



CITY OF CAPE GIRARDEAU, MISSOURI

City Council Agenda

Stacy Kinder, Mayor
Dan Presson, Ward 1
Tameka Randle, Ward 2
Nate Thomas, Ward 3
David J. Cantrell, Ward 4
Rhett Pierce, Ward 5
Mark Bliss, Ward 6

City Council Chambers
City Hall
44 N. Lorimier St

Agenda Documents, Videos
Minutes, and Other Information:
www.cityofcape.org/citycouncil

May 20, 2024
5:00 PM

- Individuals desiring to speak about items NOT on the agenda must register no later than 12:00 pm, on Monday, May 20, 2024, by using the form found at cityofcape.org/council, by emailing cityclerk@cityofcape.org, or by calling 573-339-6320.

Invocation

Pastor Zack Strong of Christ Church of the Heartland in Cape Girardeau

Pledge of Allegiance

Study Session

No action will be taken during the study session

Presentations

- Public Works Week Proclamation
- Police and Telecommunicators Appreciation Proclamation
- Firefighter and EMS Appreciation Proclamation
- Citizen Academy Graduate Recognition
- Southeast Missouri Regional Economic Development, Inc. (SEMO Redi) Presentation

Communications/Reports

Items for Discussion

- Appearances by Advisory Board Applicants
- Planning and Zoning Commission Report
- Consent Agenda Review

Regular Session

Call to Order/Roll Call

Adoption of the Agenda

Public Hearings

1. A public hearing to consider the proposed voluntary annexation and zoning of property located at 212 Misty Hollow Lane.
2. A Public Hearing to consider vacating the City's interest in an approximately 20-foot-wide part of N. West End Blvd Right-of-Way adjacent to 689 Highland Drive. (Item No. 10; BILL NO. 24-56)

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.

3. Approval of the May 6, 2024, City Council Regular Session Minutes and May 2, 2024, City Council Closed Session Minutes.
4. BILL NO. 24-50, 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 728 Good Hope Street, in the City and County of Cape Girardeau, Missouri, from C-1 to R-3. Second and Third Readings.
5. BILL NO. 24-51, an Ordinance approving the record plat of Latham's First Subdivision. Second and Third Readings.
6. BILL NO. 24-52, an Ordinance approving the record plat of Seyer Enterprises Subdivision. Second and Third Readings.
7. BILL NO. 24-53, an Ordinance authorizing the issuance of Special Tax Bills for various properties for the demolition of dangerous buildings and for the abatement of nuisances, located in the City and County of Cape Girardeau, Missouri. Second and Third Readings.
8. BILL NO. 24-54, a Resolution authorizing the City Manager to execute a Contract with Lochmueller Group for Engineering Services, in the City of Cape Girardeau, Missouri. Reading and Passage.

Items Removed from Consent Agenda

9. BILL NO. 24-55, a Resolution authorizing the City Manager to execute an Agreement with KCI Construction Company for improvements at the Wastewater Treatment Plant in the City of Cape Girardeau, Missouri. Reading and Passage. DEV - Trevor Pulley

New Ordinances

Mayor will ask for appearances after each Ordinance is read.

Individuals who wish to make comments regarding the item must be recognized by the Mayor/Mayor Pro Tempore. Each speaker is allowed 3 minutes and must stand at the public microphone and state his/her name and address for the record. The timer will buzz at the end of the speaker's time.

10. BILL NO. 24-56, an Ordinance vacating the City's interest in a portion of North West End Boulevard Right of Way adjacent to 689 Highland Drive, in the City of Cape Girardeau, Missouri. First

Reading. DEV - Trevor Pulley

11. BILL NO. 24-57, an Ordinance authorizing the City Manager to execute Supplemental Agreements with Bacon Farmer Workman Engineering & Testing, Inc., for the design of sidewalks along North Cape Rock Drive, in the City of Cape Girardeau, Missouri. First Reading. DEV - Trevor Pulley

Appointments

12. Appointment to the Parks and Recreation Advisory Board
13. Appointment to the Tax Increment Financing Commission

Other Business

Appearances regarding items not listed on the agenda.

This is an opportunity for the City Council to listen to comments regarding items not listed on the agenda. The Mayor may refer any matter brought up to the City Council to the City Manager if action is needed. Individuals who wish to make comments must first be recognized by the Mayor or Mayor Pro Tempore. Each speaker is allowed 3 minutes. Please face and speak directly to the City Council as a whole. The Mayor and Council Members will not engage or answer questions during the speaker's time at the podium. The timer will sound at the end of the speaker's time.

Meeting Adjournment

Closed Session

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, vote to hold a closed session to discuss issues listed in RSMo. Section 610.021, including but not limited to: legal actions, causes of legal action or litigation, leasing, purchasing or sale of real estate, hiring, firing, disciplining, personnel issues, or confidential or privileged communications with its attorneys.

Future Appointments and Memos

- Appointments to the Board of Appeals

Advisory Board Minutes

- **Advisory Board Minutes**
 - Airport Advisory Board - 03/12/24, 04/11/24 draft
 - Board of Adjustment - 04/04/24 Draft;
 - Convention and Visitors Executive Board - 05/03/24
 - Golf Course Advisory Board - 02/22/24 draft
 - Historic Preservation Commission - 02/21/24, 03/20/24, 04/27/24 draft
 - Parks and Recreation Advisory Board - 03/11/24 draft, 04/08/24 draft
 - Planning and Zoning Commission - 03/13/24, 04/10/24 draft, 05/08/24 draft
 - Tree Board - 04/05/24 draft

Staff: Amanda McKinney, Executive
Agenda: Assistant to the City Manager
5/20/2024

MEMORANDUM
Cape Girardeau City Council

SUBJECT

Public Works Week Proclamation

EXECUTIVE SUMMARY

BACKGROUND/DISCUSSION

GENERAL DIRECTION

ATTACHMENTS:	
Name:	Description:
Public Works Week 2024 Proclamation.doc	Public Works Week Proclamation

City of Cape Girardeau



Proclamation

Whereas, public works services provided in our community are an integral part of our citizens' everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highway, public highway, public buildings, and solid waste collections; and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by people's attitude and understanding of the importance of the work they perform.

Now, Therefore, Be It Resolved that I, Stacy Kinder, Mayor of the City of Cape Girardeau, Missouri, do hereby proclaim the week of May 19th – 25th 2024, as

Public Works Week

in the City of Cape Girardeau, Missouri, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.

In Witness Whereof I have hereunto set my hand and caused to be affixed the Seal of the City of Cape Girardeau, Missouri, this 20th day of *May, 2024*.

Stacy Kinder, Mayor

City of Cape Girardeau



Proclamation

Whereas, the Cape Girardeau Police Department's mission is to protect life, property, and the rights of persons, to enforce ordinances and laws, to preserve peace, order, and safety and uphold the highest standards of law enforcement; and

Whereas, the Cape Girardeau Police Department has made significant strides in enhancing public safety through advancements in technology and officer training, strengthening relationships with the community through crime reduction initiatives to safeguard our streets; implementing a Co-Responder Unit, and hosting countless community engagement efforts; and

Whereas, the Cape Girardeau Police Department serves a community of approximately 40,000 citizens and provides law enforcement services for approximately 28.4 square miles. In 2023, the Cape Girardeau Police Department responded to 43,179 calls for service; and

Whereas, the prompt response of law enforcement and their service is critical to the protection of life and the preservation of property; and

Whereas, it is important to acknowledge the dedicated services provided by the Cape Girardeau Police Department to our community and to honor all of our law enforcement officers who, through their courageous actions, face unexpected dangers daily and make sacrifices to protect our rights and freedoms; and

Whereas, communicators are vital partners with our law enforcement and fire personnel by monitoring their activities by radio, providing them with information, and ensuring their safety. The dedicated service of public safety communicators is a "silent service" seldom observed by the public. They serve as an indispensable link between the public and our officers and vital support services, exhibiting compassion, understanding, and professionalism during the performance of their job.

Now, Therefore, Be It Resolved that I, Stacy Kinder, Mayor of the City of Cape Girardeau, Missouri, do hereby proclaim May 13, 2024, as

Cape Girardeau Police and Telecommunicators Appreciation Day

and urge all citizens to join in honoring the men and women whose service and sacrifice have contributed substantially to keep our City and citizens safe and build a safe, strong, and resilient community.

In Witness Whereof I have hereunto set my hand and caused to be affixed the Seal of the City of Cape Girardeau, Missouri, this 20th day of *May*, 2024.

Stacy Kinder, Mayor

City of Cape Girardeau



Proclamation

Whereas, on June 22, 1860, the City Council under Mayor John Albert submitted Ordinance No. 84 providing for the purchase of a fire engine and the creation of a fire department; and

Whereas, the Cape Girardeau Fire Department plays a critical role in ensuring the safety and well-being of over 38,000 residents. With four strategically located fire stations, they are well-equipped to provide prompt and efficient responses to emergencies; and

Whereas, in 2023, the Fire Department responded to 6,774 calls for service, of those calls 56% percent were medical emergencies. Our dedicated Cape Girardeau Fire Department endures a very dangerous calling, constantly faced with the unknown and the unpredictable throughout their career; and

Whereas, the Cape Girardeau Fire Department along with Emergency Medical Services (EMS) continue to look for innovative ways to use technology to implement modern methods that help to safeguard and preserve life and property against the elements of fire and disasters; and

Whereas, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, emergency nurses, emergency physicians, trained citizens, and other medical care providers; and

Whereas, it is important to recognize the value and the accomplishments of emergency medical services providers and our Fire Department. They engage in countless hours of specialized training and continuing education to enhance their lifesaving skills and provide a vital public service to our citizenry.

Therefore, Be It Resolved that I, Stacy Kinder, Mayor of the City of Cape Girardeau, Missouri, do hereby proclaim May 4, 2024, as

Cape Girardeau Firefighter and EMS Appreciation Day

and urge all citizens to join in honoring the men and women whose dedication and professionalism have contributed substantially to the quality of life in our City.

In Witness Whereof I have hereunto set my hand and caused to be affixed the Seal of the City of Cape Girardeau, Missouri, this 20th day of *May, 2024*.

Stacy Kinder, Mayor



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SOUTHEAST MISSOURI REGIONAL
ECONOMIC DEVELOPMENT

City of Cape Girardeau Council
FEBRUARY 21, 2023

Background

CATALYSTS FOR CHANGE

- ▶ 2020
Area business leaders engage
- ▶ 2021
Investor and board expansion
- ▶ 2021
Postponed executive search
- ▶ 2021
Competitive assessment,
vision and goal setting, strategy
and implementation plan



Cape Girardeau Regional Competitive Assessment

Prepared for Cape Girardeau MAGNET
November 2021



Background

CATALYSTS FOR CHANGE

Cape Girardeau Regional Competitive Assessment

Prepared for Cape Girardeau MAGNET
November 2021

Quantitative Outcomes

- ▶ Sluggish employment gains
- ▶ Widespread regional population declines
- ▶ Lagging average wages
- ▶ Majority of new jobs from regional service industries
- ▶ Major problem attracting/retaining young professionals
- ▶ Substantially less investment in economic development

Background

CATALYSTS FOR CHANGE

Cape Girardeau
Regional Competitive
Assessment

Prepared for Cape Girardeau MAGNET
November 2021

Qualitative Outcomes

- ▶ Residents unaware of empirical regional deficiencies
- ▶ Widespread lack of understanding of MAGNET's plans, activities, or outcomes
- ▶ Lack of a local or region shared economic vision
- ▶ Lack of strong allies in business, industry, education or state and local government
- ▶ Board relied completely on executive staff

Background

CATALYSTS FOR CHANGE

Pivot to Organizational Redevelopment

- ▶ RESET
Activate the board to educate and engage allies and partners
- ▶ RE-IMAGINE
Assess assets, peers' practices, and opportunities
- ▶ REBUILD
Activate new team, programs, and resources to achieve goals



Progress

NEW STRATEGIC GOALS



Strategic Goals

1. Grow the number and variety of quality jobs available
2. Work collaboratively to strengthen the talent pipeline
3. Develop greater awareness for the region and its economic development vision

Progress

NEW STRATEGIC OBJECTIVES



Strategic Objectives

BUSINESS GROWTH & INNOVATION

Grow the economy by strengthening high-performing companies and industries, diversifying businesses and career opportunities, and fostering a culture of entrepreneurship and innovation.

