Thank you,

Ryan Shrimplin, AICP
City Planner
CITY of CAPE GIRARDEAU
401 Independence Street
Cape Girardeau, MO 63703
(573) 339-6327 office (573) 339-6303 fax
rshrimplin@cityofcapegirardeau.org

Sec. 30-333. C-1, general commercial district.

(a) *Purpose.* The C-1 district is primarily intended for areas of the city located along minor thoroughfares and adjacent to residential districts. Appropriate uses for this district include commercial developments not requiring long term outdoor display of merchandise, as well as certain governmental, institutional, and community service facilities. Other uses having the potential to significantly affect adjacent residential districts may be allowed with approval of a special use permit.

(b) *Permitted principal uses.*

- (1) Art galleries or museums.
- (2) Banks or other financial institutions.
- (3) Bed and breakfasts.
- (4) Commercial day cares.
- (5) Commercial recreation facilities, excluding driving ranges and outdoor shooting or racing.
- (6) Funeral homes or mortuaries.
- (7) Governmental facilities.
- (8) Health or fitness centers.
- (9) Institutions of higher education, including business, career or technology schools.
- (10) Instructional schools for art, dance, music, martial arts or other disciplines.
- (11) Libraries.
- (12) Microbreweries.
- (13) Middle schools, secondary schools, or development centers for people with physical, mental or developmental disabilities.
- (14) Nurseries or greenhouses.
- (15) Nursing homes.
- (16) Offices.
- (17) Parks or playgrounds.
- (18) Personal service establishments.
- (19) Pet grooming facilities, excluding kennels.
- (20) Police or fire stations.
- (21) Residential treatment facilities.
- (22) Restaurants or bars.
- (23) Retail or rental establishments, excluding the sale or rental of outbuildings, vehicles, or large agricultural or construction equipment.
- (24) Television or radio studios, including any transmitting facilities.
- (25) Transit terminals.

(26) Veterinary clinics or animal hospitals, excluding livestock.

(27) Wineries.

(c) *Permitted accessory uses.*

(1) Accessory structures and uses customarily incidental to the above uses, as permitted in section 30-403, supplemental regulations.

(2) Solar energy systems, as permitted in section 30-410, supplemental regulations.

(d) *Special uses.*

(1) Banquet facilities.

(2) Hotels or motels.

(3) Kennels.

(4) Meeting halls.

(5) Mini warehouses or self-storage units.

(6) Public utilities, except for buildings or accessory structures that are normal and customary in a zoning district which would allow other buildings or structures of the same nature as a use-by-right.

(7) Telecommunication towers, as permitted in section 30-404, supplemental regulations.

(8) The allowance of additional height up to a total of sixty (60) feet, not to exceed a total of five (5) stories.

(9) Transitional housing.

(10) Vehicle fueling, service or repair facilities, excluding body or paint shops.

(11) Vehicle washing facilities, including automatic or hand wash.

(12) Wind energy conversion systems, as permitted in section 30-410, supplemental regulations.

(e) *Standards.*

(1) All storage of merchandise, materials, products or equipment shall be within a fully enclosed building or in an open yard so screened that the items being stored are not visible from the street or any adjacent property.

(2) Outdoor display of merchandise is prohibited, except as follows:

a. Merchandise may be displayed outdoors as part of a temporary use, as permitted in section 30-406, temporary uses. Nursery stock, accessory landscaping decorations, and seasonal and holiday decorations may also be displayed outdoors during the appropriate season. Such displays are permitted in accordance with the following provisions:

1. Displays shall not be located in a right-of-way.

2. Displays shall not be located in parking spaces used to meet the minimum number of parking spaces as required elsewhere in the City Code. Displays that are part of a bazaar, craft sale, garage or yard sale,

or similar temporary event are exempt from this requirement, as determined by the city manager.

3. Displays shall not impede vehicular or pedestrian access.

4. Displays shall not alter the structure of any building.

5. Displays shall not create a health or safety hazard.

6. Displays shall be well kept and orderly.

7. Signs may be displayed as permitted elsewhere in the City Code.

8. The display of seasonal items shall be limited to a time period that is customary for the season associated with the display, which shall be at the discretion of the city manager.

(3) Outdoor service areas and equipment such as loading docks, mechanical equipment, storage areas or waste containers shall be located in the rear or side yard and screened as required elsewhere in the City Code.

(f) *Height, area, width, setback and open space requirements.*

(1) *Maximum* height: Forty (40) feet, not to exceed three (3) stories.

(2) *Minimum* lot area: None.

(3) *Minimum* lot width: None.

(4) *Minimum setbacks:*

a. *Front yard:* Twenty-five (25) feet.

b. *Rear yard:* None, except twenty (20) feet when adjacent to a residential use or district, or ten (10) feet when adjacent to an agricultural use or district.

c. *Side yard:* None, except twenty (20) feet when adjacent to a residential use or district, or ten (10) feet when adjacent to an agricultural use or district.

(5) *Minimum open space.* Fifteen (15) percent of the lot area.

(Ord. No. 4109, art. 2, 3-1-10; Ord. No. 4149, art. 4, 8-16-10; Ord. No. 4206, arts. 8, 20, 3-7-11)

Sec. 30-332. - CBD, central business district.

- (a) *Purpose.* The central business district [CBD] provides for the development of high density, compact, pedestrian oriented shopping, office, service, entertainment and residential districts. The districts are intended to be mixed-use districts that accommodate a variety of uses. It is intended specifically for the older downtown areas including: Broadway, Riverfront and Good Hope/Haarig areas of the City of Cape Girardeau. It is intended to allow flexible setbacks, smaller lot sizes, and increased lot coverage to encourage dense development in the urban core of the community. This district is designed to protect the small community appeal, integrity, character, and charm within the central business district by encouraging redevelopment that focuses on architecturally appropriate design standards typical of the city's early development history. These areas may also be experiencing or be in need of rehabilitation or redevelopment. This district is intended to accommodate the transition that must occur if these areas are to continue to contribute to the vitality of the city. The regulations of the central business district are intended to allow greater flexibility for tracts of land in the central business district than is permitted by other district regulations, where the planned development of such tracts would better reflect the character of the site and enhance the appearance and economic vitality of the downtown area.
- (b) *Permitted uses.*
- (1) Any business that provides, displays, advertises and sells goods, supplies or services to the general public, as long as all activities associated with said business are contained entirely indoors as stated in the standards set forth in section 30-332(e)(2).
 - (2) General retail and office, including banks and financial institutions.
 - (3) Any governmental building, including police and fire stations.
 - (4) Residential uses.
 - (5) Hotels.
 - (6) Medical facilities.
 - (7) Health and fitness centers.
 - (8) Public parks, playgrounds and recreational facilities.
 - (9) Private institutions of higher education.
 - (10) Nursing homes, senior citizen housing or retirement homes.
 - (11) Commercial day cares.
 - (12) Microbrewery.
 - (13) Bed and breakfasts.
 - (14) Restaurants, bars.
- (c) *Permitted uses (accessory).*
- (1) Accessory buildings and uses customarily incidental to the above uses including, but not limited to, garages, and dumpster storage facilities as permitted in section 30-403, supplemental regulations.
 - (2) Solar energy systems, as permitted in section 30-410, supplemental regulations.
- (d) *Special uses.*
- (1) Helicopter landing pad, heliport or other landing areas in relationship with medical facilities.
 - (2) Telecommunication tower, as permitted in section 30-404, supplemental regulations.
 - (3) Marina or dock.
 - (4) The allowance of additional height, not to exceed sixty (60) feet or five (5) stories.
 - (5) Excursion gambling boat or floating gambling facility, as permitted in section 30-409, supplemental

regulations.

- (6) Wind energy conversion systems, as permitted in section 30-410, supplemental regulations.
- (7) Public utilities, except for buildings and accessory structures that are normal and customary in a zoning district which would allow other buildings of the same nature as a use-by-right.

(e) *Standards.*

- (1) All activities and permitted uses except the following shall be conducted entirely within a closed building.
 - a. Off-street parking and loading facilities.
 - b. Banks and financial institutions including automatic teller machines and drive-thru facilities with a maximum of two (2) teller stations or lanes.
 - c. Outdoor eating and drinking facilities.
 - d. Public parks, playgrounds and recreational facilities.
 - e. Outdoor live or amplified music provided that they are in compliance with the city's nuisance ordinance.
- (2) All activities and permitted uses except the following shall be conducted entirely within a closed building.
 - a. Off-street parking and loading facilities.
 - b. Banks and financial institutions including automatic teller machines and drive-thru facilities with a maximum of two (2) teller stations or lanes.
 - c. Outdoor eating and drinking facilities.
 - d. Public parks, playgrounds and recreational facilities.
 - e. Outdoor live or amplified music provided that they are in compliance with the city's nuisance ordinance.
- (3) Alteration of existing buildings:
 - a. Original window openings on public facing elevations should be maintained or retained.
 - b. Original upper story design details and features shall not be removed or obscured.
- (4) New construction shall be compatible with the existing buildings in scale, height, materials, massing and rhythm and proportion of openings.
- (5) Storefronts shall maintain traditional size, shape, spacing, patterns and alignment of openings of storefronts.
- (6) The primary entrance for commercial buildings shall be oriented toward the street.
- (7) Building setbacks:
 - a. *Residential:* Should be aligned by a uniform distance from sidewalks.
 - b. *Commercial:* Maintain alignment of facades along sidewalks.
- (8) Height:
 - a. The height of additions or new construction should be within a similar range of the buildings in the surrounding blocks.
 - b. Corner buildings or buildings on the ends should be similar in height to buildings on adjoining corners.
- (9) Materials that are comparable in quality, color, texture, finish and dimension to existing materials and buildings within the district should be used.
- (10) Consistent rooflines should be maintained with adjacent buildings.

(f) *Height, area, bulk and setback requirements.*

- (1) *Maximum Height:* Three (3) stories not to exceed forty (40) feet.
- (2) *Minimum Lot Area:* None.
- (3) *Minimum Lot Width:* None.
- (4) *Maximum Density:* None.
- (5) *Minimum Yard Requirements:*
 - a. *Front yard:* None, except fifteen (15) feet when across from a residential zoning district.
 - b. *Rear yard:* None, except fifteen (15) feet when adjacent to a residential zoning district.
 - c. *Side yard:* None, except fifteen (15) feet when adjacent to a residential zoning district.
- (6) *Maximum Building Coverage, including accessory buildings:* One hundred (100) percent of the lot.
- (g) *Open space, landscaping and bufferyard requirements.*
 - (1) Open space requirements: No minimum percentage required.
 - (2) Landscaping shall be provided as required in chapter 25 of the City Code.
 - (3) A twenty-foot wide bufferyard shall be required adjacent to any property in the AG, AG-1, RE, R-1, R-2 or R-3 zoning districts. This bufferyard shall comply with the requirements of chapter 25 of the City Code.
- (h) *Parking regulations.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific use set forth in section 25-202
(Ord. No. 4109, art. 2, 3-1-10; Ord. No. 4149, art. 4, 8-16-10; Ord. No. 4206, arts. 8, 16—19, 3-7-11)

Staff: Bruce Taylor, Deputy City Clerk
Agenda: 11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-263

SUBJECT

One appointment to the Public Library Board of Directors for a term expiring June 30, 2019.

EXECUTIVE SUMMARY

A copy of the board roster and attendance roster is attached for your review.

BACKGROUND/DISCUSSION

Appointments to the Public Library Board are made by the Mayor and approved by the City Council. The following individuals have expressed an interest in serving on the board, and their board applications are attached.

Michael McKeever
Julia Ann Palmer
Robert Vasquez
John Voss

STAFF RECOMMENDATION

It was recommended July 5, 2016, to postpone appointment of the third seat expiring June 30, 2019, until additional applications were reviewed. The Public Library Board, at October board meeting, made a recommendation for the appointment of John Voss.

