

REGULAR SESSION – JULY 18, 2011

The Cape Girardeau City Council convened in regular session on Monday, July 18, 2011, at 7:00 p.m., with Mayor Harry Rediger presiding and Council Members Mark Lanzotti, Loretta Schneider, Kathy Swan, Debra Tracy and John Voss present. Council Member Meg Proffer was absent.

City Attorney Eric Cunningham presented the invocation, and the members of Boy Scout Troops 2 and 5 led the Pledge of Allegiance.

Prior to the regular session, the City Council convened in closed session for purposes of discussing property acquisition, confidential communications with legal counsel, and personnel pursuant to Section RSMo. 610.021(1), (2) and (3) upon Mr. Voss' motion, Mrs. Swan's second, and the following vote: Ayes, Lanzotti, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

Mrs. Schneider made a motion, seconded by Mrs. Swan, to approve the Agenda as presented. The motion was approved upon the following vote: Ayes, Lanzotti, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

Mayor Rediger recognized Boy Scouts of America Troop 5, sponsored by VFW Post 3838, and Troop 2, sponsored by Grace United Methodist Church, attending to earn the Citizenship in the Community badge. Mr. Voss had each of the boys introduce themselves and tell their school and what rank they are working toward. He thanked them for attending and commended them on their work toward Eagle Scout rank.

COMMUNICATIONS/REPORTS

Mayor Rediger said that he had attended the Broadway Corridor Project public meeting last week, and two options were presented. He commended City staff and consultants for their work bringing this project to this point. Two public meetings have been held, and a presentation of both Broadway Corridor options is posted on the new City web site. He encouraged people to review the plans and submit their comments. Mrs. Kelly Green, City Engineer, said that she will be meeting with the Historic Preservation Commission on Wednesday morning to explain the Broadway Corridor Project options. Mayor Rediger said that the City will also be presenting the Broadway Corridor Project at the Cape West Rotary Club on Thursday, July 28. Mrs. Swan commented that many elements of the Broadway Corridor Project options could be seen in Jefferson City.

Mrs. Swan thanked Mr. Tom Meyer, the Cape Evening Optimist Club, the Esprit-Optimist International, and Cub Scout Pack 20 for painting two trains in Cape Girardeau parks. She commended them on their community spirit and volunteerism.

Mr. Lanzotti commended the Cape Girardeau 12-year old softball team who placed second in the State Tournament. He also recognized the upcoming Electric Vehicle Conversion Convention at the Cape Girardeau Regional Airport from September 21-25, 2011. Mr. Jack Rickard, from Cape Girardeau, has been instrumental in organizing this event.

City Manager Scott Meyer said that he will host a meeting Tuesday night at 7:00 p.m. with residents from the Boulevard Historic District to discuss parking.

Mr. Meyer said that the downtown pump stations were closed down this afternoon, after 90 consecutive days of running the pump stations 24/7, for 2,160 straight hours of operation due to the high flood waters. This has taken away from some of the City's services, such as mowing detention basins and rights-of-way.

PUBLIC HEARINGS

This being the date set for a public hearing to consider amendments to the City Council ward boundaries, in the City of Cape Girardeau, Missouri, the hearing was opened. There being no appearances, the hearing was closed.

This being the date set for a public hearing to discuss the past performance by the City in carrying out the City's 2006 Community Development Block Grant portion of the Fountain Street extension project, the hearing was opened.

Ms. Margaret Yates, with the Southeast Missouri Regional Planning Commission, appeared. Ms. Yates is assisting the City with the Community Development Block Grant application and grant process. She said that a public hearing is required at the end of a Community Development Block Grant project. The City was awarded \$400,000 for the Fountain Street extension project.

Mrs. Green appeared and explained the details of the Fountain Street extension from Morgan Oak to William Street. The total construction contract amount was \$1,030,269.96, which was covered by funding through the Missouri Department of Transportation Federal Aid Program, the Community Development Block Grant (through the DREAM Initiative), the City's Capital Improvement Fund, and the Motor Fuel Fund.

There being no further appearances, the hearing was closed.

This being the date set for a public hearing to discuss the past performance by the City in carrying out the City's 2008 Community Development Block Grant portion of the Downtown North Main Parking lot, sidewalks and lighting project, the hearing was opened.

Ms. Yates said that the City had been awarded a \$370,800 Community Development Block Grant for the downtown North Main parking lot, sidewalks and lighting project.

Mrs. Green appeared and explained the details of the project. It consisted of concrete curb and gutter removal and replacement, sidewalk removal and replacement, pavement removal and replacement in the upper lot, asphalt removal and replacement in the lower lot, striping, street lighting, signage, landscaping, security enhancements, site enhancements, and a restroom facility. The project was funded through the Community Development Block Grant, the City's contributing cash of \$225,000, the City's in-kind participation of \$57,900, and private funds of \$375,000.

There being no further appearances, the hearing was closed.

This being the date set for a public hearing to review the proposed revisions to the Stormwater Management, Floodplain Management, and Water and Sewers Chapters of the Code of Ordinances, the hearing was opened.

Mrs. Green explained that the existing Ordinances have a chapter on stormwater management regulations. Over the years, updates have been needed and are being implemented now, with other recent changes to the development code. She reviewed the major changes in the stormwater code,

including predevelopment conditions, permit expiration, easement widths, maintenance of detention basins, and gray water. The City will now require a permit process for clearing land.