TALENT & WORKFORCE DEVELOPMENT

Expand the skilled workforce by closing gaps in affordable and accessible trades, digital and professional technical training, and attracting and retaining students and workers needed to grow the economy.

BRANDING & MARKETING

Bolster business development and talent attraction efforts by clarifying, evaluating, and leveraging the region's brand identity.

Progress

INITIAL STEPS



Short-Term Actions

- ▶ Ally Engagement: raising awareness and getting input from local, regional, and state stakeholders
- ▶ Working Committees: (led by active board members) complete development of initiatives and action plans
- ▶ Investor & Sponsor Recruitment: secure increased investment to support future operations, programs, and projects
- ▶ Executive Leadership & Staff: attract high-quality leadership resources

Progress

WORKING COMMITTEES



Short-Term Outcomes

- ▶ Leading collaboration with private and public partners to bolster support from state and federal agencies to assess opportunities and develop a comprehensive plan to revitalize industrial development and expansion efforts surrounding Nash Road
- ▶ Leading collaboration with private and public partners to engineer a transparent and competitive process to respond to RFI's
- ▶ Leading collaboration with private and public land and property owners to create a digital inventory of available properties

Progress

WORKING COMMITTEES



Short-Term Outcomes

- ▶ Leading efforts to improve and consolidate allied health training programs
- ▶ Leading efforts to integrate Ranken Technical College industry-certified training programs with Cape Career and Technology Center programs
- ▶ Supported Codefi's successful application for \$1.5 million to provide adult software developer and cyber security training

Next Steps

FUNDING & OPERATIONS



Current Operations Funding

▶ Private Organizations (6)	\$90,000
▶ Cape Girardeau County	\$66,978
▶ City of Girardeau County	\$66,978
▶ City of Jackson	\$26,791
▶ Cape Chamber of Commerce	\$22,468
▶ City of Scott City	<u>\$6,665</u>
Annual Total	\$279,880

Next Steps

FUNDING & OPERATIONS



2024-29 Operations & Project Reserves

- ▶ Annual Total Operations \$600,000
 - * Jefferson City = \$600,000
 - * Jonesboro = \$1 million

- ▶ Ongoing Project Reserves \$5 million
 - * City of Jackson = \$1 million

Leadership

CURRENT



2023 Board of Directors

▶ EXECUTIVE COMMITTEE

James Stapleton, Chairman, Codefi

Dwain Hahs, Chair Elect, City of Jackson

Mandi Brink, Past-Chair, SEMO Port Authority

Tim Goodman, Sec/Tres, Benton Hill Investments

Jeff Maurer, Trades Wkfr, Mayson Capital

Matt Huber, Recruitment & Retention, Liberty Utilities

Rob Gilligan, Entrepreneurship & Innovation, Cape Chamber

▶ OTHER DIRECTORS

Robbie Guard, City of Cape

Dan Presson, City of Cape

Charlie Herbst, County

Jason Crowell, County

Dustin Whitworth, City of Scott City

Scott Crader, Crader Distributing

Marc Harris, Arnold Insurance

▶ EX-OFFICIO MEMBERS

Brian Gerau, Jackson Chamber

Carlos Vargas, Southeast Missouri State University

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
5/20/2024

AGENDA REPORT
Cape Girardeau City Council

24-087

SUBJECT

A public hearing to consider the proposed voluntary annexation and zoning of property located at 212 Misty Hollow Lane.

EXECUTIVE SUMMARY

A public hearing is scheduled for May 20, 2024 to consider the proposed annexation and zoning of the property at 212 Misty Hollow Lane.

BACKGROUND/DISCUSSION

On April 15, 2024, the City Council acknowledged receipt of an annexation petition for the property at 212 Misty Hollow Lane. As part of the annexation process, the Planning and Zoning Commission is charged with making a recommendation to the City Council regarding how the property should be zoned.

The adjacent property to the southeast is zoned R-1 (Single-Family Suburban Residential District). The other adjacent properties are outside the city limits and are not zoned. This area is characterized by single-family residential, multifamily residential, commercial, and religious uses. The Cape Vision 2040 Comprehensive Plan's Future Land Use Map shows the subject property as Low Density Residential.

A public hearing is scheduled for May 20, 2024 to consider the proposed annexation and zoning of the property.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

Annexing property is necessary for the orderly growth of the City. By annexing and zoning properties such as this, the property owners and the community as a whole will benefit from regulations intended to protect the public health, safety, and general welfare.

In considering a zoning district for a property to be annexed, 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 owners of the subject property intend to build a single-family detached dwelling on it. R-1 (Single-Family Suburban Residential District) permits the proposed use by right and is consistent with the Comprehensive Plan's Future Land Use recommendation for the property, making it reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

STAFF RECOMMENDATION

The staff report to the Planning and Zoning Commission recommended zoning the property as R-1 (Single-Family Suburban Residential District) upon annexation.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its May 8, 2024 meeting, held a public hearing and recommended zoning the property as R-1 (Single-Family Suburban Residential District) upon annexation.

PUBLIC OUTREACH

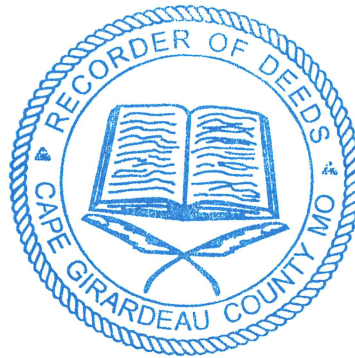
Notice of the City Council's public hearing was advertised in the Southeast Missourian on May 4, 2024. In addition, a sign containing the date, time, location, and subject of the public hearing was posted on the property.

ATTACHMENTS:	
Name:	Description:
Annexation Petition - 212 Misty Hollow Lane - Recorded.pdf	212 Misty Hollow Lane - Annexation Petition
Map - 212 Misty Hollow Lane to be Annexed.pdf	212 Misty Hollow Lane - Annexation Map
Map - Zoning - 212 Misty Hollow Lane.pdf	212 Misty Hollow Lane - Zoning Map
Map - FLU - 212 Misty Hollow Lane.pdf	212 Misty Hollow Lane - FLU Map
Sec. 30-57. - R-1 Single-Family Suburban Residential District.pdf	R-1 District Regulations



DocId:8376084

Tx:4223027



DOCUMENT #
2024-02323

ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
RECORDED ON
04/01/2024 12:51:43 PM
REC FEE: 30.00
PAGES: 3

RECORDER OF DEEDS COVER PAGE

Title of Document: Annexation Petition

Date of Document: March 20, 2024

Grantor(s) Name & Address: Zachary L. Hudson and Jami L. Hudson, Trustees
Hudson Qualified Spousal Trust Agreement dated
January 15, 2021
2939 Walden Boulevard
Cape Girardeau, MO 63701

Grantee(s) Name & Address: City of Cape Girardeau
44 North Lorimier Street
Cape Girardeau, MO 63701

Legal Description: See page 1 of Annexation Petition

Reference Book & Page, if Required:

IN RE: ANNEXATION

Zachary L. Hudson and Jami L. Hudson, Trustees of the Hudson Qualified Spousal Trust Agreement dated January 15, 2021, Petitioners

PETITION FOR ANNEXATION

1. Come now Zachary L. Hudson and Jami L. Hudson, Trustees of the Hudson Qualified Spousal Trust Agreement dated January 15, 2021, and state that said Trust is the owner of all fee interest of record of the following-described real property, being in Cape Girardeau County, Missouri:

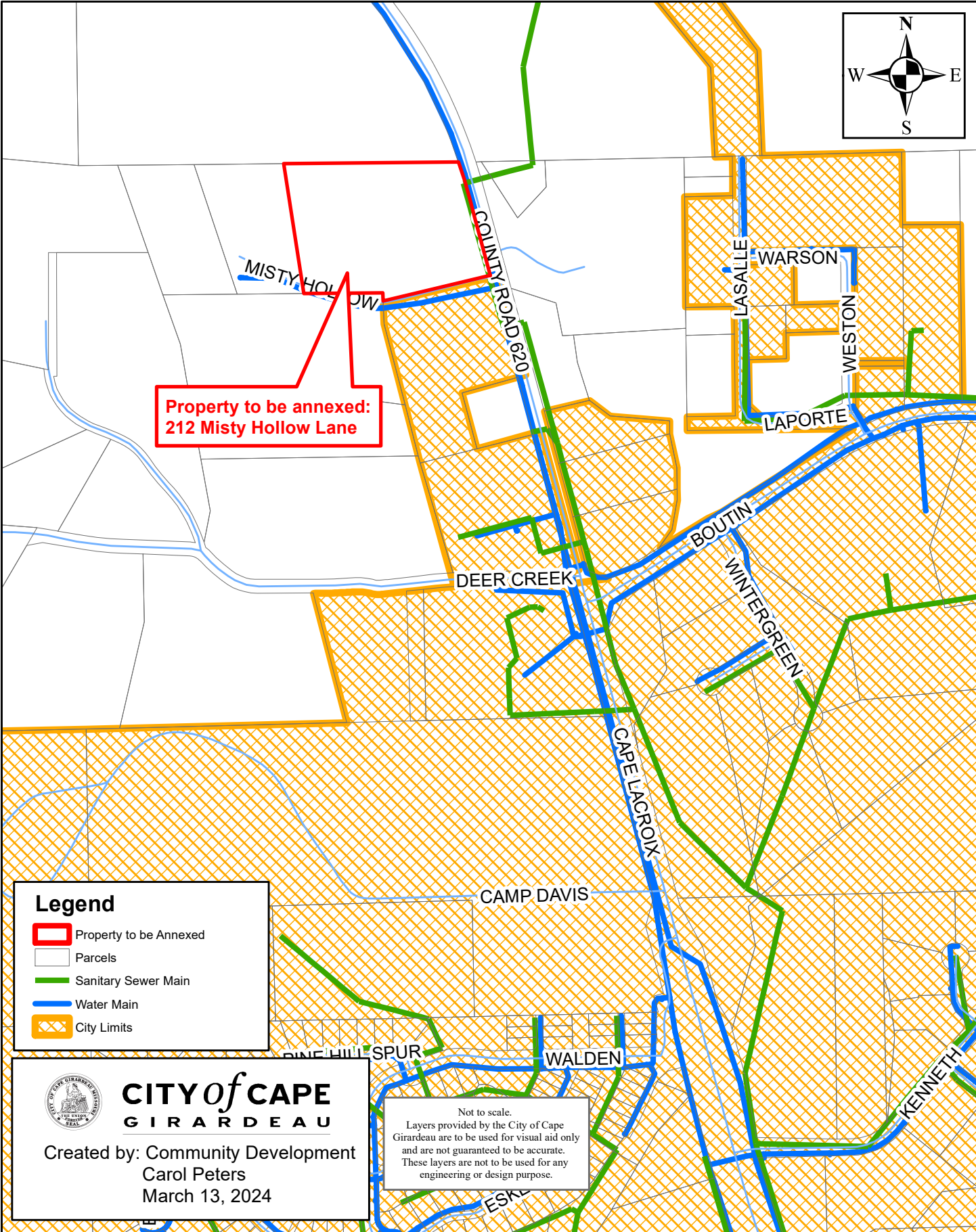
A part of the Northwest Quarter of Section No. 23, Township 31 North, Range 13 East of the Fifth Principal Meridian, County of Cape Girardeau, State of Missouri, being more particularly described as follows: Beginning at a ½ inch iron pin at the Northeast corner of Lot No. 1 of Cape LaCroix Farms Subdivision as filed in the land records of the County Recorder's Office in Plat Book No. 17 at Page No. 12, said point also being in the centerline of County Road No. 620 from which point a 1 inch iron pipe at the Northeast corner of the Northwest Quarter of said Section No. 23 bears North 88°44'23" East, 1396.11 feet; thence along the centerline of County Road No. 620 the following courses and distances: South 17°05'43" East, 160.60 feet; thence South 15°18'23" East, 271.80 feet; thence leaving said centerline, South 76°07'11" West, 427.92 feet; thence North 01°28'51" West, 511.69 feet to a point on the North line of said Section 23; thence North 88°44'23" East, 309.76 feet along said North line to the point of beginning, containing 3.96 acres, more or less.