ATTACHMENTS:

Name:

- [roster_attendance.library.pdf](#)
- [Library Board roster.doc](#)
- [Mckeever.Michael.12.12.15..pdf](#)
- [Palmer.JulleAnn.06-30-16.pdf](#)
- [Vasquez.Robert.02-16-16.pdf](#)
- [Voss.John.10-20-16.pdf](#)

Description:

Library Board Attendance
Library Board Roster
McKeever, Michael
Palmer, Julie Ann
Vasquez, Robert
Voss, John

PUBLIC LIBRARY BOARD Attendance Record

Ordinance effective 4/13/00

P = present, A = absent

2016 4th Thursday	Jan 26	Feb 25	Mar 24	Apr 28	May 26	Jun 23	Jul 28	Aug 18	Sep 22	Oct 27	Nov 24	Dec 22	1st letter	2nd letter	3rd letter	termi- nated
Austin, Fran	P	P	P	P	P	P	P	P	P							
Dively, David	P	P	A	P	P	P	P	P	P							
Greaser, Kevin	P	P	A	P	P	P	P	Resigned 06/20/16								
Haley, Lucas	P	P	A	P	P	P	P	P	P							
Lane, Stacey	P	A	P	P	P	P	P	P	P							
McGowan, John	P	A	P	P	P	P	P	P	P							
Smith, Sheryl	P	P	P	P	P	P	P	P	P							
Thompson, Ed	P	A	P	P	P	P	P	P	P							
Trueblood, Amy	P	P	P	P	P	P	P	P	P							

2015 4th Thursday	Jan 22	Feb 19	Mar 26	Apr 23	May 28	Jun 25	Jul 23	Aug 27	Sep 24	Oct 22	Nov 19	Dec 24	1st letter	2nd letter	3rd letter	termi- nated
Austin, Fran	P	P	P	P	P	P	P	P	P	P	P	P				
Greaser, Kevin	P	P	P	P	A	P	P	P	P	P	A	P				
Haley, Lucas	Appointed 6/15/15					P	P	P	P	P	P	P				
Hillman, Angel	P	P	A	P	P	P	P	A	Resigned 9/24/15			P				09/24/15
Irwin Stan	P	P	P	P	P	P	P	Resigned 6/15/15			P					06/15/15
Lane, Stacey	Appointed 6/15/15					P	P	A	P	P	P	P				
McGowan, John	P	P	P	P	P	P	P	P	P	P	P	P				
Slaughter, Joan	P	P	P	P	P	P	P	Resigned 6/15/15			P					06/15/15
Smith, Sheryl	A	P	P	P	P	P	P	A	P	P	P	P				
Thompson, Ed	P	P	P	P	P	P	P	P	P	A	P	P				
Trueblood, Amy	P	P	P	P	A	P	P	P	P	P	P	P				

CITY OF CAPE GIRARDEAU, MISSOURI

Roster of Advisory Boards and Committees

October 17, 2016

All members of Advisory boards must be residents of the City of Cape Girardeau unless otherwise noted.

Members may serve for only three consecutive full terms on the same board or commission effective with terms commencing January 8, 1996.

Public Library Board

	<u>Date Appointed</u>	<u>Date Reappointed</u>	<u>Term Expires</u>
Amy Trueblood	March 3, 2014	6/16/14	June 30, 2017
John McGowan	August 6, 2012	6/16/14	June 30, 2017
Sheryl Smith	September 19, 2005	6/18/08; 06/20/11; 6/16/14	June 30, 2017
Lucas Haley	June 15, 2015	---	June 30, 2018
Ed Thompson	July 6, 2009	6/18/12	June 30, 2018
Stacy Lance Dohogne	June 15, 2015	---	June 30, 2018
David Dively	December 7, 2015	07/05/16;	June 30, 2019
Fran Austin	July 19, 2010	6/17/13; 07/05/16	June 30, 2019
Vacant*****			June 30, 2019

Serve three year terms, appointed by Mayor and approved by Council. Meetings held fourth Thursday at 7:00 a.m. at the library. Members can only serve three consecutive terms (Mo State Statute). A Council member may serve as liaison. Staff contact – Betty Martin, Library Director 334-5279.

Staff: Bruce Taylor, Deputy City Clerk
Agenda: 11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-264

SUBJECT

Appointment of two members to the Golf Course Advisory Board for terms expiring November 12, 2019.

EXECUTIVE SUMMARY

Mark Ervin and Keith Sander have terms expiring on November 12, 2016. Keith Sander and Mark Ervin have expressed interest in reappointment.

A copy of the board roster and attendance roster are attached for your reference

BACKGROUND/DISCUSSION

According to Section 18-53(a) of the City Code, *“A person appointed to the municipal golf course board shall be a taxpayer and qualified voter of the City. One (1) member of the municipal golf course advisory board shall be a member of Cape Jaycees and designated by that organization as its representative on the golf course advisory board.”*

The following individuals have expressed an interest in serving on the board, and their advisory board applications are attached.

Thomas Benton	Michael McKeever
David Cantrell	Keith Sander
Mark Ervin	Kenneth Stilson
Jeff Green	Kent Talley
Charles Heady Jr.	Robert Vazquez
Angel Hillman	Jack Watts
Raymond Jones	Brad Wittenborn
Judith Anne Lang	Gary Wren

STAFF RECOMMENDATION

It is recommended that two appointments be made to the Golf Course Advisory Board for terms expiring November 12, 2019.

BOARD OR COMMISSION RECOMMENDATION

The Board recommends the appointment of Mark Ervin and Keith Sander to the Golf Course Advisory Board.

ATTACHMENTS:

Name:

- [Benton.Thomas.1-21-16.pdf](#)
- [cantrell.David.10-03-16.pdf](#)
- [Ervin.Mark.10-07-16.pdf](#)
- [Green.Jeff.10-26-16.pdf](#)
- [Heady.Charles.12-08-15.pdf](#)
- [Hillman.Angel.11.20.15.pdf](#)
- [Jones.Raymond.12-01-15.pdf](#)
- [Lang.Judith.01.19.16...pdf](#)
- [Mckeever.Michael.12.12.15..pdf](#)
- [Sander.Keith.10-07.16.pdf](#)
- [Stilson.Kenneth.07-20-16.pdf](#)
- [Vasquez.Robert.02-16-16.pdf](#)
- [Wren.Gary.10-08-15.pdf](#)
- [Talley.Kent.10-07-16.pdf](#)
- [Watts.Jack.10-12-15.pdf](#)
- [Wittenborg.Brad.12-03-15.pdf](#)
- [Golf Board roster10.19.pdf](#)
- [golf_roster.docx](#)

Description:

Benton, Thomas
Cantrell, David
Ervin, Mark
Green, Jeff
Heady, Charles
Hillman, Angel
Jones, Raymond
Lang, Judith Anne
Mckeever, Michael
Sander, Keith
Stilson, Kenneth
Vazquez, Robert
Wren, Gary
Talley, Kent
Watts, Jack
Wittenborn, Brad
Golf Board Attendance
Golf Board Roster

GOLF COURSE ADVISORY BOARD Attendance Record

Ordinance effective 4/13/00

X = present, A = absent

2016 4th Thursday	Jan 28	Feb 25	Mar 24	Apr 28	May 26	Jun 23	Jul 28	Aug 25	Sep 22	Oct 27	Nov 24	Dec 22	1st letter	2nd letter	3rd letter	appt'ed	termi- nated
Cooper, Brandon		P	P		P	P	P	P								02/01/16	
Ervin, Mark	P	P	P		P	P	A	P									
Farrar, Eugene	P	A	A		P	A	P	P					7/7/2016				
Grim, Jerry	P	P	P		P	P	P	P									
Hastings, James	P	A	P		A	P	P	A					09/16/16			#####	
Hudson, Seth	P	P	P		P	A	A	P					08/08/16				
Sander, Keith	P	P	P		P	P	P	A									
Schulz, Joshua J	P	A	A		P	P	P	A					09/16/16				
Welker, Callie	P	P	P		P	P	P	A									

2015 4th Thursday	Jan 22	Feb 26	Mar 26	Apr 23	May 28	Jun 25	Jul 23	Aug 26	Sep 17	Oct 22	Nov 26	Dec 3	1st letter	2nd letter	3rd letter	appt'ed	termi- nated
Brey, Jerry	P	A	P	Passed Away													04/10/15
Ervin, Mark	A	P	P	P	P	P	P			P							
Farrar, Eugene	A	P	A	P	A	P	P			P							
Fehr, Richard	P	P	P	P	P	P	P			A							12/31/15
Grim, Jerry	P	P	P	A	P	P	P			A							
Guard, Robbie	P	A	P	A	P	P	Resigned June 30, 2015									06/30/15	
Hastings, James	P	P	P	P	A	A	P			P							
Hudson, Seth	P	P	P	P	A	A	P			A							
Sander, Keith	P	P	P	P	P	P	P			A							
Schulz, Joshua J	Appointed August 3, 2015									P							
Welker, Callie	Appointed May 4, 2015				P	P	P			P							

CITY OF CAPE GIRARDEAU, MISSOURI
Roster of Advisory Boards and Committees
September 19, 2016

All members of Advisory boards must be residents of the City of Cape Girardeau unless otherwise noted. Members may serve for only three consecutive full terms on the same board or commission effective with terms commencing May 8, 1996.

Golf Course Advisory Board

	<u><i>Date Appointed</i></u>	<u><i>Date Reappointed</i></u>	<u><i>Term Expires</i></u>
Mark Ervin	November 18, 2013	---	November 12, 2016
Keith Sander	November 17, 2014	---	November 12, 2016
Callie Welker	May 4, 2015	---	January 18, 2017
James Hastings, Chairman Council member, ex-officio	July 18, 2005	1/7/08; 1/25/11; 02/03/14	January 18, 2017
Seth Hudson	October 6, 2014	---	September 4, 2017
Joshua J Schulz (Jaycees)	August 3, 2015	---	September 4, 2017
Eugene Farrar	July 18, 2011	11/7/11; 11/17/14	November 12, 2017
Brandon Cooper	February 1, 2016	---	November 12, 2018
Jerry Grim	October 15, 2012	11/2/15	November 12, 2018

Serve three year terms, appointed by City Council. One member shall be a member of Cape Jaycees and designated by that organization is its representative. Regular meetings held fourth Thursday at Noon at the A.C. Brase Arena. Parks and Recreation Director and Golf Course Superintendent meet with Board. A City Council Member may serve as liaison. Staff contact – Julia Thompson, Parks & Recreation Director 339-6340.]

Staff: Bruce Taylor, Deputy City Clerk
Agenda: 11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-265

SUBJECT

Appointments to the Southeast Metropolitan Planning Organization (SEMPO) Board of Directors for terms expiring November 1, 2018.

EXECUTIVE SUMMARY

On October 8, 2012 the City Council approved the Memorandum of Understanding between Participating Jurisdictions for the Southeast Metropolitan Planning Organization. The MOU stated there would be 2 votes from the City of Cape Girardeau, 2 votes from the City of Jackson, 1 vote for Transit, 1 vote for SEMO Regional Planning Commission, 1 vote for Cape Girardeau County, and several Ex-Officio Members. Terms of the appointments were as follows:

- Appointment to the Board of Directors shall be made by the respective governing bodies of each participating jurisdiction.
- The voting members of the Board of Directors shall serve two year terms.
- Terms will begin November 1, 2012.
- Each board representative shall name one elected or appointed official as an alternate, who may exercise full member powers during their absence. The alternate's term shall also correspond with the primary representative's term.

BACKGROUND/DISCUSSION

The current roster for the SEMPO Board is attached. In 2012, the City Council appointed the Mayor and City Manager as the City representatives, with designated alternates of the Mayor Pro-Tempore and Development Services Director respectively.

STAFF RECOMMENDATION

Staff recommends that the Council make two appointments to the SEMPO Board of Directors for terms expiring November 1, 2018.

ATTACHMENTS:

Name:

[Advisory Board Roster 10-06.-14.doc](#)

Description:

SEMPO Board Roster

CITY OF CAPE GIRARDEAU, MISSOURI

Roster of Advisory Boards and Committees

September 19, 2016

All members of Advisory boards must be residents of the City of Cape Girardeau unless otherwise noted.

Members may serve for only three consecutive full terms on the same board or commission effective with terms commencing January 8, 1996.

Southeast Metropolitan Planning Organization

	<u><i>Date Appointed</i></u>	<u><i>Date Re-Appointed</i></u>	<u><i>Term Expires</i></u>
Mayor, alt. Mayor Pro-Tem (Cape)	October 15, 2012	11/03/14	November 1, 2016
City Mgr, alt. Asst CM-Dev (Cape)	October 15, 2012	11/03/14	November 1, 2016
(Semo Regional Planning)		---	November 1, 2016
(Cape Girardeau County)		---	November 1, 2016
(City of Jackson)		---	November 1, 2016
(Cape Girardeau County Transit Authority)		---	November 1, 2016
(City of Jackson)		---	November 1, 2016

Members serve two year terms. Transit representative will be alternately appointed by Semo University and Cape Transit Authority every two years. Cape County representative will be alternately appointed by County Commission and Cape Special Road District every two years. Each elected representative or board representative shall name one elected or appointed official as an alternate who may exercise full members powers during their absence. The alternate's term shall also correspond with the primary representative's term.

Staff: Bruce Taylor, Deputy City Clerk
Agenda: 11/7/2016

AGENDA REPORT
Cape Girardeau City Council

16-266

SUBJECT

Changing dates of City Council meetings in 2017 due to City observed holidays.

EXECUTIVE SUMMARY

Pursuant to the City Charter, the Council shall meet regularly at least twice each month. As prescribed by rule, the Council meets the first and third Mondays of each month. A few regularly scheduled City Council meetings in 2017 fall on various City observed holidays and need to be rescheduled.

BACKGROUND/DISCUSSION

Listed below are regular meeting dates in conflict with City observed holidays and staff's proposed changes.