Regarding floodplain management, Mrs. Green stated that FEMA and SEMA have informed the City that changes need to be made to the Ordinances to stay within the flood insurance rate program. The state won't adopt the flood plain maps until the City adopts the new Ordinance. These maps will be effective on September 29 if the Council approves the Ordinance on August 1, 2011. A public hearing must be held before the Council and the Planning and Zoning Commission before the Ordinance can be approved. One section allows a variance for agricultural structures, and a provision regarding permit expiration was added. Appeals will go before the Board of Adjustment, not the City Council.

Regarding the Water and Sewers Chapter of the Code of Ordinances, Mrs. Green said that they pulled all the information from the old chapter and put it in the new Development Code. All of the information on specifications and standards were put in that document. What remained was the building of sanitary sewer and water systems, and that is what is included in this chapter. The terminology was cleaned up and the rate information was left in this Ordinance. Language related to tampering to water lines was added, as well as more descriptive sections for fats, oils and greases (FOG).

Mr. Tim Gramling, Public Works Director, reviewed the language relating to FOG and explained why it is included in the Waters and Sewers chapters in the Code of Ordinances. He said that 43% of blockages are caused by FOG. He reviewed the requirements relating to FOG in the previous Ordinance. The new Ordinance requires all food establishments to incorporate installing grease interceptors in new building design. Food establishments that don't have grease interceptors now may be required to install them, if there is a problem. He continued that the new Ordinance provides for hydraulic detention for FOG and allows businesses to design what they need, based on estimated discharge. In addition, the new wastewater treatment plant will have an area where oil/grease can be discharged and kept from entering the waste stream.

There being no further appearances, the hearing was closed.

CONSENT AGENDA

A motion was made by Mrs. Schneider, seconded by Mrs. Tracy, to approve the following items on the Consent Agenda:

City Council July 5, 2011, regular and closed sessions minutes.

BILL NO. 11-108, AN ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY FOR THE WASTEWATER TREATMENT PLANT. Second and third readings.

BILL NO. 11-111, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A HOUSING AGREEMENT WITH THE HUMANE SOCIETY OF SOUTHEAST MISSOURI, IN THE CITY OF CAPE GIRARDEAU, MISSOURI. Reading and passage.

BILL NO. 11-114, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR BANKING SERVICES WITH U.S. BANK, NATIONAL ASSOCIATION. Reading and passage.

BILL NO. 11-116, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR GENERAL ENGINEERING AND SURVEYING SERVICES WITH KOEHLER ENGINEERING AND SURVEYING, INC., IN THE CITY OF CAPE GIRARDEAU, MISSOURI. Reading and passage.

A motion accepting into the City systems the sanitary sewer extension and the extension of Scenic Drive to Veterans Memorial Drive, in the City of Cape Girardeau, Missouri.

The motion was approved upon the following vote: Ayes, Lanzotti, Rediger, Schneider, Swan, Tracy and Voss. Nays, none. Mayor Rediger abstained from voting on BILL NO. 11-114 for financial reasons, because he is a member of the U.S. Bank Board of Directors. BILL NO. 11-108 is ORDINANCE NO. 4248; BILL NO. 11-111 is RESOLUTION NO. 2631; BILL NO. 11-114 is RESOLUTION NO. 2632; and BILL NO. 11-116 is RESOLUTION NO. 2633.

NEW ORDINANCES

BILL NO. 11-110 was given first reading as follows:

AN ORDINANCE ACCEPTING PERMANENT SANITARY SEWER EASEMENTS, PERMANENT ACCESS EASEMENTS AND PERMANENT UTILITY EASEMENTS FROM VARIOUS PROPERTY OWNERS FOR THE COUNTY ROAD 618 SEWER PROJECT

The first reading of BILL NO. 11-110 was approved upon Mrs. Schneider's motion, Mrs. Swan's second, and the following vote: Ayes, Lanzotti, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

BILL NO. 11-112 was given first reading as follows:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR FIXED ROUTE BUS SERVICES WITH THE CAPE GIRARDEAU COUNTY TRANSIT AUTHORITY, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The first reading of BILL NO. 11-112 was approved upon Mrs. Schneider's motion, Mrs. Tracy's second, and the following vote: Ayes, Lanzotti, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

BILL NO. 11-113 was given first reading as follows:

AN ORDINANCE APPROVING THE RECORD PLAT OF LOTS 7, 8, 9 AND 10 OF A RESUBDIVISION OF DOCTORS' PARK THIRD

The first reading of BILL NO. 11-113 was approved upon Mrs. Schneider's motion, Mrs. Tracy's second, and the following vote: Ayes, Lanzotti, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

BILL NO. 11-115 was given first reading as follows:

AN ORDINANCE AMENDING SCHEDULE F OF SECTION 26-247 OF THE CITY CODE, BY REPEALING NO PARKING ZONES ON BROADWAY AND FOUNTAIN STREET, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

The first reading of BILL NO. 11-115 was approved upon Mrs. Swan's motion, Mrs. Schneider's second, and the following vote: Ayes, Lanzotti, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

APPOINTMENTS

Mr. Eugene Farrar was appointed to the Golf Course Advisory Board for a term expiring November 12, 2011, upon Mr. Voss' motion, Mrs. Schneider's second, and the following vote: Ayes, Lanzotti, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

Upon finding of special expertise, Mr. Kent Zickfield was reappointed to the Special Business District Advisory Commission for a term expiring June 30, 2014, upon Mr. Voss' motion, Mrs. Tracy's second, and the following vote: Ayes, Lanzotti, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

There being no further business, the City Council adjourned upon Mr. Lanzotti's motion, Mr. Voss' second, and the following vote: Ayes, Lanzotti, Rediger, Schneider, Swan, Tracy and Voss. Nays, none.

Harry E. Rediger, Mayor

Gayle L. Conrad, City Clerk

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