ALSO a part of the Northwest Quarter of Section No. 23, Township 31 North, Range 13 East of the Fifth Principal Meridian, County of Cape Girardeau, State of Missouri, being more particularly described as follows: Commencing at a ½ inch iron pin at the Northeast corner of Lot No. 1 of Cape LaCroix Farms Subdivision as filed in the land records of the County Recorder's Office in Plat Book No. 17 at Page No. 12, said point also being in the centerline of County Road No. 620 from which point a 1 inch iron pipe at the Northeast corner of the Northwest Quarter of said Section No. 23 bears North 88°44'23" East 1396.11 feet; thence South 88°44'23" West, 309.76 feet along the North line of Section 23 to the true point of beginning; thence leaving said North line, South 01°28'51" East, 486.72 feet; thence South 88°44'23" West, 245.33 feet to the Southeast corner of a tract of land recorded in the land records County Recorder's Office in Book No. 708 at Page No. 868; thence North 10°20'56" West, 492.90 feet along the East line to the Northeast corner of said tract, said point also being on the North line of said Section 23; thence North 88°44'23" East, 321.32 feet along said North line to the point of beginning, containing 3.17 acres, more or less.

Being and intended to be Tracts 2 and 3 in Quit Claim Deed recorded as Document No. 2005-03754 on March 21, 2005 of the Cape Girardeau County, Missouri land records.

2. Zachary L. Hudson and Jami L. Hudson do hereby petition to have the above-described real property annexed to and included within the city limits of the City of Cape Girardeau, Missouri.
3. This Petition shall be a continuing obligation running with the land, and shall bind the subsequent owners as well as any heirs, executors, administrators, successors, assigns, and legal representatives of the current or subsequent owners. Furthermore, this Petition shall be recorded in the Office of the Recorder of Deeds of Cape Girardeau County, Missouri, and shall be of record.

212 Misty Hollow Lane Annexation Request



Zoning Recommendation for Property to be Annexed

Recommended Zoning:
R-1 (Single-family Suburban Residential District)
Future Land Use Recommendation: Low Density Residential



CITY of CAPE GIRARDEAU

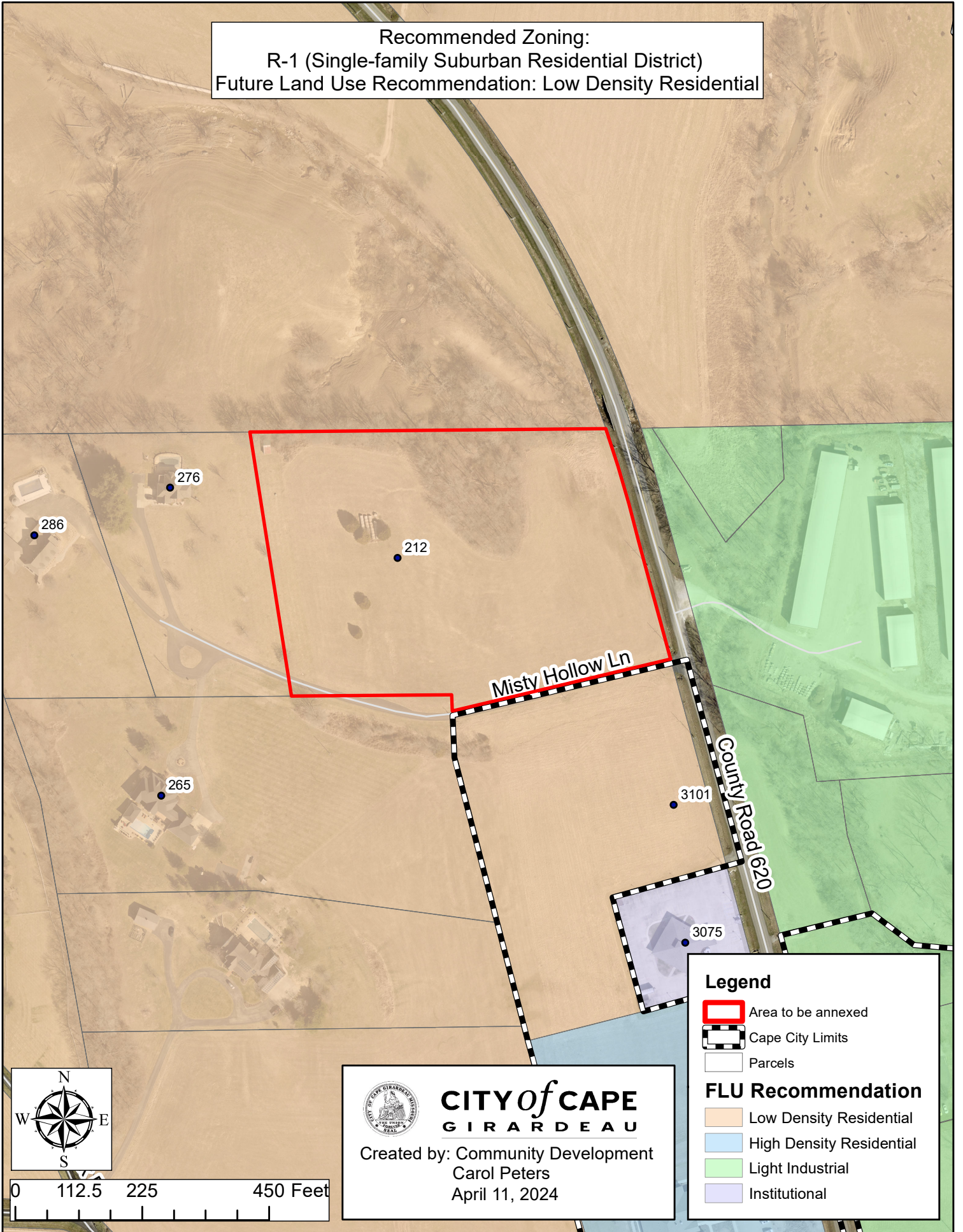
Created by: Community Development
Carol Peters
April 11, 2024

Legend

- Area to be annexed
- Cape City Limits
- Parcels
- Zoning District**
- R1
- C2

Zoning Recommendation for Property to be Annexed

Recommended Zoning:
R-1 (Single-family Suburban Residential District)
Future Land Use Recommendation: Low Density Residential



Sec. 30-57. - R-1, Single-Family Suburban Residential District.

- (a) *Purpose.* The R-1 district is intended primarily for single-family detached dwellings with a maximum density of four units per acre. It is designed to provide for quality single-family residential neighborhoods in a conventional subdivision setting, while encouraging a mix of housing styles, designs and development. Certain other structures and uses necessary to serve the area are allowed as permitted uses or through the approval of a special use permit, subject to restrictions intended to preserve and protect the single-family residential character of the district.
- (b) *Permitted principal uses.*
- (1) Single-family detached dwelling, with only one dwelling per lot.
 - (2) Cluster subdivisions, as permitted in chapter 25.
 - (3) Golf courses; this shall not include separate miniature golf courses, driving ranges and other similar activities operated as a business.
 - (4) Public parks, playgrounds, and recreational facilities.
 - (5) Police and fire stations.
 - (6) Elementary and middle schools, or development centers for elementary and middle school age children with handicaps or development disabilities, on a minimum of five acres of land.
 - (7) Noncommercial, not-for-profit residential neighborhood facilities consisting of indoor and outdoor recreational facilities, offices of property owners' associations, and maintenance facilities operated by a neighborhood or community organization or a property owners' association.
 - (8) Home for eight or fewer unrelated mentally or physically handicapped persons, including no more than two additional persons acting as house parents or guardians who need not be related to each other or to any of the handicapped persons residing in the home, provided that:
 - a. The exterior appearance of the home and property shall reasonably conform to the exterior appearance of other dwellings and property in the neighborhood; and
 - b. Such home shall not be located closer than 370 feet to any other such home.
 - (9) A private residence licensed by the state division of family services or state department of mental health to provide foster care to one or more, but less than seven, children who are unrelated to either foster parent by blood, marriage or adoption, provided that all applicable building and safety codes are met, and an occupancy permit issued therefor.
- (c) *Permitted accessory uses.*
- (1) Private garages, carports and accessory structures, as permitted in section 30-106.
 - (2) In home elderly care, with a maximum of three persons as permitted in section 30-114.

- (3) Home occupations, as permitted in section 30-108.
- (4) Home day cares, with no more than four unrelated children in a 24-hour period as permitted in section 30-111.
- (5) Solar energy systems, as permitted in section 30-113.
- (6) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.

(d) *Special uses.*

- (1) Home day cares, with five or more unrelated children in a 24-hour period, as permitted in section 30-111.
- (2) Libraries, on a minimum of two acres of land.
- (3) Cemeteries, on a minimum of ten acres of land.
- (4) Wind energy conversion systems, as permitted in section 30-113.
- (5) 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.
- (6) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.

(e) *Height, area, bulk and setback regulations.*

- (1) Maximum height: 2½ stories not to exceed 35 feet.
- (2) Minimum lot area: 10,000 square feet.
- (3) Maximum density: Four units per one acre. Higher densities may be approved with a cluster subdivision, as permitted in chapter 25.
- (4) Minimum lot width: 80 feet.
- (5) Minimum yard requirements:
 - a. Front yard: 30 feet.
 - b. Rear yard: 25 feet.
 - c. Side yard: Six feet.

- (f) *Parking regulations.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in section 25-46. No parking, stopping, or standing of trucks or commercial motor vehicles licensed for a gross weight in excess of 24,000 pounds, except as provided in sections 26-147 and 26-298.

(Code 1990, § 30-322; Ord. No. 5012, art. 4, 10-2-2017)

Staff: Jake Garrard, PE, City Engineer
Agenda: 5/20/2024

AGENDA REPORT
Cape Girardeau City Council

24-088

SUBJECT

A Public Hearing to consider vacating the City's interest in an approximately 20-foot-wide part of N. West End Blvd Right of Way adjacent to 689 Highland Drive.

EXECUTIVE SUMMARY

The City received a request from Debra and Brian Tracy to vacate the City's interest in an approximately 20-foot-wide strip of N West End Blvd Right of Way adjacent to the backyard of 689 Highland Drive.

BACKGROUND/DISCUSSION

Debra and Brian Tracy have requested the City of Cape Girardeau vacate its interest in part of N West End Blvd adjacent to their property at 689 Highland Drive. The request is for an approximately 20-foot wide strip of land that contains property improvements including flower beds and a perimeter property fence. This right of way vacation would bring the existing fence into their property. It seems the fence has mistakenly built in the N West End Blvd Right of Way well over 20+ years ago. The Tracy's were not aware that this fence was not already part of their property. This problem was brought to their attention during the Engineering Improvement project for N. West End Blvd happening over the last few years. After the vacation request is complete, the N. West End Blvd Right of Way will be 75-foot-wide. This is equivalent to the majority of the N. West End Blvd Right of Way.

FINANCIAL IMPACT

The property owners will pay for the cost of recording the vacation ordinance.