Monday, January 2, New Year's Day observed - change to Monday, January 9

Monday, January 16, Martin Luther King, Jr. Day - change to Monday, January 23
Monday, September 4, Labor Day - change to Tuesday, September 5

Staff noted although there are no conflicts in July, the first Monday is the 3rd right before Independence Day on Tuesday. It may be beneficial to reschedule since people often travel or have preparations for the holiday celebrations. July 2017 has five Mondays and the meetings could be set for the 2nd and 4th Mondays (July 10 and July 24) if Council so chooses.

STAFF RECOMMENDATION

Staff recommends that the dates for the stated City Council meetings in 2017 be changed by motion.

ATTACHMENTS:

Name:

Description:

No Attachments Available

Staff: John Richbourg, Finance Director
Agenda: 11/7/2016

MEMORANDUM
Cape Girardeau City Council

16-26

SUBJECT

Analysis of Sales Tax Revenue for Year Ending June 30, 2016

EXECUTIVE SUMMARY

Total sales tax generated from sales occurring during the year ending June 30, 2016 were at least 2.47% more than sales tax generated from sales occurring during the previous year ending June 30, 2015 while the average inflation rate during that year was only .67%. This is the sixth straight year in which annual sales tax growth exceeded the average inflation rate. During these six years annual sales tax growth averaged 3.10% while the average inflation rate averaged 1.59%. During the previous six years the annual sales tax growth only exceeded the average inflation rate in two years. During these six years annual sales tax growth averaged 1.36% while the average inflation rate averaged 2.58%.

The growth trend has generally been positive during the past twelve months.

BACKGROUND/DISCUSSION

Exhibit “A” summarizes sales tax revenue by month of sale for years ending June 30, 2015 and 2016. This is presented differently than the monthly revenue information that you are normally given which is presented by the month it is received by the City. This information was compiled off sales tax detail information received recently from the state and should give you a better picture of actual sales tax growth since it should remove the majority of monthly fluctuations caused by uneven payment patterns.

This report shows total sales tax generated from sales occurring during the year ending June 30, 2016 was at least 2.47% more than sales tax generated from sales occurring during the previous year ending June 30, 2015. The following table shows sales tax growth compared to the rate of inflation for the past four years.

	Revenue	Inflation		Spread
June 30, 2016	+ 2.47%	+ .67%	2016	+ 1.80%
June 30, 2015	+ 3.22%	+ .73%	2015	+ 2.49%
June 30, 2014	+ 1.79%	+ 1.56%	2014	+ .23%
June 30, 2013	+ 2.65%	+ 1.66%	2013	+ .99%

The top companies (those in the top 100 in either year) generated more than 75% of the City’s sales tax revenue. Revenues from these companies only increased 1.78% during the year ending June 30, 2016. Revenues from the top 100 companies, excluding revenues from vehicle sales and Ameren UE increased 2.59% during the current year. Revenues received from motor vehicle sales and Ameren UE declined .43% and 6.81% during the current year. During the previous year Revenues received from motor vehicle sales increased 16.39%, while revenues from Ameren UE declined 2.64%.

Revenue growth from vehicle sales slowed significantly from the previous year. Quarterly revenue from vehicles sales declined in three out of four quarters during the past year. The only quarter which had positive vehicle sales growth was the quarter ending December 31, 2015 which grew 21.82% over the quarter ending December 31, 2014.

Also attached is Exhibit “B” which summarizes sales tax revenue for annual periods ending in each of the last twelve months. This presentation is used to show revenue growth trends by using annual figures for periods ending in each month which eliminates the month to month fluctuations as shown on Exhibit “A”. The percentage shown for each month reflects the annual growth that would occur if the growth incurred from the previous month were continued for another 11 months. This exhibit shows a generally positive growth trend during the last twelve months.

GENERAL DIRECTION

ATTACHMENTS:

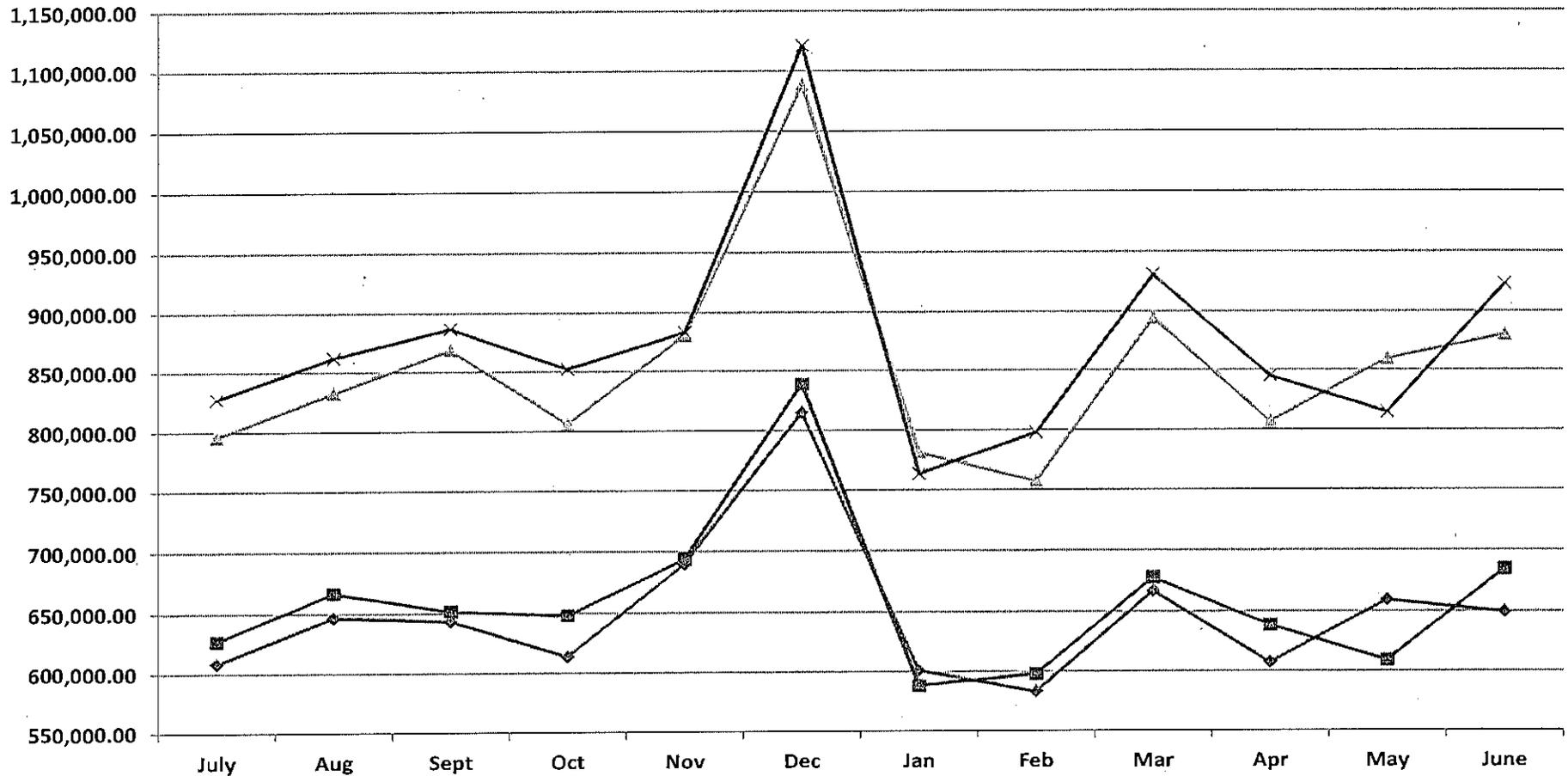
Name:

[sales tax exhibits.pdf](#)

Description:

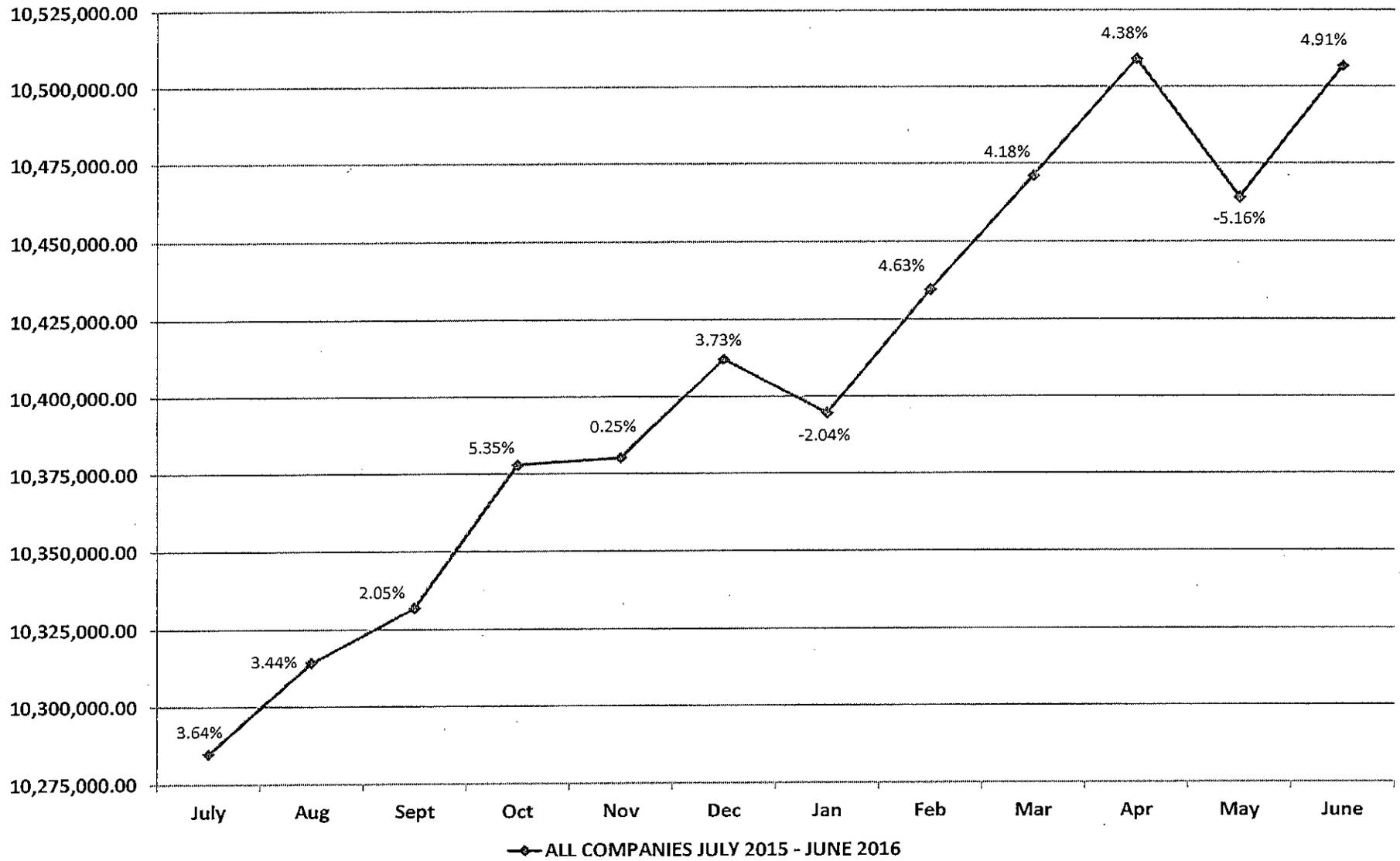
SALES TAX EXHIBITS

EXHIBIT A SALES TAX RECEIPTS



- ◆ July 2014 - June 2015 Top Companies Total Receipts \$7,784,936.05
- July 2015 - June 2016 Top Companies Total Receipts \$7,923,723.28
- ▲ July 2014 - June 2015 All Companies Total Receipts \$10,253,624.92
- July 2015 - June 2016 All Companies Total Receipts \$10,506,896.58

EXHIBIT B
SALES TAX RECEIPTS (MOVING AVERAGE)



Staff: John Richbourg, Finance Director
Agenda: 11/7/2016

MEMORANDUM
Cape Girardeau City Council

16-27

SUBJECT

Inception to Date Summary of the Casino Revenue Fund

EXECUTIVE SUMMARY

The attached exhibits reflect the Casino Revenue Fund activity through June 30, 2016 from its inception date. The attached Exhibit 'A' reflects the activity of the Casino Revenue Fund. This exhibit shows the various allocations of Casino revenue per Council policy and the use of those allocations. Attached Exhibits 'B' and 'C' give a more detailed look at projects budgeted from the Casino Revenue Fund's Capital and Innovation allocations.

BACKGROUND/DISCUSSION

The Council previously established guidelines for the prudent use of revenues from the Casino. These guidelines established minimum and maximum percentages of annual revenues that could be spent for Legacy, Innovation, and Capital. Since the inception of the Casino Revenue Fund allocations have been made at the minimum percentage of 10% for Legacy, 20% for Innovation, and 40% for Capital except for years in which annual appropriations exceeded the minimum allocation. In these years the maximum allocations were never exceeded. Additionally, allocations have been made in the amounts of the required payments to the adjacent communities and the required payments to match Casino contributions to the Riverfront Development Fund.

The attached Exhibit 'A' shows that at the end of the fiscal year ending June 30, 2016 the total fund balance of the Casino Revenue Fund was \$3,495,836.42. \$256,616.84 of this amount had not previously been allocated. The remaining fund balance had previously been allocated as follows: Adjacent Communities - \$96,740.47; Legacy \$769,348.20; Innovation \$1,923,718.48; and Capital \$449,412.43. Unspent appropriations remain at the end of the year that will be spent from these fund balances.

Fund balances available for future appropriation at the end of the year are as follows: \$208,116.84 from previously unallocated amounts; \$96,740.47 from the Adjacent Community allocation; \$769,348.20 from the Legacy allocation; \$38,141.98 from the Innovation allocation; and \$12,403.06 from the Capital allocation.

The attached Exhibit 'B' shows appropriations and related activity of the Capital allocation. It shows appropriations totaling \$5,930,000 have been made and expenditures totaling \$5,492,990.63 have been committed from the Capital allocation.

The attached Exhibit 'C' shows appropriations and related activity of the Innovation allocation. It shows appropriations totaling \$2,388,864 have been made and expenditures totaling \$503,287.50 have been committed from the Innovation allocation.

GENERAL DIRECTION

ATTACHMENTS:

Name:

[CASINOREVFUND_EXHIBITS_6-30-16.pdf](#)

Description:

CASINO REVENUE FUND EXHIBITS

Summary of Casino Revenue Fund from Inception through June 30, 2016
Exhibit "A"

	Original Project Budget	Budget Adjustments	Adjusted Project Budget	06-30-16 TOTAL	UNALLOCATED	RIVERFRONT DEVELOPMENT	ADJACENT COMMUNITIES	LEGACY ENDOWMENT	INNOVATION	CAPITAL	Unspent @ 06-30-16
Casino Revenue				\$ 12,037,827.22	\$ 1,703,241.40	\$ 419,699.77	\$ 361,134.82	\$ 1,203,782.73	\$ 2,407,565.44	\$ 5,942,403.06	-
Net interest				187,422.62	151,695.88			35,726.74			-
Net interest				(11.47)	(11.47)						-
Grant Revenue				19,440.54					19,440.54		-
Transfer from parks sales tax				10,000.00	10,000.00						-
Sale of Land to Pepsi at the Business Park				71,608.20	71,608.20						-
Sale of Land to SI03				249,539.83	249,539.83						-
Closing Costs - Business Park	(6,783.00)		(6,783.00)	(6,783.00)	(6,783.00)						-
Market Study	-	(20,000.00)	(20,000.00)	-	-						(20,000.00)
New Transfer Station	(1,000,000.00) 16 BUD	125,000.00	(875,000.00)	(846,500.00)	(846,500.00)						(28,500.00)
New Police Station	(976,174.00) 16 BUD	(100,000.00)	(1,076,174.00)	(1,076,174.00)	(1,076,174.00)						-
PROJECTS FROM UNALLOCATED	(1,982,957.00)		(1,977,957.00)	(1,929,457.00)	(1,929,457.00)						(48,500.00)
Cape County	(149,143.18)		(149,143.18)	(149,143.18)	-		(149,143.18)				-
Jackson	(87,127.93)		(87,127.93)	(87,127.93)	-		(87,127.93)				-
Scott City	(28,123.24)		(28,123.24)	(28,123.24)	-		(28,123.24)				-
ADJACENT COMMUNITY PAYMENTS	(264,394.35)		(264,394.35)	(264,394.35)			(264,394.35)				
Legacy Fund Loan to Solid Waste Fund to Payoff Promissory Note	(470,161.27)		(470,161.27)	(470,161.27)	-			(470,161.27)			-
LEGACY PAYMENTS	(470,161.27)		(470,161.27)	(470,161.27)				(470,161.27)			
CAPITAL PROJECTS	(5,930,000.00)		(5,930,000.00)	(5,492,990.63)						(5,492,990.63)	(437,009.37)
INNOVATION PROJECTS	(2,388,864.00)		(2,388,864.00)	(503,287.50)					(503,287.50)		(1,885,576.50)
Riverfront Match				(419,699.77)	-	(419,699.77)					-
FUND BALANCE AT 06-30-16				\$ 3,495,836.42	\$ 256,616.84	\$ -	\$ 96,740.47	\$ 769,348.20	\$ 1,923,718.48	\$ 449,412.43	-
BUDGET LEFT AT 06-30-16				(2,371,085.87)	(48,500.00)				(1,885,576.50)	(437,009.37)	-
UNCOMMITTED FUND BALANCE AT 06-30-16				\$ 1,124,750.55	\$ 208,116.84	\$ -	\$ 96,740.47	\$ 769,348.20	\$ 38,141.98	\$ 12,403.06	-

Summary of Casino Revenue Fund from Inception through June 30, 2016

Projects Budgeted from the Capital Allocation

	Original Project Budget	Budget Adjustments	Adjusted ^{Exhibit "B"} Project Budget	06-30-16 TOTAL	Unspent @ 06- 30-16
Police Station Space Study	(100,000.00)	2,857.01	(97,142.99)	(97,142.99)	-
Demolition of CVB Building and Construction of Downtown Parking Lot	(125,000.00)	40,437.86	(84,562.14)	(84,562.14)	-
Community Garden	(50,000.00)		(50,000.00)	(28,331.93)	(21,668.07)
Accelerated Tree Planting	(25,000.00)		(25,000.00)	(12,420.00)	(12,580.00)
Capital projects to be assigned	-		-	-	-
Arena Park Fencing	-		-	-	-
Broadway Prescription Parking Lot	(75,000.00)	42,421.94	(32,578.06)	(32,578.06)	-
River Heritage Museum Parking Lot	(50,000.00)	(9,990.20)	(59,990.20)	(59,990.20)	-
Hopper Road Lighting Improvements	(10,000.00)	5,687.21	(4,312.79)	(4,312.79)	-
Main Street Lighting Improvements	(312,000.00)	(30,249.75)	(342,249.75)	(342,249.75)	-
Dog Park	(25,000.00)	(18,351.60)	(43,351.60)	(43,351.60)	-
Last Call Parking Lot	(145,000.00)	75,549.54	(69,450.46)	(69,450.46)	-
Arena Park Fencing	(54,000.00)	8,981.85	(45,018.15)	(45,018.15)	-
Demolition of CVB Building and Construction of Downtown Parking Lot		(48,997.30)	(48,997.30)	(48,997.30)	-
Fort D Roof Improvements	(44,000.00)	(50,000.00)	(94,000.00)	(16,432.42)	(77,567.58)
Middle Street Parking Lot	(130,000.00)	(22,067.36)	(152,067.36)	(152,067.36)	-
Walking Trail Lighting/Widening	(100,000.00)		(100,000.00)	(32,000.00)	(68,000.00)
Sidewalk Connection on Kingsway to LaCroix Trail	(125,000.00)	(74,339.83)	(199,339.83)	(199,339.83)	-
Greater Cape Business Park Sanitary Sewer Improvement	(1,265,000.00)	154,567.24	(1,110,432.76)	(1,110,432.76)	-
LaCroix Trail Fitness Equipment	(45,000.00)	(2,721.81)	(47,721.81)	(47,721.81)	-
Shawnee Park Playground Equipment and Landscaping	(40,000.00)	(12,046.89)	(52,046.89)	(52,046.89)	-
Cape Youth Tackle League Scoreboards and Bleachers	(15,000.00)	(1,137.94)	(16,137.94)	(16,137.94)	-
Emergency Warning Sirens	(150,000.00)	21,593.75	(128,406.25)	(128,406.25)	-
Greater Cape Business Park Property Purchase Payment	(1,035,111.56)		(1,035,111.56)	(1,035,111.56)	-

Summary of Casino Revenue Fund from Inception through June 30, 2016

Projects Budgeted from the Capital Allocation

	Original Project Budget	Budget Adjustments	Adjusted Project Budget	06-30-16 TOTAL	Unspent @ 06- 30-16
Greater Cape Business Park Property Purchase Payment	(344,888.44)		(344,888.44)	(344,888.44)	-
Greater Cape Business Park Infrastructure	(250,000.00)		(250,000.00)	(55,000.00)	(195,000.00)
CCTA - Equipment Match		(20,000.00)	(20,000.00)	(20,000.00)	-
Public Art - Fountain Street	-	(50,000.00)	(50,000.00)	-	(50,000.00)
Police Station	(1,415,000.00)		(1,415,000.00)	(1,415,000.00)	-
Contingency	-	(12,193.72)	(12,193.72)	-	(12,193.72)
CAPITAL PROJECTS	(5,930,000.00)	-	(5,930,000.00)	(5,492,990.63)	(437,009.37)

Summary of Casino Revenue Fund from Inception through June 30, 2016

Projects Budgeted from the Innovation Allocation

	Original Project Budget	Budget Adjustments	Adjusted Project Budget	06-30-16 TOTAL	Unspent @ 06- 30-16
Tablet / Printer for Fire Inspector	(6,000.00)	1,640.12	(4,359.88)	-	(4,359.88)
Leadership Training	(50,000.00)	62.52	(49,937.48)	(49,937.48)	-
Traffic Signal Power Backup	(57,000.00)	(532.28)	(57,532.28)	(57,532.28)	-
Appropriation to be assigned			-	-	-
E-Ticketing Software	(150,000.00)		(150,000.00)	(145,051.00)	(4,949.00)
Police Connect	(5,000.00)	3,765.00	(1,235.00)	(1,235.00)	-
Traffic Management Software	(43,000.00)	(2,000.00)	(45,000.00)	(45,000.00)	-
Large Format Printer	(20,000.00)	7,423.25	(12,576.75)	(12,576.75)	-
Parks Registration Software	(60,000.00)		(60,000.00)	(45,245.42)	(14,754.58)
Mobile Terminals for Fire	(58,000.00)		(58,000.00)	(41,172.44)	(16,827.56)
Equipment for Tyler Nuisance Software	(25,000.00)	6,660.05	(18,339.95)	(22,739.95)	4,400.00
Color Plotter	(8,500.00)	4,111.00	(4,389.00)	(4,389.00)	-
Energy Manager	(14,000.00)	1,332.35	(12,667.65)	(12,667.65)	-
Laserfishe Rio for Web	(30,000.00)	19,287.00	(10,713.00)	(10,713.00)	-
Black Hawk Energy Savings System	(14,500.00)	14,500.00	-	-	-
Wi-fi for Park Facilities	(13,000.00)		(13,000.00)	-	(13,000.00)
Camera for Court and Hallway Monitoring	(400.00)	400.00	-	-	-
Scanner for Court	(1,000.00)	1,000.00	-	-	-
Additional Electronic Read Meters	(50,000.00)		(50,000.00)	-	(50,000.00)
Radio interoperability	(1,446,464.00)	(300,000.00)	(1,746,464.00)	(12,027.53)	(1,734,436.47)
Compensation for Performance	(300,000.00)	300,000.00	-	-	-
Web-Site Update		(43,000.00)	(43,000.00)	(43,000.00)	-
Drone Project		(30,000.00)	(30,000.00)		(30,000.00)
Contingency	(37,000.00)	15,350.99	(21,649.01)	-	(21,649.01)
INNOVATION PROJECTS	(2,388,864.00)	-	(2,388,864.00)	(503,287.50)	(1,885,576.50)

Staff: John Richbourg, Finance Director
Agenda: 11/7/2016

MEMORANDUM
Cape Girardeau City Council

16-28

SUBJECT

Inception to Date Summary of the Revenues and Expenditures of the Capital Portion of the Parks / Stormwater Sales Tax

EXECUTIVE SUMMARY

In April 2008 voters authorized a 3/8 cent parks and stormwater sales tax to be used for various parks, recreation, and stormwater capital projects. This tax went into effect October 1, 2008 and will expire on December 31, 2018.

The attached exhibits reflect the activity resulting from the collection and usage of this tax from its inception. At June 30, 2016, approximately \$3.9 million was projected to be available for future projects not originally included in the projects estimated to be completed by this tax. In August 2016 Council authorized the expenditure of \$1,587,000 of this amount for Cape Splash Phase II, upgrades to the Shawnee Sports Complex, renovations to Central Pool's mechanical / pump room, a parking lot at Arena Park 4H Exhibit Hall, and drainage and lighting projects at Osage. The remainder of the \$3.9 million will be authorized as a part of this year's CIP Budget process.