STAFF RECOMMENDATION

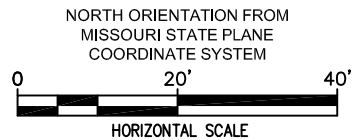
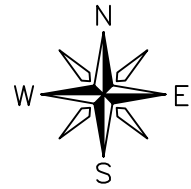
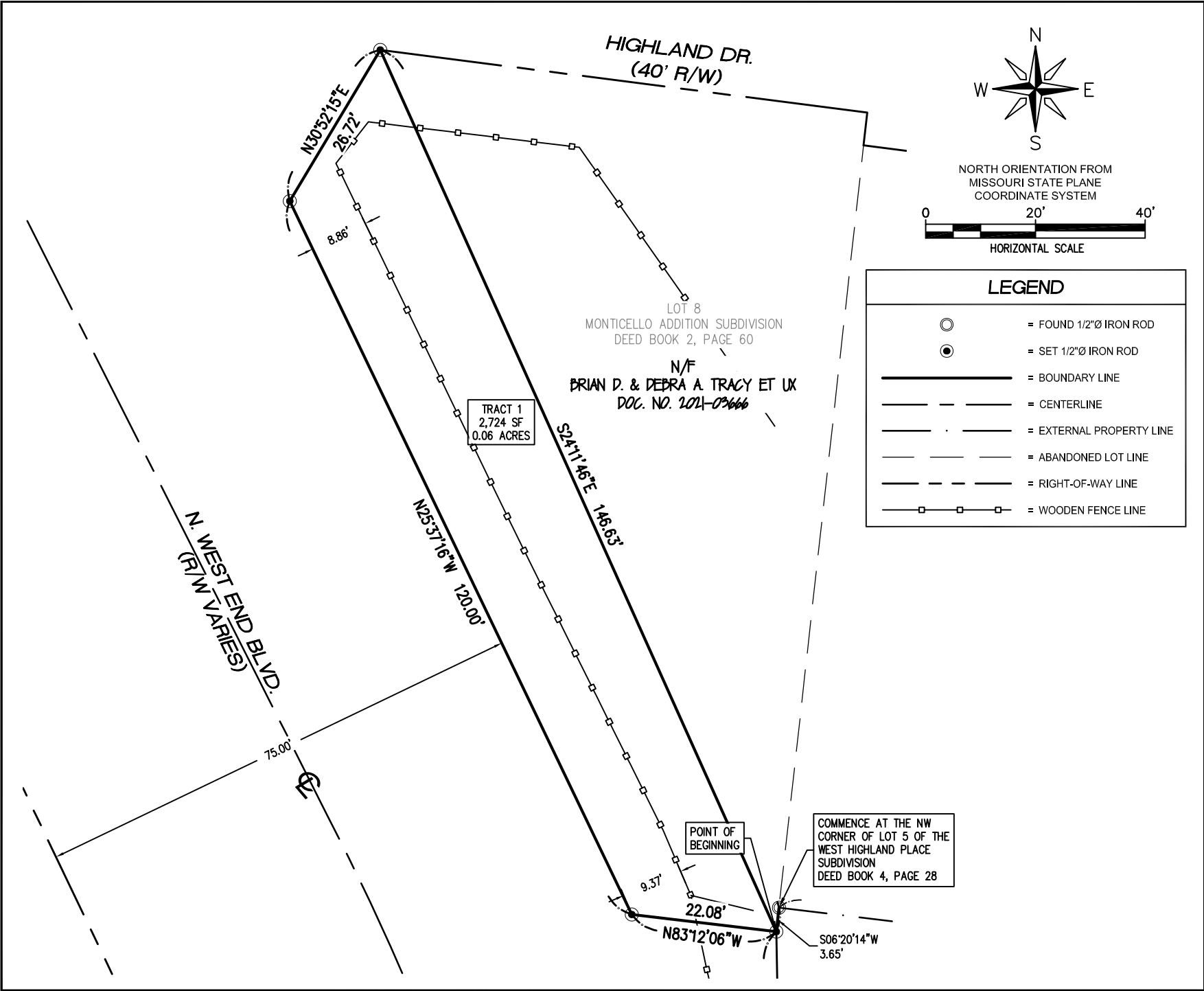
Staff requests Council hold a Public Hearing regarding the vacation of a part of N. West End Blvd Right of Way, approx. 20-foot-wide, adjacent to 689 Highland Drive in the City of Cape Girardeau, Missouri.

PUBLIC OUTREACH

An advertisement for a Public Hearing appeared in the Southeast Missourian on May 9, 2024.

ATTACHMENTS:

Name:	Description:
☐ GOOD Tracy - ROW Vacation Area Exhibit.pdf	Exhibit
☐ GOOD Legal Description N West End Vacation area for 689 Highland Dr.docx	Legal Description
☐ City of Cape - Public Hearing May 20.pdf	Publication Proof



LEGEND	
	= FOUND 1/2"Ø IRON ROD
	= SET 1/2"Ø IRON ROD
	= BOUNDARY LINE
	= CENTERLINE
	= EXTERNAL PROPERTY LINE
	= ABANDONED LOT LINE
	= RIGHT-OF-WAY LINE
	= WOODEN FENCE LINE

DATE: 04/17/2024
 REVISED: 4/22/2024

DRAWING
1 of **1**

EXHIBIT FOR
 N. WEST END BLVD VACATION AREA

689 HIGHLAND
 CAPE GIRARDEAU, MO 63701

KE KOEHLER
 ENGINEERING AND LAND SURVEYING, INC.

Civil Engineering and Surveying Services
 194 Coker Lane - Cape Girardeau, MO 63701
 Phone: 573.335.3026 - Fax: 573.335.3049
 www.koehlerengineering.com

TRACT 1

THAT PART OF OUT LOT 38 OF U.S.P. SURVEY NO. 2199, ALL IN TOWNSHIP 31 NORTH, RANGE 14 EAST, OF THE FIFTH PRINCIPAL MERIDIAN IN THE COUNTY OF CAPE GIRARDEAU, THE STATE OF MISSOURI, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 5 OF THE WEST HIGHLAND PLACE SUBDIVISION AS RECORDED IN DEED BOOK 4, PAGE 28 OF THE COUNTY LAND RECORDS, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, THENCE SOUTH $06^{\circ}20'14''$ WEST, 3.65 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF NORTH WEST END BLVD, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID POINT NORTH $83^{\circ}12'06''$ WEST, 22.08 FEET; THENCE NORTH $25^{\circ}37'16''$ WEST, 120.00 FEET; THENCE NORTH $30^{\circ}52'15''$ EAST, 26.72 FEET; THENCE SOUTH $24^{\circ}11'46''$ EAST, 146.63 FEET TO THE POINT OF BEGINNING AND MORE OR LESS CONTAINING 0.06 ACRES.

Classified Proof

Client	15897 - City Of Cape Girardeau	Phone	(573) 339-6707
Address	44 North Lorimier Street, P. O. Box 617	E-Mail	acctspayable@cityofcape.org
	Cape Girardeau, MO, 63701	Fax	(573) 335-3357

Order#	589203	Requested By		Order Price	\$79.69
Classification	0999 - Legals	PO #	050924	Tax 1	\$0.00
Start Date	05/09/2024	Created By	JJOHNS	Tax 2	\$0.00
End Date	05/09/2024	Creation Date	04/25/2024, 02:12:34 pm	Total Net	\$79.69
Run Dates	1			Payment	\$0.00
Publication(s)	Southeast Missourian	Dimensions	3.627 " X 2.110 "		

Sales Rep	10CL - Jasmine Johnson	Phone	(573) 335-6611
		E-Mail	jjohnson@semissourian.com
		Fax	

NOTICE OF PUBLIC HEARING CITY OF CAPE GIRARDEAU, MISSOURI

Notice is hereby given that Cape Girardeau, Missouri, City Council will hold a public hearing on Monday, May 20, 2024 at 5:00 p.m., in the City Hall Council Chambers, at City Hall, 44 N. Lorimier St., Cape Girardeau, Missouri, to consider vacating part of the City's interest in: An approx. 20-foot-wide strip of N West End Blvd adjoining 689 Highland Dr.

All interested parties shall be afforded the opportunity to speak at the hearing in favor of or in opposition to the proposed vacation.

Gayle L. Conrad
City Clerk
City of Cape Girardeau

(May 9, 2024)(589203)

Staff: Bruce Taylor, Deputy City Clerk
Agenda: 5/20/2024

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

Approval of the May 6, 2024, City Council Regular Session Minutes and May 2, 2024, City Council Closed Session Minutes.

ATTACHMENTS:	
Name:	Description:
DRAFT_Council.RegularSession_Minutes.05-06-2024.pdf	Regular Session Minutes 05-06-2024

**Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session May 6, 2024 MM-39**

STUDY SESSION – May 6, 2024

NO ACTION TAKEN DURING THE STUDY SESSION

The Cape Girardeau City Council held a study session at the Cape Girardeau City Hall on Monday, May 6, 2024, starting at 5:00 p.m. with Mayor Stacy Kinder presiding and Council Members Mark Bliss, Rhett Pierce, Dan Presson, Tameka Randle, and Nate Thomas present. David J. Cantrell was absent.

REGULAR SESSION – May 6, 2024

CALL TO ORDER

The Cape Girardeau City Council convened in regular session at the Cape Girardeau City Hall on Monday, May 6, 2024, starting at 6:00 p.m. with Mayor Stacy Kinder presiding and Council Members Mark Bliss, Rhett Pierce, Dan Presson, Tameka Randle, and Nate Thomas present. David J. Cantrell was absent.

ADOPTION OF THE AGENDA

A Motion was made by Dan Presson, Seconded by Tameka Randle, to approve and adopt the agenda.
Motion passed. 6-0. Ayes: Bliss, Kinder, Pierce, Presson, Randle, Thomas. Absent: Cantrell.

PUBLIC HEARINGS

A public hearing to consider a request to rezone property located at 728 Good Hope Street from C-1 (General Commercial District) to R-3 (High Density Single-Family Residential District).

Mayor Stacy Kinder opened the public hearing.
There being no appearances the public hearing was closed.

CONSENT AGENDA

Approval of the April 15, 2024, City Council Regular Session Minutes.

BILL NO. 24-45, an Ordinance approving the record plat of Baldwin Farms Subdivision. Second and Third Readings.

BILL NO. 24-46, an Ordinance accepting Easements from various property owners for properties adjacent to Baldwin Farms Subdivision, in the City of Cape Girardeau, Missouri. Second and Third Readings.

BILL NO. 24-49, a Resolution Authorizing the City Manager to execute an Agreement with

**Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session May 6, 2024 MM-40**

Fronabarger Concreters, Inc., for Minnesota Avenue - MO Route 74 Intersection Improvements, in the City of Cape Girardeau, Missouri. Reading and Passage.

Approval of the transfer of ownership of the special use permit for 3037 Lexington Avenue.

A Motion was made by Mark Bliss, Seconded by Nate Thomas, to approve and adopt. Motion passed. 6-0. Ayes: Bliss, Kinder, Pierce, Presson, Randle, Thomas. Absent: Cantrell.

BILL NO. 24-45 will be Ordinance NO. 5751; BILL NO. 24-46 will be Ordinance NO. 5752; and BILL NO. 24-49 will be Resolution NO. 3604.

ITEMS REMOVED FROM CONSENT AGENDA

BILL NO. 24-47, A Resolution authorizing the City Manager to execute a Lease Agreement with Partners for Good Hope, NP, for a Police Substation located at 629 Good Hope Street, in the City of Cape Girardeau, Missouri. Reading and Passage.

Carl Atkins, Ramona Baily, and Leslie Washington appeared individually with various questions and concerns.

A Motion was made by Tameka Randle, Seconded by Nate Thomas, to approve and adopt. Motion passed. 6-0. Ayes: Bliss, Kinder, Pierce, Presson, Randle, Thomas. Absent: Cantrell. BILL NO. 24-47 will be Resolution NO. 3605.

BILL NO. 24-48, A Resolution authorizing the City Manager to execute an Agreement with Chemco Systems, L.P., for the Procurement of a Lime System at the Cape Rock Water Treatment Plant, in the City of Cape Girardeau, Missouri. Reading and Passage.

A Motion was made by Dan Presson, Seconded by Tameka Randle, to approve and adopt. Motion passed. 6-0. Ayes: Bliss, Kinder, Pierce, Presson, Randle, Thomas. Absent: Cantrell. BILL NO. 24-48 will be Resolution NO. 3606.

NEW ORDINANCES

BILL NO. 24-50, 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 728 Good Hope Street, in the City and County of Cape Girardeau, Missouri, from C-1 to R-3. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by Mark Bliss, Seconded by Dan Presson, to approve. Motion passed. 6-0. Ayes: Bliss, Kinder, Pierce, Presson, Randle, Thomas. Absent: Cantrell.

BILL NO. 24-51, an Ordinance approving the record plat of Latham's First Subdivision. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by Dan Presson, Seconded by Nate Thomas, to approve. Motion passed. 6-0. Ayes: Bliss, Kinder, Pierce, Presson, Randle, Thomas. Absent: Cantrell.

**Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session May 6, 2024 MM-41**

BILL NO. 24-52, an Ordinance approving the record plat of Seyer Enterprises Subdivision. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by Dan Presson, Seconded by Rhett Pierce, to approve.
Motion passed. 5-0. Ayes: Bliss, Kinder, Pierce, Randle, Thomas. Absent: Cantrell, Presson.