BACKGROUND/DISCUSSION

The City uses one special revenue fund and two capital projects to account for the activity related to the capital portion of the parks / stormwater sales tax. The Parks Stormwater Sales Tax – Capital fund accounts for the collection of the tax, purchase of equipment, repayment of related debt, and transfers to the two capital project funds. Separate capital project funds were set up to account for the usage of bond proceeds and transfers used to construct various capital projects. One of the funds accounts for stormwater projects and the other accounts for parks and recreation projects. The attached Exhibits 'B' – 'D' summarize the activity of each of the three funds individually.

The attached Exhibit 'A' summarizes the activity shown in Exhibits 'B' – 'D' and eliminates the related transfers between the three funds. Expenditures in this exhibit are summarized at a high level. More detail regarding the expenditures shown in Exhibit 'A' can be found in Exhibits 'B' – 'D'.

Key information from Exhibit 'A' is the following:

1. From inception revenues including sales tax and bond proceeds have totaled \$47,915,607.16.
2. From inception expenditures have totaled \$43,399,574.60.
3. At 6-30-16 there was \$4,516,032.56 in cash and investments available for future expenditures.

4. An additional \$10,646,145.61 of revenue based on current sales tax levels is projected before the expiration of the sales tax.

5. Available cash on hand plus future revenue is projected to be adequate to liquidate currently open contracts plus \$15,081,788.29 in future expenditures.

6. \$3,931,222.88 is projected to be available for future projects not originally included in the projects estimated to be completed by this tax. The time frames when these projects could be completed are included at the bottom of Exhibit 'A'.

GENERAL DIRECTION

ATTACHMENTS:

Name:

[PARKS - STORMWATER SALES TAX EXHIBITS.pdf](#)

Description:

PARKS AND STORMWATER SALES TAX EXHIBITS

COMBINED SUMMARY OF PARKS / STORMWATER SALES TAX - CAPITAL REPLACEMENT PORTION (NO ANNUAL SALES TAX GROWTH)
EXHIBIT "A"

	ORIGINAL BUDGET	BUDGET ADJUSTMENTS	REVISED BUDGET	SPENT / RECEIVED THROUGH 06/30/16	OPEN CONTRACTS @ 06/30/16	AMOUNT LEFT @ 06/30/16
REVENUES						
SALES TAX - CAPITAL	\$ 32,075,800.00	\$ 5,318,491.63	\$ 37,394,291.63	\$ 26,880,292.91	\$ -	\$ 10,513,998.72
SALES TAX - OPERATING	-	350,000.00	350,000.00	350,000.00	-	-
DONATIONS	-	24,645.00	24,645.00	24,645.00	-	-
BOND PROCEEDS	15,000,000.00	4,524,123.29	19,524,123.29	19,524,123.29	-	-
INTEREST REVENUE	525,000.00	118,830.30	643,830.30	601,683.61	-	42,146.69
PAYMENT FROM SCHOOL	750,000.00	(535,235.00)	214,765.00	214,764.80	-	0.20
PAYMENT FROM ARENA IMPROVEMENT	-	287,248.05	287,248.05	197,248.05	-	90,000.00
PAYMENT FROM PARK DEVELOPMENT FOUNDATION	-	2,788.04	2,788.04	2,788.04	-	-
PAYMENT FROM GENERAL FUND	-	16,952.91	16,952.91	16,952.91	-	-
GRANT REVENUE	-	103,108.55	103,108.55	103,108.55	-	-
TOTAL REVENUE	\$ 48,350,800.00	\$ 10,210,952.77	\$ 58,561,752.77	\$ 47,915,607.16	\$ -	\$ 10,646,145.61
EXPENDITURES						
STORMWATER PROJECTS	\$ 3,000,000.00	\$ 1,874,800.00	\$ 4,874,800.00	\$ 2,324,928.15	\$ 67,483.72	\$ 2,482,388.13
PARKS PROJECTS	20,306,445.00	677,158.48	20,983,603.48	20,077,807.26	12,906.16	892,890.06
PARK EQUIPMENT PURCHASES	5,618,669.00	(990,807.49)	4,627,861.51	3,252,861.51	-	1,375,000.00
AVAILABLE FOR OTHER EXPENDITURES	-	3,931,222.88	3,931,222.88	-	-	3,931,222.88
BOND PAYMENTS	19,425,686.00	4,457,090.85	23,882,776.85	17,482,489.63	-	6,400,287.22
INTRAFUND INTEREST EXPENSE	-	5,641.35	5,641.35	5,641.35	-	-
OTHER	-	6,917.58	6,917.58	6,917.58	-	-
COVERAGE OF GOLF SHORTFALL WHILE CLOSED	-	248,929.12	248,929.12	248,929.12	-	-
TOTAL EXPENDITURES	\$ 48,350,800.00	\$ 10,210,952.77	\$ 58,561,752.77	\$ 43,399,574.60	\$ 80,389.88	\$ 15,081,788.29
CASH AND INVESTMENTS LEFT	\$ -	\$ -	\$ -	\$ 4,516,032.56		
CASH FLOWS AVAILABLE FOR OTHER EXPENDITURES						
FYE 6-30-17		\$ 2,625,000.00				
FYE 6-30-18		425,000.00				
FYE 6-30-19		881,222.88				
TOTAL OTHER PROJECTS		\$ 3,931,222.88				

SUMMARY OF PARKS / STORMWATER SALES TAX (CAPITAL) FUND
EXHIBIT "B"

REVENUES

	ORIGINAL BUDGET	BUDGET ADJUSTMENTS	REVISED BUDGET	SPENT / RECEIVED THROUGH 06/30/16	OPEN CONTRACTS @ 06/30/16	AMOUNT LEFT @ 06/30/16
SALES TAX	32,075,800.00	5,318,491.63	37,394,291.63	26,880,292.91	-	10,513,998.72
OTHER REVENUE	-	24,738.45	24,738.45	24,738.45	-	-
TRANSFERS FROM ARENA IMPROVEMENT	-	270,000.00	270,000.00	180,000.00	-	90,000.00
TRANSFERS FROM CAPITAL PROJECTS	-	1,738,305.74	1,738,305.74	1,738,305.74	-	-
TOTAL REVENUE	32,075,800.00	7,351,535.82	39,427,335.82	28,823,337.10		10,603,998.72

EXPENDITURES

PURCHASE EQUIPMENT FROM EQUIPMENT						
REPLACEMENT FUND	193,442.00	(42,672.05)	150,769.95	150,769.95	-	0.00
08-09 EQUIPMENT	833,762.00	305,397.58	1,139,159.58	1,139,159.58	-	0.00
09-10 EQUIPMENT	449,000.00	(92,403.45)	356,596.55	356,596.55	-	-
10-11 EQUIPMENT	596,648.00	(467,912.01)	128,735.99	128,735.99	-	-
11-12 EQUIPMENT	156,593.00	428,771.33	585,364.33	585,364.33	-	0.00
12-13 EQUIPMENT	294,490.00	(47,856.86)	246,633.14	246,633.14	-	-
13-14 EQUIPMENT	318,165.00	(178,503.16)	139,661.84	139,661.84	-	-
14-15 EQUIPMENT	290,000.00	(216,884.15)	73,115.85	73,115.85	-	-
15-16 EQUIPMENT	694,603.00	(261,778.72)	432,824.28	432,824.28	-	-
16-17 EQUIPMENT	772,448.00	(147,448.00)	625,000.00	-	-	625,000.00
17-18 EQUIPMENT	304,131.00	70,869.00	375,000.00	-	-	375,000.00
18-19 EQUIPMENT	715,387.00	(340,387.00)	375,000.00	-	-	375,000.00
OTHER EXPENDITURES	-	3,931,222.88	3,931,222.88	-	-	3,931,222.88
BOND PAYMENTS	19,425,686.00	4,457,090.85	23,882,776.85	17,482,489.63	-	6,400,287.22
NET INTEREST EXPENSE (EARNINGS)	-	(348,249.16)	(348,249.16)	(306,102.47)	-	(42,146.69)
TRANSFER TO FUND 382	3,000,000.00	1,115,161.35	4,115,161.35	1,548,924.89	-	2,566,236.46
TRANSFER TO FUND 383	4,031,445.00	(1,061,811.73)	2,969,633.27	2,009,583.52	-	960,049.75
TRANSFER TO FUND 640	-	248,929.12	248,929.12	248,929.12	-	-
TOTAL EXPENDITURES	32,075,800.00	7,351,535.82	39,427,335.82	24,236,686.20	-	15,190,649.62
CASH AND INVESTMENTS LEFT	-	-	-	4,586,650.90		(0.00)

SUMMARY OF STORMWATER PROJECTS FROM PARKS \ STORMWATER SALES TAX FUND
EXHIBIT "C"

REVENUES

	ORIGINAL BUDGET	BUDGET ADJUSTMENTS	REVISED BUDGET	SPENT / RECEIVED THROUGH 06/30/16	OPEN CONTRACTS @ 06/30/16	AMOUNT LEFT @ 06/30/16
BOND PROCEEDS	\$ -	\$ 844,392.56	\$ 844,392.56	\$ 844,392.56	\$ -	\$ -
INTEREST REVENUE	-	62,022.05	62,022.05	62,022.05	-	(0.00)
TRANSFERS FROM SALES TAX FUND	<u>3,000,000.00</u>	<u>1,115,161.35</u>	<u>4,115,161.35</u>	<u>1,548,924.89</u>	<u>-</u>	<u>2,566,236.46</u>
TOTAL REVENUE	<u>\$3,000,000.00</u>	<u>\$ 2,021,575.96</u>	<u>\$5,021,575.96</u>	<u>\$ 2,455,339.50</u>	<u>\$ -</u>	<u>\$ 2,566,236.46</u>

EXPENDITURES

ARENA CREEK RELIEF CHANNEL - PHASE I (HOLD FOR PRS2)	\$ 260,000.00	\$ (97,000.00)	\$ 163,000.00	\$ 61,464.63	\$ -	\$ 101,535.37
HOWELL STREET BOX CULVERT	726,200.00	18,841.62	745,041.62	745,041.62	-	-
CAPE ROCK DRIVE CULVERT, STORM INLETS, DRAINS AT SCIVALLY PARK (COMBINED WITH HOWELL STREET PROJECT)	312,100.00	(312,100.00)	-	-	-	-
BRECKENRIDGE BRANCH BANK STABILIZATION (COMBINED WITH BEAVER CREEK DETENSION BASIN PROJET)	214,200.00	(214,200.00)	-	-	-	-
BEAVERCREEK DETENTION BASIN	107,100.00	258,795.78	365,895.78	365,895.78	-	-
MELROSE DRAINAGE AREA	276,200.00	(218,500.00)	57,700.00	56,693.22	-	1,006.78
THEMIS STREET IMPROVEMENT	260,000.00	(106,626.80)	153,373.20	153,373.20	-	-
MARGARET STREET AND JANET DRIVE DRAINAGE (HOLD FOR ARENA CREEK RELIEF)	342,600.00	240,000.00	582,600.00	33,649.15	-	548,950.85
LASALLE DETENTION BASIN FLOOD MONITOR	93,700.00	9,022.21	102,722.21	102,722.21	-	-
DOROTHY STREET STORM WATER IMPROVEMENTS	214,200.00	(195,412.16)	18,787.84	18,787.84	-	(0.00)
LISA DETENTION BASIN IMPROVEMENTS	80,000.00	15,852.19	95,852.19	95,852.19	-	-
MERRIWETHER DRAINAGE TUNNEL REPAIRS	91,400.00	(85,829.56)	5,570.44	5,570.44	-	0.00
YORKTOWN STORM LINE REPAIR	-	18,112.00	18,112.00	18,112.00	-	-
FLOOD WALL RAILROAD RELOCATION	-	1,600,000.00	1,600,000.00	461,954.95	38,087.47	1,099,957.58
STORMWATER STUDIES	-	174,800.00	174,800.00	174,800.00	-	-
GRANDVIEW AT MELROSE	-	55,000.00	55,000.00	-	-	55,000.00
BLUFF CITY BEER / SIEMERS	-	55,000.00	55,000.00	-	-	55,000.00
FERNDALE AT NOTTINGHAM	-	140,000.00	140,000.00	-	-	140,000.00
W. RODNEY / ADELIN / LEAR	-	125,000.00	125,000.00	-	-	125,000.00
GOODHOPE DRAINAGE	-	100,000.00	100,000.00	31,010.92	29,396.25	39,592.83
CONTINGENCY PROJECTS	22,300.00	294,044.72	316,344.72	-	-	316,344.72
NET INTEREST EXPENSE	-	116.31	116.31	116.31	-	-
OTHER	-	1,515.00	1,515.00	1,515.00	-	-

SUMMARY OF STORMWATER PROJECTS FROM PARKS \ STORMWATER SALES TAX FUND
 EXHIBIT "C"