BILL NO. 24-53, an Ordinance authorizing the issuance of Special Tax Bills for various properties for the demolition of dangerous buildings and for the abatement of nuisances, located in the City and County of Cape Girardeau, Missouri. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by Mark Bliss, Seconded by Nate Thomas, to approve.
Motion passed. 6-0. Ayes: Bliss, Kinder, Pierce, Presson, Randle, Thomas. Absent: Cantrell.

APPOINTMENTS

Appointments to the Downtown Cape Girardeau Community Improvement District Board of Directors.

A Motion was made by Dan Presson, Seconded by Tameka Randle, to approve Mayor Stacy Kinder’s appointment of Laurie Everett, Kent Zickfield, Nate Saverino and Lee Schlitt to the Downtown Cape Girardeau Community Improvement District Board of Directors for terms expiring May 16, 2028.
Motion passed. 6-0. Ayes: Bliss, Kinder, Pierce, Presson, Randle, Thomas. Absent: Cantrell.

OTHER BUSINESS

Appointment of City Council Committee and Board Positions

A Motion was made by Dan Presson, Seconded by Mark Bliss, to approve Mayor Kinder's Recommendations which was distributed to the Council Members and on file with the City Clerk.
Motion passed. 6-0. Ayes: Bliss, Kinder, Pierce, Presson, Randle, Thomas. Absent: Cantrell.

MEETING ADJOURNMENT

A Motion was made to adjourn by Dan Presson, Seconded by Tameka Randle.
Motion passed. 6-0. Ayes: Bliss, Kinder, Pierce, Presson, Randle, Thomas. Absent: Cantrell.
The regular session ended at 6:27 pm.

Bruce Taylor, Deputy City Clerk



Stacy Kinder, Mayor

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
5/20/2024

AGENDA REPORT
Cape Girardeau City Council

24-081

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 728 Good Hope Street, in the City and County of Cape Girardeau, Missouri, from C-1 to R-3.

EXECUTIVE SUMMARY

The attached ordinance rezones the property at 728 Good Hope Street. The applicant is requesting that the property be rezoned from C-1 (General Commercial District) to R-3 (High Density Single-Family Residential District). The City Council's public hearing on the rezoning request was held on May 6, 2024.

BACKGROUND/DISCUSSION

A rezoning application has been submitted for the property at 728 Good Hope Street. The applicant is requesting that the property be rezoned from C-1 (General Commercial District) to R-3 (High Density Single-Family Residential District).

The adjacent properties are zoned R-4 (Medium Density Multifamily Residential District) to the north, C-1 (General Commercial District) to the east and west, and CBD (Central Business District) to the south. This area is characterized by residential (single-family, two-family, and multifamily) and commercial uses. The Cape Vision 2040 Future Land Use Map shows the subject property as Urban Mixed Use.

The attached ordinance rezones the property to R-3. The City Council's public hearing on the rezoning request was held on May 6, 2024.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

In considering a rezoning request, 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 subject property contains a vacant two-family dwelling (duplex). Residential uses are not permitted in the C-1 district. The two-family dwelling was a nonconforming use under the Zoning Code. However, the nonconforming status has expired due to the length of vacancy. The owner wishes to renovate the building and resume using it as a two-family dwelling. The R-3 district permits two-family dwellings by right. The building was constructed as a two-family dwelling, and it is located in an area containing a mix of residential and commercial uses. For these reasons, the proposed R-3 district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

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 at its April 10, 2024 meeting and recommended approval of the rezoning request by a vote of 6 in favor, 0 in opposition, and 1 abstaining.

PUBLIC OUTREACH

The City Council's public hearing was advertised in the Southeast Missourian on April 20, 2024. 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 property. Notices were also mailed to the adjacent property owners.

ATTACHMENTS:

Name:	Description:
728_Good_Hope_St_Rezone.doc	Ordinance
Staff_Review-Referral-Action_Form.pdf	728 Good Hope Street - Staff RRA Form
Map_-_728_Good_Hope_Street_-_Zoning.pdf	728 Good Hope Street - Zoning Map
Map_-_728_Good_Hope_Street_-_FLU.pdf	728 Good Hope Street - FLU Map
Application_-_728_Good_Hope_Street_Rezoning.pdf	728 Good Hope Street - Application
Sec._30-66._-_C-1_General_Commercial_District.pdf	C-1 District Regulations
Sec._30-59._-_R-3_High_Density_Single-Family_Residential_District.pdf	R-3 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 728 GOOD HOPE STREET, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, FROM C-1 TO R-3

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 R-3, High Density Single-Family Residential 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, May 6, 2024; and

WHEREAS, the City Council of the City of Cape Girardeau, Missouri, has elected to rezone the property described in Article 1 of this ordinance from C-1, General Commercial District, to R-3, High Density Single-Family Residential 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 R-3, High Density Single-Family Residential District, for the following described property:

728 Good Hope Street

Part of Lot Sixty-one (61) in Range "G" in the City of Cape Girardeau, Missouri, described as follows: Beginning at a point on the North line of Good Hope Street, 70 feet West of the Southeast corner of said Lot 61 in Range "G" and run North, parallel with Ellis Street, 113 feet to the line of Lots 61 and 62 in Range "G"; thence West with said line 35 feet; thence South, parallel with Ellis Street 113 feet to Good Hope Street; thence East, along Good Hope Street, 35 feet to the point of beginning.

ARTICLE 2. The City Council hereby finds and declares that

the property described in Article 1 of this ordinance is at the present time particularly suitable for the purposes and uses of the R-3, High Density Single-Family Residential 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 _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



CITY OF CAPE GIRARDEAU, MISSOURI

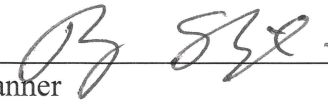
City Staff Review, Referral and Action on Rezoning/Special Use Permit Application

FILE NO. 1468

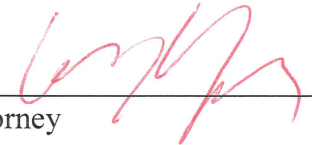
LOCATION: 728 Good Hope Street

STAFF REVIEW & COMMENTS:

SEMO Cardinal Group, LLC is requesting to rezone the above listed property from C-1 (General Commercial District) to R-3 (High Density Single-family Residential District). SEE STAFF REPORT FOR FURTHER INFORMATION

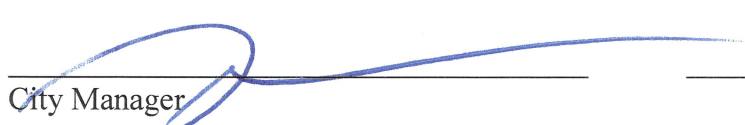

City Planner

3/19/24
Date


City Attorney

3/22/24
Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:


City Manager

3/22/24
Date

Planning & Zoning Commission

Public Hearing Sign Posting Date: 4-3-24 Public Hearing Date: 4-10-24

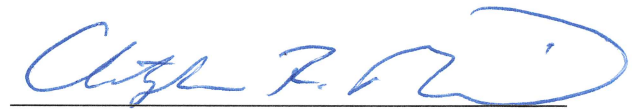
RECOMMENDED ACTION:

	Favor	Oppose	Abstain		Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sommer McCauley-Perdue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

VOTE COUNT: 6 Favor 0 Oppose 1 Abstain

COMMENTS:

CITIZENS COMMENTING AT MEETING:



Chris Martin
Planning & Zoning Commission Secretary

City Council Action

Posting Dates: Sign _____ Newspaper _____ Public Hearing Date: _____
Ordinance 1st Reading _____ Ordinance 2nd & 3rd Reading: _____

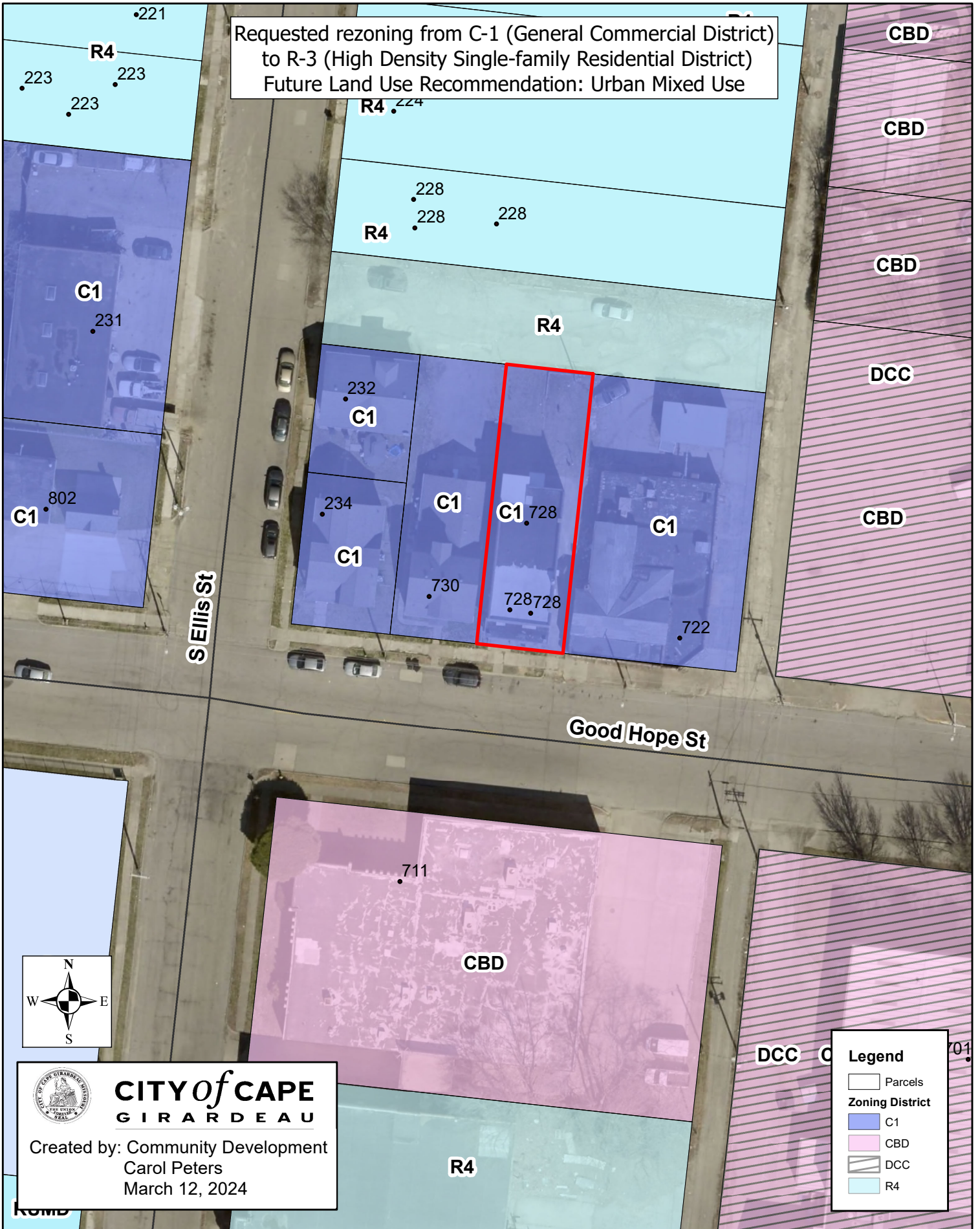
VOTE COUNT: _____ Favor _____ Oppose _____ Abstain

ORDINANCE # _____ **Effective Date:** _____

Rezoning Request

728 Good Hope Street

Requested rezoning from C-1 (General Commercial District)
to R-3 (High Density Single-family Residential District)
Future Land Use Recommendation: Urban Mixed Use