TRANSFER UNUSED PROCEEDS TO FUND 383	<u>-</u>	<u>145,144.65</u>	<u>145,144.65</u>	<u>145,144.65</u>	<u>-</u>	<u>-</u>
TOTAL EXPENDITURES	<u>\$3,000,000.00</u>	<u>\$ 2,021,575.96</u>	<u>\$5,021,575.96</u>	<u>\$ 2,471,704.11</u>	<u>\$ 67,483.72</u>	<u>\$ 2,482,388.13</u>
CASH AND INVESTMENTS LEFT	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (16,364.61)</u>		
		CASH AT EOY		<u>57.27</u>		
		ACCOUNTS PAYABLE AT EOY		<u>\$ (16,421.88)</u>		
		ORIGINAL PROJECTS BUDGET			\$3,000,000.00	
		FLOODWALL - RAILROAD RELOCATION			1,600,000.00	
		TASK ORDER #3 - WATERSTUDY VARIOUS LOCATIONS			174,800.00	
		GOOD HOPE AT SHERIDAN DRAINAGE PROJECT			<u>100,000.00</u>	
		ADJUSTED PROJECTS BUDGET			<u>\$4,874,800.00</u>	

SUMMARY OF PARK PROJECTS FROM PARKS \ STORMWATER SALES TAX FUND
EXHIBIT "D"

	ORIGINAL BUDGET	BUDGET ADJUSTMENTS	REVISED BUDGET	SPENT / RECEIVED THROUGH 06/30/16	OPEN CONTRACTS @ 06/30/16	AMOUNT LEFT @ 06/30/16
REVENUES						
PAYMENT FROM SCHOOL	\$ 750,000.00	\$ (535,235.00)	\$ 214,765.00	\$ 214,764.80	\$ -	\$ 0.20
PAYMENT FROM ARENA IMPROVEMENT	-	17,248.05	17,248.05	17,248.05	-	-
PAYMENT FROM PARK DEVELOPMENT FOUNDATIC	-	2,788.04	2,788.04	2,788.04	-	-
PAYMENT FROM GENERAL FUND	-	16,952.91	16,952.91	16,952.91	-	-
GRANT REVENUE	-	103,108.55	103,108.55	103,108.55	-	-
DONATIONS	-	24,645.00	24,645.00	24,645.00	-	-
BOND PROCEEDS	15,000,000.00	3,679,730.73	18,679,730.73	18,679,730.73	-	-
INTEREST REVENUE	525,000.00	(316,179.36)	208,820.64	208,820.64	-	(0.00)
TRANSFERS FROM SALES TAX FUND-CAPITAL	4,031,445.00	(1,061,811.73)	2,969,633.27	2,009,583.52	-	960,049.75
TRANSFERS FROM SALES TAX FUND-OPERATING	-	350,000.00	350,000.00	350,000.00	-	-
TRANSFER UNUSED PROCEEDS FROM FUND 382	-	145,144.65	145,144.65	145,144.65	-	-
TOTAL REVENUE	\$20,306,445.00	\$ 2,426,391.84	\$22,732,836.84	\$ 21,772,786.89	\$ -	\$ 960,049.95
EXPENDITURES						
GENERAL PARK IMPROVEMENT PROJECTS	\$ 1,580,000.00	\$ 36,949.00	\$ 1,616,949.00	\$ 1,093,002.63	\$ 12,316.16	\$ 511,630.21
SHAWNEE PARK SPORT COMPLEX	2,464,000.00	333,620.80	2,797,620.80	2,797,620.80	0.00	(0.00)
ARENA PARK ATHLETIC FIELD IMPROVEMENT	701,800.00	5,500.00	707,300.00	707,300.00	-	(0.00)
A.C. BRASE ARENA IMPROVEMENTS	934,000.00	570,000.00	1,504,000.00	1,500,570.78	-	3,429.22
FAMILY AQUATIC CENTER	6,141,645.00	(153,709.22)	5,987,935.78	5,987,935.78	(0.00)	0.00
GOLF COURSE IMPROVEMENTS	1,500,000.00	-	1,500,000.00	1,497,283.18	-	2,716.82
TRAIL DEVELOPMENT AND IMPROVEMENT	810,000.00	29,032.90	839,032.90	483,895.30	590.00	354,547.60
OSAGE COMMUNITY CENTER IMPROVEMENTS	2,675,000.00	185,000.00	2,860,000.00	2,859,512.26	-	487.74
CENTRAL MUNICIPAL POOL IMPROVEMENTS	1,500,000.00	(354,235.00)	1,145,765.00	1,137,884.60	-	7,880.40
SHAWNEE PARK COMMUNITY CENTER	2,000,000.00	25,000.00	2,025,000.00	2,012,801.93	-	12,198.07
NET INTEREST EXPENSE	-	5,525.04	5,525.04	5,525.04	-	-
OTHER	-	5,402.58	5,402.58	5,402.58	-	-
TRANSFER FOR EQUIPMENT PURHCASES	-	1,738,305.74	1,738,305.74	1,738,305.74	-	(0.00)
TOTAL EXPENDITURES	\$20,306,445.00	\$ 2,426,391.84	\$22,732,836.84	\$ 21,827,040.62	\$ 12,906.16	\$ 892,890.06
CASH AND INVESTMENTS LEFT	\$ -	\$ -	\$ -	\$ (54,253.73)		0.00
				CASH AT EOY	(295.31)	
				ACCOUNTS PAYABLE AT EOY	\$ 53,958.42	

Staff:
Agenda: 11/7/2016

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

Advisory Board Minutes

- Golf Board Minutes, August 25, 2016
- Golf Board Projects and Improvements Minutes, August 25, 2016
- Keep Cape Beautiful, September 22, 2016
- SEMPO Board of Directors Minutes, September 21, 2016
- Cape County Extension Council Minutes, October 2016
- Red House Interpretive Center Minutes, October 5, 2016

ATTACHMENTS:

Name:

- [8.25.16_Golf_Minutes.pdf](#)
- [10.10.16- golf Projects and Improvements Minutes.pdf](#)
- [KCB-Minutes-September-22_2016.pdf](#)
- [Red-House-Draft-Minutes-Oct-5-2016.pdf](#)
- [Sempo_bod_mins_9_21_DRAFT.pdf](#)
- [Oct2016Extcouncilmet.pdf](#)

Description:

Golf Board Minutes, August 26, 2016
Golf Board Projects Minutes, October 10, 2016
Keep Cape Beautiful Minutes, September 22, 2016
Red House Interpretive Center Minutes, October 5, 2016
SEMPO Board of Managers
University Extension Council Minutes, October

GOLF COURSE ADVISORY BOARD

Keith Sander, Chairman
Mark Ervin, Vice Chairman
JJ Schulz, Secretary
Jerry Grim, Board Member
Eugene Farrar, Board Member

Brandon Cooper, Board Member
Seth Hudson, Board Member
Jim Hastings, Board Member
Callie Welker, Board Member

Thursday, August 25, 2016

12 P.M.

Shawnee Park Centre

1. Welcome/Introductions – Keith Sander, Chairman

- Present: Julia Thompson, Adam Halter, Scott Williams, Randy Lueder, Brock Davis, Eugene Farrar, Mark Ervin, Seth Hudson, Jerry Grim, Brandon Cooper, and Ashley Freed
- Absent: Jim Hastings, Keith Sander, JJ Schulz and Callie Welker

2. Approval of Minutes – July 28, 2016 – Keith Sander, Chairman

- Jerry Grim moved to approve the minutes as posted. Eugene Farrar seconded. All approved.

3. Old Business

- Mr. Randy Lueder suggested trimming the oak tree on Tee Box #17 in lieu of cutting it down. He is concerned that trimming the tree too much may result in losing a healthy tree. Mr. Brandon Cooper suggested we move the Tee Box to resolve the issue of the tree hanging over the fairway. All parties agreed to trim the tree then revisit and reevaluate the quality of play at a later date.

4. New Business

- Mr. Randy Lueder suggested replacing the damaged and weathered gate post at the main entrance. Ms. Julia Thompson is interested in updating the entrance and possibility relocating the maintenance shed as part of the PRS updates.
- Mr. Brandon Cooper motioned clarifying the rules for Club Membership Tournament. To participate in the Club Championship you must hold a Golf Membership, Cart Membership or 20 Player Golf Pass. Mr. Cooper 2nd, all in favor none opposed.
- Mr. Scott Williams reported similar to our partnership with The First Tee Program Mr. Adam Halter has volunteered to be the Special Olympics Golf Coach for two area golfers who completed at Woods Fort Golf Course in Troy, MO. He will also be coaching them at the State Outdoor Games in Jefferson City in October.

5. Reports

- Golf Course Pro Shop Update – *Adam Halter, Golf Course Manager*
 - The Course is up by about \$9,900 from last July, a good start for the new fiscal year. Rounds are up by 800 for the new fiscal year. Memberships are up by 1 for the new fiscal year.

- Twelve consecutive months of exceeding expectations for monthly sales, weekday play down, weekend play is up, Play on Monday's has increased because other courses are closed.
- Golf Course Maintenance – *Randy Lueder, Golf Course Supervisor*
 - *Looking to spruce up entrance and replace weathered portions.*
- Department Projects/Briefs –*Julia Thompson, Parks and Recreation Director*
 - Ms. Julia Thompson has requested a list be compiled of improvements we would like to see at the Golf course that would add to the quality of play and increase revenue.
 - Proposed a facility tour at our next meeting in October to get thought and feedback from our staff.
 - Mr. Davis's staff is working on updating Arena restroom, play areas & shelters. Boeing Engineering is finishing up the widening of the trail.

6. Other Business

- Reminder no meetings will be held in September. Our next meeting is **October 27, 2016**. Along with our Projects & Improvement Committee.

7. Adjournment

- Jerry Grim motioned to adjourn the meeting. J.J. Schulz seconded. Meeting adjourned at 12:51 p.m.

The Golf Course Advisory Board of the City of Cape Girardeau, Missouri may, as a part of the regular or special Golf Course Advisory Board meeting, hold a closed session to discuss legal action, causes of legal action of litigation, leasing, purchasing or sale of real estate, hiring, firing, disciplining, promotion of personnel or employee labor relations, or confidential or privileged communications with its attorneys. Specifically, the Golf Course Advisory Board will hold a closed session to discuss legal actions and litigation, confidential communications with legal counsel, property acquisition and personnel matters, pursuant to RSMo. Sections 610.021(2) and 610.021(3).

GOLF COURSE ADVISORY BOARD

Projects & Improvements Subcommittee

Jerry Grim, Chairman
Brandon Cooper, Board Member
Mark Ervin, Board Member
JJ Schulz, Board Member

Monday, October 10, 2016

12:00 P.M.

Jaycee Municipal Golf Course

1. Welcome/Introductions

2. Old Business

- Discussion of completed projects

4. New Business

- Discussion of projects to be brought to the full Board.
 - Remove and clean up benches around the golf course. Possibly remove some because it slows up play on the course.
 - Hole #11 – Should we remove periscope or can we increase the effectiveness of this safety feature?

6. Other Business

- Other items as needed
 - Itemized list of projects by each hole
 - Entrance: Replace the old gate with new gate, move the existing entrance back further to allow semi's more room to enter into the course, and tie in the new gate with the existing wooden property fence.
 - Hole 1 – No change
 - Hole 2 – We will need to continue to trim back the vegetation behind the tee box to allow sunlight on the tee. Trim tree by women's tee box. Removal of bench, it slows down play. We would need to raise elevation of fairway by 2 to 3 foot to help with irrigation.
 - Hole 3 – Raise the fairway to help with storm water runoff and add a bunker on the left side of the green. Cut down dead tree and burn on location to avoid tearing up the course.
 - Hole 4 – No change
 - Hole 5 – Kill out the vegetation by the tee box, repair deteriorating block wall and install staircase rock bed on hill side next to cart path to help hold small rocks & vegetation. Put large rocks next to the cart path to keep people from driving into grass. Select cut of trees to get sunlight on the tee box.

- Hole 6 – No change
- Hole 7 – No change
- Hole 8 – No change
- Hole 9 – No change
- Hole 10 – Add rock bed next to cart path where dead grass is. (from pavilion to water stand)
- Hole 11 – Replace block wall by periscope.
- Hole 12 – No change
- Hole 13 – Replace the new trees that have died.
- Hole 14 – Widen footbridge on the right of the green.
- Hole 15 – Plant trees by the restrooms to reduce the number of golf balls being hit towards the restrooms.
- Hole 16 – No change
- Hole 17 – 2 trees in decline in need of cutting down.
- Hole 18 – A few pines in decline behind maintenance shed.
- General course improvements:
 - Add fountains in the ponds to keep the water moving.
 - Add a Jaycee’s marker at the bathroom on 12, and add a concrete path to the bathroom.
 - Plant rock beds around each tee marker.
 - Put large rocks in beds to keep carts out.
- 5 Year Plan
 - Raise fairway #2 for drainage and irrigation
 - Change Grass on fairways tee boxes 11, 13, 14, 15, 17 & 18
 - New Pro Shop
 - Drainage on tee box #3
 - Relocate maintenance shed
 - Increase parking lot

7. Adjournment

The Golf Course Advisory Board of the City of Cape Girardeau, Missouri may, as a part of the regular or special Golf Course Advisory Board meeting, hold a closed session to discuss legal action, causes of legal action of litigation, leasing, purchasing or sale of real estate, hiring, firing, disciplining, promotion of personnel or employee labor relations, or confidential or privileged communications with its attorneys. Specifically, the Golf Course Advisory Board will hold a closed session to discuss legal actions and litigation, confidential communications with legal counsel, property acquisition and personnel matters, pursuant to RSMo. Sections 610.021(2) and 610.021(3).

BEAUTIFICATION COMMITTEE MEETING
SEPTEMBER 22, 2016
DRAFT MINUTES

The Cape Girardeau Beautiful Committee met at the Osage Centre on September 22, 2016 at 2:45 pm. Held the meeting on the bus as we took a litter tour.

Present:

Brian Langlios, Chairman
Loretta Schneider
Laura Ritter, Member
Keri Hurt, Member
Becky Mocherman, Member
Bonnie Svenson, Member

Staff Present:

Brock Davis, Parks Division Manager
Sharon Bergman, Administrative Secretary
Robbie Guard, Council Liaison
Mike Tripp, Public Works Rep.

Absent:

Stacey Peters, Member
Kasie Essner, Member
Julia Thompson, Director of Park & Recreation

I. WELCOME AND INTRODUCTIONS

II. APPROVAL OF MINUTES

Chairman Brian Langlios requested approval of the August 30th minutes. Council man Robbie Guard made a motion, seconded by Loretta Schneider to accept the minutes as distributed. Motion passed.

III. OLD BUSINESS

• **Fall Clean up**

KCB will partner with United Way with a Downtown Clean-up on Saturday, September 9th. Committee members will meet at the Boardman Pavilion at 9:00 AM and clean-up will end at 11:00 am. Update from Julia at October meeting.

• **Media Coverage**

Brian would like to still pursue the Radio Station and KFVS 12 about spotlighting the KCB committee. He will contact KFVS 12 about an afternoon segment that they run at 4:00 PM about community affairs. Update from Brian at October meeting

• **List of commercial recycle customers**

Mike Tripp will email the committee this list.

IV. NEW BUSINESS

- **Nomination for October 2016 Beautification Award**

Photos of the potential September 2016 Yard Recognition from our local businesses were distributed to the members. After discussion and vote Commerce Bank was selected for October Beautification Award.

V. CITY COUNCIL LIASON

Robbie Guard, Council Liason shared information about Heritage Days in Cape Girardeau on September 30 thru October 2nd. With the kick off day of Friday, Sept. 30th with a concert at the Common Pleas Courthouse. Some of the attractions coming to Cape will be the LST Memorial 325 and will be available for tours from September 29th – October 3rd from 9:00 am to 5:00 pm

VI. OTHER BUSINESS

There being no further business, Becky Mocherman made a motion to adjourn with Robbie Guard second. Motion passed.

Respectfully submitted,

Sharon Bergman
Administrative Clerk

(DRAFT)

RED HOUSE INTREPRETIVE CENTER

October 5, 2016

The Red House Interpretive Center Board met at the Osage Centre, 3:30 p.m. on October 5, 2016.

Present:

Paul Nenninger, Co-Chairman	Don Koehler, Board Member	Stacey Welter, Administrative Secretary
Stan Downs, Co-Chairman	Brenda Schloss, Board Member	Marcia Stone, Recording Secretary
Dr. Frank Nickell, Board Member	Dana Deisher, Board Member	
Martha Slaten, Rose Hill Garden Liaison		

Absent:

Linda Nash, Board Member
Stan Baughn, Board Member
Deb Baughn, Board Member

Guest:

Julia Thompson, Director of P & R

I. APPROVAL OF MINUTES: August 3, 2016

The September 7, 2016 minutes was approved with a motion from Dana Deisher and second from Don Koehler. Motion passed.

II. NEW BUSINESS:

1. No new business.

III. OLD BUSINESS

1. ELEVENTH ANNUAL DOWNTOWN GOLF TOURNAMENT

Administrative Secretary Stacey Welter reported that there were 23 golfers registered for the Eleventh Annual Downtown Golf Tournament this year and 17 sponsors totaling \$2,610.00 revenue. The expenses included \$327.60 – t-shirts, \$409.99 – Birdie Balls and \$720.00 for Port Cape. Net Gain for the event is currently \$1,742.41. After next year the board may look at changing the event by combining it with the Cape Heritage Days or a suggestion was made to make it a Corporate Games Event.

2. CAPE GIRARDEAU HERITAGE DAYS

Mrs. Welter also reported that the attendance at the Cape Girardeau Heritage Days was 450 that visited the Red House Interpretive Center. Don Koehler added that they had close to 800 that participated and visited the Red House grounds that weekend. The preliminary financial report showed a donation from the Glenn House \$370 and Old Town Cape \$250 towards the ad for the SE Missourian that cost \$1,480.00. Additional expenses were \$2,000.00 for Dennis Stroughmatt and \$200 for the signs. The revenue brought in was \$944.00, which \$574.00 was from the Red House. We currently have a net loss of -\$1,275.00 for the event.

Chairman Nenninger stated that he sent out an email to the venues' representatives requesting their synopsis of the event. The group representatives will need to decide if they want to try to reach out to broaden the marketing area or stay local, if they would like to make this an annual event and if they would want to change the date. The board present discussed expanding advertising using: Coffee Break, TV coverage and a billboard. Paul stated that they would be getting the survey back from the students in the next few weeks. Paul has a template for Heritage Day Certificates and Thank You notes.

Don Koehler reported that Dr. Distefano's skit went over well. She will be in our Speaker's Series next year. Three docents are needed at the gift shop. The Friday night kick off went very well at the Old St. Vincent's Church. Jerry Ford and Dennis Stroughmatt were very effective but maybe the performance was too long.

Red House Board Meeting

October 5, 2016

Page 2

They had a big parking problem that they will need to resolve for next year. The Cape Girardeau Heritage Days Group will meet tomorrow to discuss their plans for next year.

IV. REPORTS

DIRECTOR'S REPORT – Stacey Welter distributed the October Staff Briefs for the board's review of the upcoming events.

DOCENT REPORT – Paul Nenninger reported that there is a water line leak right in front of the front porch that needs to be fixed.

ROSE HILL GARDEN - Martha Slaten reported that the volunteers worked the Thursday before Cape Heritage Days weeding and mulching the garden.

V. OTHER

Chairman Paul Nenninger announced that he would like to step down from the Chairman position next year and he wanted to give the board advance warning.

VI. ADJOURNMENT

The meeting adjourned with a motion from Don Koehler and second from Dana Deisher at 4:40 p.m. The next meeting will be held on November 2, 2016 at the Osage Centre at 3:30 pm.

Respectfully submitted,

Marcia Stone, Recording Secretary



DRAFT

BOARD OF DIRECTORS MEETING MINUTES

September 21, 2016

Jackson Civic Center – Jackson, MO

Board Voting Members Present:

Mr. Chauncy Buchheit, Southeast Missouri Regional Planning & Economic Development Commission (SEMO RPC)
Ms. Beth Glaus, Southeast Missouri State University (SEMO University)(appointed alternate for Kathy Mangels)
Mr. Dwain Hahs, City of Jackson
Ms. Molly Hood, City of Cape Girardeau (appointed alternate for Scott Meyer)
Mr. Mark Phillips, Cape Special Road District
Mr. Harry Rediger, City of Cape Girardeau
Mr. Jim Roach, City of Jackson

Board Non-Voting Members Present:

Mr. Mike Brandon, Missouri Department of Transportation (MoDOT)
Mr. Matt Seiler, Missouri Department of Transportation

Technical Planning Committee Members Present:

Mr. Rodney Bollinger, City of Jackson
Mr. Drew Christian, Southeast Missouri Regional Planning & Economic Development Commission
Mr. Curtis Jones, Illinois Department of Transportation (IDOT)
Mr. Joe Killian, Missouri Department of Transportation
Mr. John Mehner, Cape Girardeau Area MAGNET
Mr. Brian Okenfuss, Missouri Department of Transportation

Staff Present:

Mr. Alex McElroy, City of Cape Girardeau
Mr. Ryan Shrimplin, City of Cape Girardeau

Call to Order

Chairman Buchheit called the meeting to order at 2:00 p.m.

Introductions

The group went around the room, with each person giving a brief introduction.

Public Comments

There were no public comments.

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Adoption of Agenda

The agenda of the September 21, 2016 Board of Directors Meeting was unanimously approved for adoption upon motion made by Mr. Hahs and seconded by Mr. Rediger.

Approval of Minutes

The minutes of the August 17, 2016 Board of Directors Meeting were unanimously approved upon motion made by Mr. Roach and seconded by Mr. Phillips.

Communications from the Chairman

Chairman Buchheit announced that the Board of Directors received a copy of a letter from Earl H. Norman with Benton Hill Investment Company to MoDOT Director Patrick McKenna regarding MoDOT's repurposing of Cape Girardeau County earmarks. In the letter, Mr. Norman expressed his extreme concern with taking the funds away from Cape Girardeau County and using them in Scott County instead. He also expressed frustration with the lack of progress on reconstructing the interchange at Mile Marker 93.

Mr. Seiler explained that Congress recently passed an omnibus bill authorizing states to repurpose unobligated balances on any earmark that was designated on or before September 30, 2005 as long as the earmark is less than 10% obligated or the project is closed but has remaining unobligated funds. The federal government issued guidance on how states are to handle repurposing the earmarks. MoDOT, acting within the federal guidance, determined that the unobligated funds in Missouri should be redirected to projects that help MoDOT take care of the state highway system. Due to Missouri's transportation funding situation, MoDOT is not funding any additional projects involving new construction of highways or bridges. The repurposing of the earmarks "cleans up the books" and allows the funds to be used in a manner consistent with MoDOT's directive from the Missouri Highways and Transportation Commission. He added that MoDOT is conducting a study of the Mile Marker 93 interchange; the project manager will present the findings to the SEMPO Board in November, 2016.

Mr. Rediger stated that a vision for the Mile Marker 93 interchange is needed as it is no longer a functional interchange.

Mr. Mehner stated the earmark for the Mile Marker 93 interchange was the result of hard work on the part of several people who are still in this area and feel the funds should remain here.

In response to a question from Mr. Rediger, Mr. Seiler stated the study of Interstate 55 from Fruitland to Scott City has not started.

Chairman Buchheit asked for clarification on the suspension of the Missouri Moves program. Mr. Seiler stated the funds have been authorized, but they cannot be spent due to state budget restrictions. Mr. Killian stated the program is on hold; if the funds are reinstated, the schedule will need to be extended. It was noted that the budget restrictions have also affected Missouri's ports.

New/Unfinished Business

Chairman Buchheit presented RESOLUTION NO. 2016-12, A Resolution amending the Public Participation Plan. Mr. Shrimplin stated a public comment period was held in accordance with the Public Participation Plan (PPP). In addition, the Board held a public hearing on August 17,

DRAFT

2016. No comments were received. Mr. Rediger made a motion to approve RESOLUTION NO. 2016-12. Mr. Phillips seconded the motion. The motion passed unanimously.

Member Reports

Mr. Rediger reported the Veterans Memorial Drive Phase 5 project is in progress, with an estimated completion in late November or early December, 2016. The Independence Street/Gordonville Road/East Rodney Drive intersection is closed for 60 days for construction of the roundabout. The notice to proceed has been issued for the South Sprigg Street bridge. Construction on the Bloomfield Road Phase 5 project will begin soon. The 2016 neighborhood street repair program is nearing completion. The extension of Veterans Memorial Drive through the Midamerica Hotels property at Center Junction is underway.

Mr. Hahs stated the US-61/East Main Street roundabout project is 4 weeks away from completion. The asphalt overlay program is underway. The city-wide traffic study will be conducted next year.

Mr. Phillips mentioned the Cape Special Road District is doing routine maintenance and nearing completion of the County Road 651 bridge replacement project.

Mr. Okenfuss indicated the damaged bridge beam at the Mile Marker 93 interchange has been replaced. Equipment has been added to detect oncoming vehicles/loads exceeding the height limit and warn the drivers in advance. The Jackson sidewalk project has been delayed to November or December, 2016.

Chairman Buchheit informed the group that the Cape Girardeau County Hazard Mitigation Plan update has been approved by SEMA and is available on the SEMO RPC's website.

Mr. Mehner announced that the City of Cape Girardeau and Midamerica Hotels Corporation will be forming a Transportation Development District (TDD) for the extension of Veterans Memorial Drive through the Midamerica Hotels property at Center Junction, including a traffic signal if warranted.

Mr. Seiler stated MoDOT is in the process of hiring a consultant to conduct an environmental study for the Chester Bridge.