CITY of CAPE
GIRARDEAU

Created by: Community Development
Carol Peters
March 12, 2024

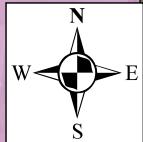
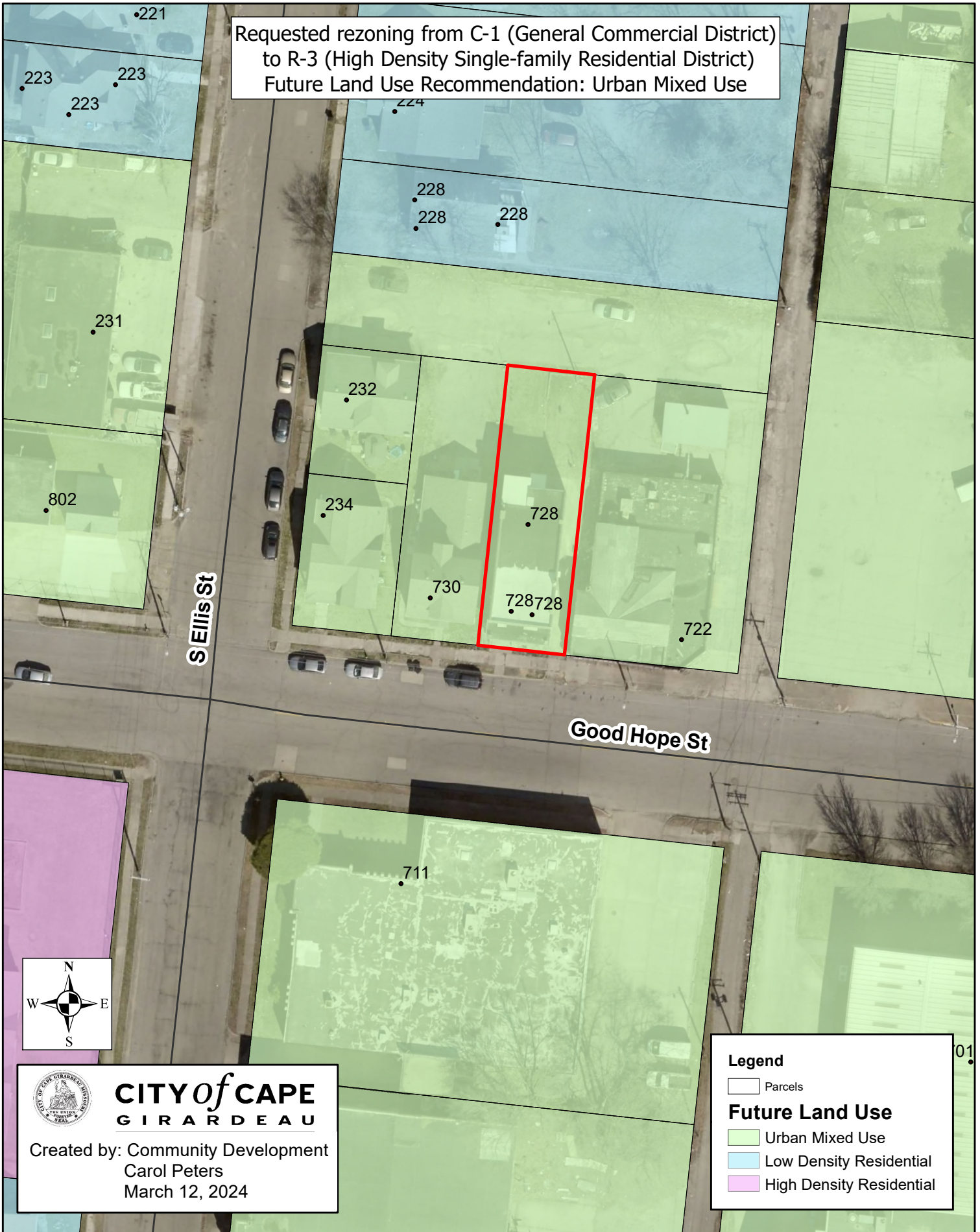
Legend

- Parcels
- Zoning District**
- C1
- CBD
- DCC
- R4

Rezoning Request

728 Good Hope Street

Requested rezoning from C-1 (General Commercial District)
to R-3 (High Density Single-family Residential District)
Future Land Use Recommendation: Urban Mixed Use



CITY of CAPE
GIRARDEAU

Created by: Community Development
Carol Peters
March 12, 2024

Legend

Parcels

Urban Mixed Use

Low Density Residential

High Density Residential



REZONING / SPECIAL USE PERMIT APPLICATION
CITY of CAPE GIRARDEAU

COMMUNITY DEVELOPMENT DEPARTMENT, 44 NORTH LORIMIER STREET, CAPE GIRARDEAU, MO 63701 (573) 339-6327

Property Address/Location

728 GOOD HOPE

Applicant Semo Cardinal Group		Property Owner of Record <input type="checkbox"/> Same as Applicant Semo Cardinal Group/Brennon Todt	
Mailing Address 1439 Minnesota St.	City, State, Zip Cape Girardeau, MO 6	Mailing Address 1439 Minnesota St.	City, State, Zip Cape Griadreau, MO 63
Telephone 573-914-0030	Email projectmgmt@todtroofing.co	Telephone 573-803-1802	Email Office@semocardinalgroup.cc
Contact Person Brandon Beninati		<i>(Attach additional owners information, if necessary)</i>	
Type of Request <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Special Use Permit <input type="checkbox"/> Both		Proposed Special Use (Special Use Permit requests only)	
Existing Zoning District <i>C-1</i>		Proposed Zoning District (Rezoning requests only) <i>R3</i>	

Legal description of property to be rezoned and/or upon which the special use is to be conducted

Vacant residential duplex, 2 story building with basement. *- SEE ATTACHED*

Describe the proposed use of the property.

Full interior remodel of duplex unit. New interior walls, MEP's, windows and doors. No living use for b

Application continues on next page

OFFICE USE ONLY

Date Received & By *2/27/24 RH* File # *1468* MUNIS Application # *15039* MUNIS Permit # _____

Application Fee Received \$ *141.00* Check # _____ Credit Card Cash

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.

No increase in traffic or congestion

- 2) The proposed special use will not substantially increase fire hazards.

No increase in fire hazards

- 3) The proposed special use will not adversely affect the character of the neighborhood.

Goal to increase property value

- 4) The proposed special use will not adversely affect the general welfare of the community.

Will not affect general welfare of the community

- 5) The proposed special use will not overtax public utilities.

Will not over tax public utilities

**ADDITIONAL ITEMS
REQUIRED**

See Instructions for more
information.


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

- Base Application fee - \$141.00 payable to City of Cape Girardeau
- Planned Development rezoning only - Additional \$84 payable to City of Cape Girardeau
- List of adjacent property owners (*see Instructions for requirements*)
- One (1) set of mailing envelopes, stamped and addressed to adjacent property owners OR \$2.70 per adjacent property owner, if stamped envelopes are not submitted
- 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)
- 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 the special use permit, if approved, will become 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.


Brennan Todt (Feb 5, 2024 16:08 EST)

Property Owner of Record Signature and Printed Name
(Provide additional owners signatures and printed names in the space below, if applicable)

2/5/23

Date

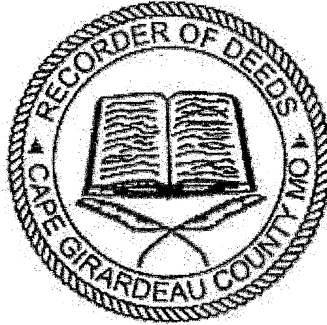
The undersigned hereby certifies that they are an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf, and that the Property Owner(s) of Record hereby agree to the above certifications.

Applicant Signature and Printed Name

2/5/24

Date

eRecorded
DOCUMENT #
2023-06792



ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
08/17/2023 08:31:09 AM
REC FEE: 27.00
PAGES: 2

013415

GENERAL WARRANTY DEED
(LIMITED LIABILITY COMPANY)

This Indenture is made this 14 day of August, 2023, by and between Cape Homes, LLC, a Missouri Limited Liability Company ("Grantor"), of the County of St. Louis, Missouri, and Semo Cardinal Group LLC, a Missouri Limited Liability Company ("Grantee"), of the County of Cape Girardeau, Missouri, whose address in said County is:

2905 Valley Creek Rd., Cape Girardeau, MO 63701

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations paid to them by the Grantee, the receipt of which is hereby acknowledged, does by these present GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the Grantee and Grantee's heirs, successors and assigns, the following described Real Estate lying, being and situated in the County of Cape Girardeau, and State of Missouri, to wit:

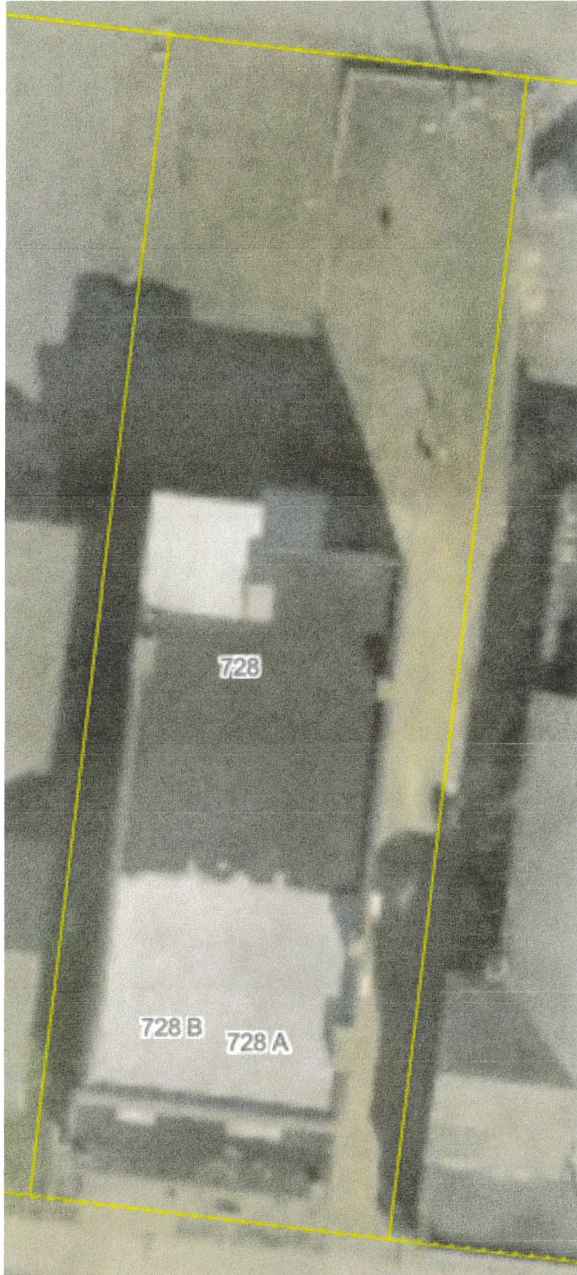
Part of Lot Sixty-one (61) in Range "G" in the City of Cape Girardeau, Missouri, described as follows: Beginning at a point on the North line of Good Hope Street, 70 feet West of the Southeast corner of said Lot 61 in Range "G" and run North, parallel with Ellis Street, 113 feet to the line of Lots 61 and 62 in Range "G"; thence West with said line 35 feet; thence South, parallel with Ellis Street, 113 feet to Good Hope Street; thence East, along Good Hope Street, 35 feet to the point of beginning.

Subject to terms, conditions, restrictions, reservations, and easements of record, if any.

TO HAVE AND TO HOLD the same, together with all and singular rights, privileges, and appurtenances thereto belonging or in anywise appertaining unto the Grantee and unto Grantee's heirs, successors and assigns forever. Grantor hereby covenants that Grantor is lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed; that Grantor has good right to convey the same; that said premises are free and clear of any encumbrance done or suffered by Grantor or those under whom Grantor claims, and that Grantor will WARRANT AND DEFEND the title to the said premises unto the said Grantee and Grantee's heirs, successors and assigns forever against the lawful claims and demands of all persons whomsoever.



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Sec. 30-66. - 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 or 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) Medical marijuana dispensary facilities, as permitted in section 30-118.
 - (13) Microbreweries.
 - (14) Middle schools, secondary schools, or development centers for people with physical, mental or developmental disabilities.
 - (15) Nurseries or greenhouses.
 - (16) Nursing homes.
 - (17) Offices.
 - (18) Parks or playgrounds.
 - (19) Personal service establishments.
 - (20) Pet grooming facilities, excluding kennels.
 - (21) Police or fire stations.
 - (22) Residential treatment facilities.
 - (23) Restaurants or bars.
 - (24) Retail or rental establishments, excluding the sale or rental of outbuildings, vehicles, or large

agricultural or construction equipment.

(25) Television or radio studios, including any transmitting facilities.

(26) Transit terminals.

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

(28) Wineries.

(c) *Permitted accessory uses.*

(1) Accessory structures and uses customarily incidental to the above uses, as permitted in section 30-106.

(2) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.

(3) Solar energy systems, as permitted in section 30-113.

(d) *Special uses.*

(1) Banquet facilities.

(2) Hotels or motels.

(3) Kennels.

(4) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.

(5) Meeting halls.

(6) Mini warehouses or self-storage units.

(7) 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.

(8) Short-term or long-term use of shipping containers for principal uses, as permitted in section 30-105.

(9) Telecommunication towers, as permitted in section 30-107.

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

(11) Transitional housing.

(12) Uses involving the sale or rental of outbuildings, vehicles, or large agricultural or construction equipment.

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

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

(15) Wind energy conversion systems, as permitted in section 30-113.

(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: Merchandise may be displayed outdoors as part of a temporary use, as permitted in section 30-109. 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:
 - a. Displays shall not be located in a right-of-way.
 - b. 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.
 - c. Displays shall not impede vehicular or pedestrian access.
 - d. Displays shall not alter the structure of any building.
 - e. Displays shall not create a health or safety hazard.
 - f. Displays shall be well kept and orderly.
 - g. Signs may be displayed as permitted elsewhere in the city Code.
 - h. 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: 40 feet, not to exceed three stories.
- (2) Minimum lot area: None.
- (3) Minimum lot width: None.
- (4) Minimum setbacks:
 - a. Front yard: 25 feet.
 - b. Rear yard: None, except 20 feet when adjacent to a residential use or district, or ten feet when adjacent to an agricultural use or district.
 - c. Side yard: None, except 20 feet when adjacent to a residential use or district, or ten feet when adjacent to an agricultural use or district.
- (5) Minimum open space: 15 percent of the lot area.

(Code 1990, § 30-333; Ord. No. 5211, art. 4, 7-15-2019)

Sec. 30-59. - R-3, High Density Single-Family Residential District.

(a) *Purpose.* The R-3 district is intended to accommodate single-family, two-family and townhouse residential developments at maximum densities of up to nine units per acre. This district will serve as a transition between lower density and higher density residential districts. Certain other structures and uses necessary to serve the area are allowed as permitted uses or through the approval of a special use permit, subject to restrictions intended to preserve and protect the residential character of this district.

(b) *Permitted principal uses.*

- (1) Single-family detached dwellings, with only one dwelling per lot.
- (2) Duplexes, two-family dwelling units.
- (3) Townhouses.
- (4) Cluster subdivisions, as permitted in chapter 25.
- (5) Public parks, playgrounds, and recreational facilities.
- (6) Police and fire stations.
- (7) Elementary and middle schools, or development centers for elementary and middle school age children with handicaps or development disabilities, on a minimum of five acres of land.
- (8) Noncommercial, not-for-profit residential neighborhood facilities consisting of indoor and outdoor recreational facilities, offices of property owners' associations, and maintenance facilities operated by a neighborhood or community organization or a property owners' association.
- (9) Home for eight or fewer unrelated mentally or physically handicapped persons, including no more than two additional persons acting as house parents or guardians who need not be related to each other or to any of the handicapped persons residing in the home, provided that:
 - a. The exterior appearance of the home and property shall reasonably conform to the exterior appearance of other dwellings and property in the neighborhood; and
 - b. Such home shall not be located closer than 370 feet to any other such home.
- (10) A private residence licensed by the state division of family services or state department of mental health to provide foster care to one or more, but less than seven, children who are unrelated to either foster parent by blood, marriage or adoption, provided that all applicable building and safety codes are met, and an occupancy permit issued therefor.

(c) *Permitted accessory uses.*

- (1) Private garages, carports and accessory structures, as permitted in section 30-106.
- (2) Home occupations, as permitted in section 30-108.
- (3) Home day cares, with no more than four unrelated children in a 24-hour period as permitted in section 30-111.
- (4) In home elderly care, with a maximum of three persons as permitted in section 30-114.
- (5) Solar energy systems, as permitted in section 30-113.
- (6) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.

(d) *Special uses.*

- (1) Home day cares, with five or more unrelated children, as permitted in section 30-111.
 - (2) Bed and breakfasts.
 - (3) Cemeteries, on a minimum of ten acres of land.
 - (4) Transitional housing.
 - (5) Wind energy conversion systems, as permitted in section 30-113.
 - (6) 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.
 - (7) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.
- (e) *Height, area, bulk and setback requirements.*
- (1) Maximum height:
 - a. When side yards are less than 15 feet in width, 2½ stories not to exceed 35 feet.
 - b. When side yards are 15 feet in width or greater, three stories, not to exceed 45 feet.
 - (2) Minimum lot area:
 - a. Each townhouse must be on a separate platted lot consisting of at least 1,400 square feet.
 - b. Duplexes: 3,750 square feet per unit.
 - c. Single-family: 5,000 square feet.
 - (3) Maximum density: Nine units per one acre. Higher densities may be approved with a cluster subdivision as permitted in chapter 25.
 - (4) Minimum lot width:
 - a. Townhouses and duplexes: 20 feet.
 - b. All other uses: 30 feet.
 - (5) Minimum yard requirements:
 - a. Front yard:
 1. Each townhouse: Ten feet.
 2. All other uses: 20 feet.
 - b. Rear yard:
 1. Each townhouse: 20 feet.
 2. All other uses: 20 feet.
 - c. Side yard:
 1. Townhouses and duplexes: None.
 2. All other uses: Three feet.
- (f) *Open space, landscaping and bufferyard requirements.* For any nonresidential uses:
- (1) A minimum of 20 percent of the total lot area shall be devoted to open space, including required yard and buffer yards.
 - (2) Landscaping shall be provided as required in chapter 25.
 - (3) A 20-foot-wide bufferyard shall be required adjacent to any property in the AG, AG-1, RE, R-1, or R-2

zoning districts. This bufferyard shall comply with the requirements of chapter 25.

- (g) *Parking regulations.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in section 25-46. No parking, stopping, or standing of trucks or commercial motor vehicles licensed for a gross weight in excess of 24,000 pounds, except as provided in sections 26-147 and 26-298.

(Code 1990, § 30-324; Ord. No. 5012, art. 4, 10-2-2017)

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
5/20/2024

AGENDA REPORT
Cape Girardeau City Council

24-082

SUBJECT

An Ordinance approving the record plat of Latham's First Subdivision.

EXECUTIVE SUMMARY

The attached ordinance approves a record plat for a one-lot single-family residential subdivision at 2120 Kent Drive and 2135 Rampart Street.

BACKGROUND/DISCUSSION

A record plat has been submitted for Latham's First Subdivision, located at 2120 Kent Drive and 2135 Rampart Street, which is zoned R-1 (Single-Family Suburban Residential). The plat combines two lots to create one new lot. The plat shows an exception to allow Lot #1 to have driveway access to both Rampart Street and Kent Drive. Staff supports the exception due to site constraints that preclude using the existing driveway on Rampart Street for the proposed accessory structure on the west side of the 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 April 10, 2024 meeting, recommended approval of the record plat with a vote of 7 in favor, 0 in opposition, and 0 abstaining.

ATTACHMENTS:

Name:	Description:
RP_Latham_s_First_Sub.doc	Ordinance
Staff_Review-Referral-Action_Form.pdf	Latham's First Subdivision - Staff RRA Form
Map - Latham_s_First_Subdivision.pdf	Latham's First Subdivision - Map
Application - Latham_s_First_Subdivision.pdf	Latham's First Subdivision - Application
LATHAMS_FIRST_SUB_REVISIONS_2ND.pdf	Latham's First Subdivision - Record Plat

BILL NO. 24-51

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECORD PLAT OF
LATHAM'S FIRST SUBDIVISION

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

ARTICLE 1. The record plat of Latham's First Subdivision, being all of Lots Numbered Four (4) and Five (5) of Woodland Place Subdivision Number 10 as recorded in Document #2013-02740 of the County Land Records, in the City and County of Cape Girardeau, State of Missouri, submitted by Jason Latham and Michelle Latham, husband and wife, bearing the certification of Kelly K. Snell, a Registered Land Surveyor, dated the 15th day of April, 2024, including all exceptions and variances, 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 _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



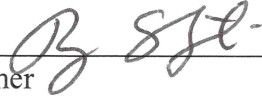
CITY OF CAPE GIRARDEAU, MISSOURI
City Staff Review, Referral and Action - Subdivision Application

FILE: **Latham's First Subdivision**

LOCATION: 2120 & 2135 Rampart Street

STAFF REVIEW & COMMENTS:

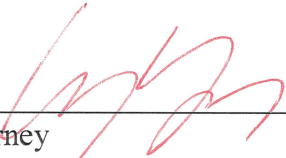
A record plat has been submitted to combine two (2) lots at 2120 & 2135 Rampart Street. SEE STAFF REPORT FOR MORE DETAILS.



City Planner

3/27/24

Date

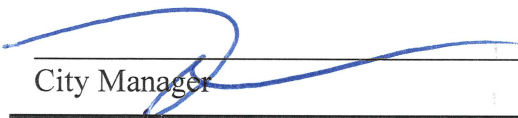


City Attorney

3/27/24

Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:



City Manager

3/28/24

Date

Planning & Zoning Commission

RECOMMENDED ACTION:

	Favor	Oppose	Abstain		Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sommer McCauley-Perdue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

VOTE COUNT: 7 Favor 0 Oppose 0 Abstain

COMMENTS:

CITIZENS COMMENTING AT MEETING:



Chris Martin
Planning & Zoning Commission Secretary

City Council Action

Ordinance 1st Reading _____ Ordinance 2nd & 3rd Reading: _____

ORDINANCE # _____ Effective Date: _____

Latham's First Subdivision





SUBDIVISION PLAT APPLICATION
CITY of CAPE GIRARDEAU

COMMUNITY DEVELOPMENT DEPARTMENT, 44 NORTH LORIMIER STREET, CAPE GIRARDEAU, MO 63701 (573) 339-6327

Name of Subdivision LATHAM'S FIRST SUBDIVISION		Type of Plat <input checked="" type="checkbox"/> Record <input type="checkbox"/> Preliminary <input type="checkbox"/> Boundary Adjustment	
Applicant JASON & MICHELLE LATHAM		Property Owner of Record <input checked="" type="checkbox"/> Same as Applicant JASON & MICHELLE LATHAM	
Mailing Address 2135 RAMPART ST	City, State, Zip CAPE, MO 63701	Mailing Address	City, State, Zip
Telephone 573 270 1211	Email JLATHAM1970@GMAIL.COM	Telephone	Email
Contact Person (if Applicant is a Business or Organization)		<i>(Attach additional owners information, if necessary)</i>	
Professional Engineer/Surveyor (if other than Applicant) RICHARD'S HAND SURVEYING		Developer (if other than Applicant)	
Mailing Address	City, State, Zip	Mailing Address	City, State, Zip
Telephone	Email	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)
\$21.00 per lot (**\$210.00 minimum**)
- Recording Fee Deposit (payable to City of Cape Girardeau)

Sheet Size	Record Plat	Boundary Adjustment Plat
18" x 24"	\$46.00	\$26.00
24" x 36"	\$71.00	\$31.00

(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)
- One (1) full size print of the plat
- Digital file of the plat in .pdf format (can be emailed to cityplanning@cityofcape.org)
- Completed minimum requirements checklist

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. Furthermore, I hereby acknowledge that the plat submitted with this application must meet certain requirements in order to be approved including, but not limited to: a) successfully addressing all review comments, and b) any and all new public improvements for the subdivision being completed and/or covered under a performance guarantee agreement in accordance with the City's Code of Ordinances. If I am an agent, I hereby certify that I have notified the Property Owner(s) of Record and the developer of these requirements.