Mr. Jones mentioned the 2016 IDOT Fall Planning Conference will be held October 6-7 in the Quad Cities.

Mr. Killian announced that Transportation Alternatives Program (TAP) applications are now being accepted. The application deadline is November 1, 2016. The TPC will be asked to rate the projects submitted for the SEMPO planning area at its November 2, 2016 meeting. Awards will be announced in early January, 2017.

Other Business and Communications

Mr. Shrimplin and Mr. Christian indicated there will be upcoming amendments to the Unified Planning Work Program (UPWP) and the Transportation Improvement Program (TIP).

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Adjournment

Upon motion made by Mr. Rediger, seconded by Mr. Phillips, the meeting was adjourned unanimously at 2:50 p.m.

Respectfully submitted,

Ryan Shrimplin

UNIVERSITY OF MISSOURI
CAPE GIRARDEAU COUNTY
EXTENSION COUNCIL
OCTOBER MEETING AGENDA

Meeting Call to Order	Randy	1 minute
Moment of Silence for Service Personnel	Randy	1 minute
Roll Call	Brandi	2 minutes
Secretary's Minutes Approval	Randy	1 minute
Treasurer's Report	Keith	4 minutes
Old Business		
Lighting Update	Adam/Wib	5 minutes
Foundation Fundraiser	Bev	2 minutes
	Keith Sale Sheets	5 minutes
Report on County Cluster Meeting	Randy	1 minute
New Business		
Staff Reports	Staff	6 minutes
Rental Form/Brochure Liability	Richard	1 minute
Commissioner Presentations	Richard	1 minute
Request Campus Endowment	Randy	1 minute
Renewal of mowing contract	Anthony	1 minute
Secretary/Program Subsidiary	Richard/Anthony	5 minutes
New Insurance Premium	Randy	2 minutes
Personnel Committee Review of Personnel Policy and Procedure Manual	Richard	5 minutes
Fair Labor Standards Act	Randy	10 minutes
Adjourn		
Closed Session		

Cape Girardeau County Outreach & Extension Council
Funds (Classes) TOTALS
September 2016

		September 2016
1000	General Operating (appropriation)	- \$5,070.61
TOTAL 1000 General Operating		- \$5,070.61
2000	Center Operations	
2100	University Postage Allotment	\$12,704.62
2600	University Retirement Subsidy	\$900.00
		\$13,604.62
Employment Security – (3 rd quarter)		\$0.00
3000	Education and Services	
3100	Soil Testing	\$ 7,992.69
3200	Resale and Services	- 18.03
3700	Livestock Weight Scales	337.52
3000	Education and Services - Other	2,615.68
Total 3000 Education and Services		\$10,927.86
5000	Restrict Grants & Contributions	\$40,296.74
7000	Designated -- Capital	
7100	Facility Improvements	\$0.00
7200	Rental Income	15,978.53
7000	Designated Capital - Other	20,706.66
Total 7000 Designated Capital		\$36,685.19
TOTAL		\$96,443.80

Savings/Checking Accounts as of end of September 2016

Peoples Bank (CD from Pork Producers \$)	\$14,166.69
Montgomery Bank	\$38,396.70
Commerce Bank	\$22,123.00
Capaha Bank	\$21,757.41
Total	\$96,443.80

2:56 PM

10/17/16

Accrual Basis

Cape Girardeau County Extension Council
Budget Overview vs. Actual - All Classes
 January through September 2016

	Total 1000-County Appropriations			
	Jan - Sep 16	Budget	\$ Over Budget	% of Budget
Income				
0100 · Student Fees	0.00			
0210 · County Appropriations	72,940.64	82,058.22	-9,117.58	88.9%
0300 · Investment Income	0.00			
0400 · Gift/Grants/Contracts	0.00			
0900 · Resales/Educ Services Fees	0.00			
1300 · Miscellaneous Income	0.00			
1500 · Postage Allotment	0.00			
1600 · Balance Transfers	2,000.00	5,446.12	-3,446.12	36.7%
Total Income	74,940.64	87,504.34	-12,563.70	85.6%
Expense				
2700 · Persnnl Serv - Salaries & Wag	48,910.38	50,157.00	-1,246.62	97.5%
2800 · Payroll Expenses	3,741.77	3,901.01	-159.24	95.9%
2900 · Non Payroll Salaries	0.00			
3100 · Travel	2,897.60	4,162.50	-1,264.90	69.6%
3600 · Postage	15.80	149.99	-134.19	10.5%
3700 · Telephone Serv - Local	2,245.40	2,100.01	145.39	106.9%
3800 · Telephone Serv - Tolls	312.24	300.01	12.23	104.1%
4300 · Rent/Lease Space	0.00			
5100 · Supplies/Services	2,675.22	3,918.74	-1,243.52	68.3%
5900 · Utilities	4,600.04	4,800.01	-199.97	95.8%
6400 · Other Contract Services	10,647.73	8,890.00	1,757.73	119.8%
6800 · Insurance	3,451.08	2,850.00	601.08	121.1%
7000 · Miscellaneous	1,977.86	3,034.57	-1,056.71	65.2%
7100 · Soil Test Expenses	0.00			
7200 · Publications for Resale	0.00			
7300 · Repairs/Maintenance	2,553.25	1,875.01	678.24	136.2%
7700 · Furniture/Equipment	1,429.00	2,100.00	-671.00	68.0%
7999 · Fee Generation Distribution	0.00			
8100 · Capital Repairs/Improvements	0.00	300.00	-300.00	0.0%
Total Expense	85,457.37	88,538.85	-3,081.48	96.5%
Net Income	-10,516.73	-1,034.51	-9,482.22	1,016.6%



Anthony Ohmes

2016 Agronomy Specialist Update

September - October

Contacts in Cape Girardeau, Perry, Bollinger, Madison, Iron, in addition Scott, Stoddard, Butler and Mississippi

Education delivered:

Publications: email crop updates and printed media

Email: Provide educational update on a variety of subjects on wheat planting, pasture/hay field renovations, corn harvest, corn disease, and soybeans disease and insects.

Direct contact: Producers and Homeowners

Field Crops and Pastures: Combination of field visits, office walkins, phone calls, text and email. Wheat planting, pasture weed identification and control options in particular an invasive ornamental fountain grass, forage renovation, armyworm feeding in pasture/hay and wheat, soybean sudden death and charcoal rot concerns, corn harvest, weed control for fall in row crops, cover crops, soybean harvest.

Home lawn and landscape: Lawn establishment, springtails and drain flies, soil testing questions, lawn weed identification and control.

Soil testing - advise on reports in row crops, forages, and with homeowners

Professional Dev.: Extension Summit October 25-27; Soil Health Workshop November 9

Meeting Events: Cattle and Crops Workshops Nov. 8, Dec. 6, Jan. 10, Certified Crop Advisor Meeting Nov. 21 & 22; Regional Corn Meeting Dec. 7, Regional Soybean Meeting Jan. 18, Soils for Youth at South Elementary Oct 18 & 19, Forage/Livestock Meeting in Bollinger Co. Nov. 10.



*University of Missouri Extension
Ann Knight, NPA, Cape Girardeau County*



Date/ Agency	Program	Participant
9/2/16-Gibson and Vision House Recovery Centers	Eat Smart Be Active	25 Adults
9/6/16-Hillcrest Recovery Center	Eat Smart Be Active	6 Adults
9/6/16 & 9/7/16-Jackson's South Elementary	Eating From the Garden	100 Children
9/9/16-Gibson and Vision House Recovery Centers	Eat Smart Be Active	25 Adults
9/13/16-Hillcrest Recovery Center	Eat Smart Be Active	6 Adults
9/13/16 & 9/14/16-Jackson's South Elementary	Eating From the Garden	100 Children
9/16/16-Gibson and Vision House Recovery Centers	Eat Smart Be Active	25 Adults
9/19/16,9/22/16.9/23/16-Jackson's Orchard Drive	Show Me Nutrition	450 Children
9/27/16-9/30/16:Cape Girardeau's Alma Schrader	Show Me Nutrition	400 Children
Total-1,137 Participants		

Mary Gosche, Human Development Specialist

September and October, 2016 Summary of Activities

Eating from the Garden, assisted with children in garden at South Elementary, 9/06/2016

Family and Community Education, Quarterly Council meeting, 9/01/2016

National Extension Association of Family and Consumer Sciences meeting in Big Sky, Montana, 9/11-15/2016, attended meeting and presented a poster session on Mental Health First Aid.

Grandfamily Conference at St. Andrew Lutheran Church in Cape Girardeau, 10/04/2016, 68 participants. 1 keynote speaker, 4 concurrent sessions, 24 resource table vendors.

Article for Cash Book Journal entitled, "The Guilt of Juggling Work and Family Life", 10/07/2016

Building Strong Families parenting program, 10/10 & 17/2016; Coping with Stress presentation and the second night provided food for the parents(13), children(4), and facilitators.

Mental Health First Aid training for adults who work with youth, 09/22/2016, 8 participants, 4 hours.

Postponing Sexual Involvement, 10/10, 12, & 14/2016, one hour classes to 21 eighth graders at Oak Ridge School.

SEMO University classroom presentation on MU Extension, 10/11/2016.

Successful Aging, 9/22/2016(15), 10/20/2016, Golden Angels, House of Hope off South Sprigg St.

MU Extension Summit in Columbia, October 25-27, 2016.

**4-H Program Report for Extension Council Meeting 10/18/16
Submitted by Lesley R. Meier, 4-H Youth Specialist**



Enrollment for the new 4-H year began on October 4 and state dues are \$20.

National 4-H Week was October 2-8. Paper Clover Campaign with Tractor Supply Company was October 5-16.

Two youth participated in the State Fashion Revue Contest on October 8.

Planning a Citizenship Washington Focus trip for June 10-19, 2017 for all of Missouri 4-H. Informational meeting is October 19 for those locally interested.

4-H Council meeting was October 3; next meeting will be December 5 and a holiday theme

County 4-H awards were due October 7 and were judged October 11. Recognition Banquet will be held on November 5 with a meal at 6:00 p.m. and program starting at 7:00 p.m. Cost for the meal is \$10 or members have the option to attend the banquet portion only for free.

Junior Leaders are hosting a Trivia Night on November 4 as a fundraiser. Tickets are \$10 per person with tables of 6-8 people. Extension office has tickets available.

Three youth will participate in the National Poultry Judging Contest and BBQ contest in November.

Officer training for 4-H club officers is October 25 and hosted by the Junior Leaders

Attended the National Association of Extension 4-H Agents (NAE4-HA) meeting in New Orleans October 9-14.

Attending Extension Summit October 25-27 in Columbia.

New County Youth Liaisons (CYL) have been selected for 2016 – 2017.

Hosted a club leader training on October 5. Plan to host another in November to go over 4-H Online and project leader training in January.

4-H Program Update with State 4-H staff is October 19

Regional 4-H Category meeting is December 8 at Cape Girardeau county office.

Marsha is attending Shooting Sports Leader Coordinator Certification training October 21-23 at Clarence.

Richard Proffer
 Business Development Specialist
 684 West Jackson Trail PO Box 408
 Jackson, MO 63755
 Phone # 573-243-3581
 Fax # 573-243-1606
 Cell # 417-300-3185



Memo

To: Cape Girardeau County Extension Council
From: Richard Proffer, Business Development Specialist
CC: Janet Kline, Regional Director
Date: 10/18/2016
Re: September 2016 report

Projects/Clients started/working on:

Total open (regionally) 263
 Total open concerning Cape Girardeau County 41 or 16
 Total opened since last report (regionally) 6 4/67% for Cape Girardeau County

Projects/Clients completed: (2016 Business Development year information)

Total closed (regionally) 52
 Total closed concerning Cape Girardeau County 23 or 44%
 Total closed since last report (regionally) 0 0/0% for Cape Girardeau County

I have regionally reached 223% of my goals for the SBA fiscal year ending September 31, 2016.

2016 Outcome Measurements	Goal	Actual	% Obtained- State	Actual %
Sales Increase	\$2,217,180.00	\$ 6,397,639.00	100%	289%
S2 Sales Increase	\$1,304,223.00	\$ 5,647,639.00	100%	433%
Loans & Equity	\$1,321,178.00	\$ 574,000.00	43%	43%
Jobs Created	20	7	35%	35%
S2 Jobs Created	6	1	17%	17%
Jobs Retained	20	11	55%	55%
Businesses Started	3	2	67%	67%
Number of Trainings	8	6	75%	75%
Training Attendees	85	36	42%	42%
Number of Clients Counseled	46	87	100%	189%
Number of S2 Clients Counseled	3	3	100%	100%
Total Counseling Hours	308	258	84%	84%
Total S2 Counseling Hours	23	22	96%	96%
Long Term Clients	16	16	100%	100%
New Clients	7	14	100%	200%
# of Co-Counseled Cases	9	2	22%	22%