Jason W Latham
 Applicant Signature and Printed Name

11 MAR 2024
 Date

OFFICE USE ONLY			
Date Received & By	File #	MUNIS Application #	MUNIS Permit #
<u>3/12/24</u>		<u>15090</u>	
Review Fee Received \$	Recording Fee Received \$	<input type="checkbox"/> Check #	<input checked="" type="checkbox"/> Credit Card <input type="checkbox"/> Cash
<u>210</u>	<u>46</u>		
Preliminary and Record Plats:			
Planning & Zoning Commission Recommendation	Date	City Council Final Action	Date

City of Cape Girardeau
Subdivision Plat Requirements
(Record Plats)

MINIMUM REQUIREMENTS FOR RECORD PLATS – COMPLETE CHECKLIST AND SUBMIT WITH APPLICATION

(First column of check boxes is for professional engineer/surveyor; second column is for City staff)

NAME OF SUBDIVISION: LATHAM'S FIRST SUBDIVISION

- Sheet size - 18" x 24", 24" x 24", or 24" x 36"
- White background with black text and graphics; greyscale allowed; no other colors
- Border - rectangular, solid line(s)
- Title block - include name, address, and phone number of consultant preparing the plat; include box for original issue date and at least 3 revision issue dates
- Sheet number, if plat consists of more than one sheet
- Plat title - located at the top of the sheet, preferably centered; begin with "RECORD PLAT"; name cannot be a duplicate of an existing subdivision in the county or include "RESUBDIVISION"
- Description beneath plat title - if existing platted lots are involved, begin with "ALL OF" or "PART OF" as applicable; include Block Number if applicable; include Book and Page or Document Number of existing plat; include vacated right-of-way/alley if applicable; end with "IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI"
- References - list all deeds, plats, separate easement instruments, etc. used in preparing the plat; include Book and Page or Document Number for each, if recorded
- North arrow with basis of bearings
- Graphic scale - 1:100 or less; must be a multiple of 10
- Vicinity map - lines only (no images); all nearby streets and major streets labeled; site labeled; include North arrow and "NTS" or "NOT TO SCALE"; use transparent background for labels
- Legend - list found monuments first, followed by set monuments, followed by: "SUBDIVISION BOUNDARY LINE", "LOT LINE TO BE ELIMINATED" and/or "NEW LOT LINE" as applicable, "EXISTING EASEMENT LINE" and/or "NEW EASEMENT LINE" as applicable, "BUILDING SETBACK LINE", "EXTERNAL PROPERTY LINE", "RIGHT-OF-WAY LINE", "CENTERLINE", other symbols as applicable
- Curve table and/or line table, if necessary - include unit symbols for distances/lengths
- Subdivision boundary and internal lines accurately drawn and labeled with bearing and distance or referenced to curve table/line table
- Section/township/range lines accurately drawn and labeled
- Adjacent parcel lines accurately drawn
- Subdivision boundary and each lot checked for closure
- Each proposed lot labeled with lot number and area expressed in square feet and acres
- All parcels within and adjacent to the subdivision boundary labeled with record owner name and Book and Page or Document Number for deed
- All existing platted lots within and adjacent to the subdivision boundary labeled with subdivision name and Book and Page or Document Number for plat
- All existing easements within the subdivision boundary labeled as existing; include type of easement (water, sewer, utility, drainage, access, etc.); include Book and Page or Document Number, if recorded
- All new easements within the subdivision boundary labeled as "NEW ___' UTILITY EASEMENT", "NEW ___' ACCESS EASEMENT", or other type of easement as applicable
- All building setback lines within the subdivision boundary labeled; include depth
- All rights-of-way within and adjacent to the subdivision boundary labeled with street name (or labeled as alley if applicable) and right-of-way width
- All private streets within and adjacent to the subdivision boundary labeled with street name followed by "(PRIVATE STREET)" along with existing access easement information, if applicable, or shown in a new 50 foot access easement
- Notes:
 - Zoning - include zoning district name, minimum lot area, minimum lot width, maximum density if applicable, and setbacks; if zoning district has different standards based on land use type, include all standards and state the proposed use type(s)
 - Lot - include total number of lots, largest lot area, smallest lot area, and total subdivision area; include proposed density (for residential subdivisions)

MINIMUM REQUIREMENTS FOR RECORD PLATS (CONTINUED)

- Variance, if applicable - begin with "A VARIANCE IS SHOWN FOR" followed by "A REDUCED LOT AREA FOR LOT __", "A REDUCED LOT WIDTH FOR LOT __", or "A REDUCED ____ YARD SETBACK ALONG THE ____ LOT LINE OF LOT __", as applicable
 - Exception, if applicable - begin with "AN EXCEPTION IS SHOWN FOR" followed by "THE OMISSION OF THE REQUIRED 10 FOOT UTILITY EASEMENT ALONG THE ____ LOT LINE OF LOT __" or "A REDUCED UTILITY EASEMENT WIDTH ALONG THE ____ LOT LINE OF LOT __", as applicable
 - Floodplain - begin with "A PORTION OF THE PROPERTY FALLS WITHIN" or "NO PORTION OF THE PROPERTY FALLS WITHIN", as applicable; if referencing a zone designation, state what that designation means
- List each record owner name and Book and Page or Document Number for deed, name and address of party for whom the plat was prepared, name and address of consultant that performed the survey and prepared the plat
- Subdivision Dedication:
- Begin with "THE UNDERSIGNED," followed by the owner name(s) as stated in the current deed(s); include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable; followed by "OWNER OF" or "OWNERS OF" and a description matching the description beneath the plat title, followed by "CONTAINING ____ SQUARE FEET (____ ACRES), MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:"; followed by a legal description of the total subdivision area; followed by "HEREBY SUBDIVIDE" or "HEREBY SUBDIVIDES"; followed by "SAID TRACT INTO ____ AS SHOWN HEREON, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED _____."
 - New right-of-way and/or easements - use standard language
- Legal description checked against drawing for congruence
- Owner signature line(s) with notary block(s) - include title after signatory name if owner is not an individual; include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable
- If plat shows existing public easement(s) to be released – use standard block for City Manager’s release
- City Clerk's certificate - use standard block for record plats
- County Recorder of Deeds' certificate - use standard block
- Surveyor's certificate

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
5/20/2024

AGENDA REPORT
Cape Girardeau City Council

24-083

SUBJECT

An Ordinance approving the record plat of Seyer Enterprises Subdivision.

EXECUTIVE SUMMARY

The attached ordinance approves a record plat for a three-lot light manufacturing/industrial subdivision at 2020 and 2080 Rusmar Street.

BACKGROUND/DISCUSSION

A record plat has been submitted for Seyer Enterprises Subdivision, located at 2020 and 2080 Rusmar Street, which is zoned M-1 (Light Manufacturing/Industrial). The plat subdivides a lot to create three new lots.

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 April 10, 2024 meeting, recommended approval of the record plat with a vote of 7 in favor, 0 in opposition, and 0 abstaining.

ATTACHMENTS:

Name:	Description:
❏ RP_Seyer_Enterprises_Subdivision.doc	Ordinance
❏ Staff_Review-Referral-Action_Formpdf	Seyer Enterprises Subdivision - Staff RRA Form
❏ Map - Seyer_Enterprises_Subdivision.pdf	Seyer Enterprises Subdivision - Map
❏ Application - Seyer_Enterprises_Subdivision.pdf	Seyer Enterprises Subdivision - Application
❏ s24027_record_plat_final.pdf	Seyer Enterprises Subdivision - Record Plat

BILL NO. 24-52

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECORD PLAT OF
SEYER ENTERPRISES SUBDIVISION

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

ARTICLE 1. The record plat of Seyer Enterprises Subdivision, being a part of Outlot No. 54, United States Private Survey No. 2199, Township 30 North, Range 13 East of the Fifth Principal Meridian, City and County of Cape Girardeau, State of Missouri, submitted by Seyer Enterprises, LLC, bearing the certification of R. Christopher Bowen, a Registered Land Surveyor, dated the 19th day of April, 2024, 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 _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



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

FILE: **Seyer Enterprises Subdivision**

LOCATION: 2020 Rusmar Street

STAFF REVIEW & COMMENTS:

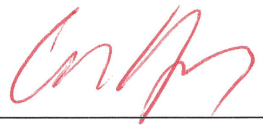
A record plat has been submitted to subdivide a lot to create three (3) new lots. SEE STAFF REPORT FOR MORE DETAILS.



 City Planner

3/28/24

 Date



 City Attorney

3/28/24

 Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:



 City Manager

3/29/24

 Date

Planning & Zoning Commission

RECOMMENDED ACTION:

	Favor	Oppose	Abstain		Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sommer McCauley-Perdue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

VOTE COUNT: 7 Favor 0 Oppose 0 Abstain

COMMENTS:

CITIZENS COMMENTING AT MEETING:



Chris Martin
 Planning & Zoning Commission Secretary

City Council Action

Ordinance 1st Reading _____ Ordinance 2nd & 3rd Reading: _____

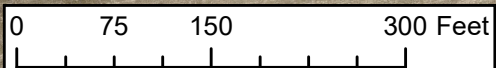
ORDINANCE # _____ **Effective Date:** _____

Seyer Enterprises Subdivision





CITY of CAPE
GIRARDEAU

Created by: Community Development Dept.
Carol Peters
March 19, 2024



Legend

-  Seyer Enterprises Subdivision
-  Parcels



SUBDIVISION PLAT APPLICATION
CITY of CAPE GIRARDEAU

COMMUNITY DEVELOPMENT DEPARTMENT, 44 NORTH LORIMIER STREET, CAPE GIRARDEAU, MO 63701 (573) 339-6327

Name of Subdivision SEYER ENTERPRISES SUBDIVISION		Type of Plat <input checked="" type="checkbox"/> Record <input type="checkbox"/> Preliminary <input type="checkbox"/> Boundary Adjustment	
Applicant Matthew J. Seyer		Property Owner of Record <input type="checkbox"/> Same as Applicant	
Mailing Address 2334 Rusmar Street	City, State, Zip Cape Girardeau, MO 63703	Mailing Address	City, State, Zip
Telephone	Email	Telephone	Email
Contact Person (if Applicant is a Business or Organization) Matthew J. Seyer		<i>(Attach additional owners information, if necessary)</i>	
Professional Engineer/Surveyor (if other than Applicant) Bowen Engineering & 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 chrisbowen@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)
\$21.00 per lot (**\$210.00 minimum**)
- Recording Fee Deposit (payable to City of Cape Girardeau)

Sheet Size	Record Plat	Boundary Adjustment Plat
18" x 24"	\$46.00	\$26.00
24" x 36"	\$71.00	\$31.00

(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)
- One (1) full size print of the plat
- Digital file of the plat in .pdf format (can be emailed to cityplanning@cityofcape.org)
- Completed minimum requirements checklist

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. Furthermore, I hereby acknowledge that the plat submitted with this application must meet certain requirements in order to be approved including, but not limited to: a) successfully addressing all review comments, and b) any and all new public improvements for the subdivision being completed and/or covered under a performance guarantee agreement in accordance with the City's Code of Ordinances. If I am an agent, I hereby certify that I have notified the Property Owner(s) of Record and the developer of these requirements.

 **CHRIS KELLEY**
 Applicant Signature and Printed Name

March 13, 2024
 Date

OFFICE USE ONLY			
Date Received & By	File #	MUNIS Application #	MUNIS Permit #
3-13-24		15089	
Review Fee Received \$	Recording Fee Received \$	<input checked="" type="checkbox"/> Check #	<input type="checkbox"/> Credit Card <input type="checkbox"/> Cash
210-	71-	31048	
Preliminary and Record Plats:			
Planning & Zoning Commission Recommendation	Date	City Council Final Action	Date

City of Cape Girardeau
Subdivision Plat Requirements
(Record Plats)

MINIMUM REQUIREMENTS FOR RECORD PLATS – COMPLETE CHECKLIST AND SUBMIT WITH APPLICATION

(First column of check boxes is for professional engineer/surveyor; second column is for City staff)

NAME OF SUBDIVISION: SEYER ENTERPRISES SUBDIVISION

- Sheet size - 18" x 24", 24" x 24", or 24" x 36"
- White background with black text and graphics; greyscale allowed; no other colors
- Border - rectangular, solid line(s)
- Title block - include name, address, and phone number of consultant preparing the plat; include box for original issue date and at least 3 revision issue dates
- Sheet number, if plat consists of more than one sheet
- Plat title - located at the top of the sheet, preferably centered; begin with "RECORD PLAT"; name cannot be a duplicate of an existing subdivision in the county or include "RESUBDIVISION"
- Description beneath plat title - if existing platted lots are involved, begin with "ALL OF" or "PART OF" as applicable; include Block Number if applicable; include Book and Page or Document Number of existing plat; include vacated right-of-way/alley if applicable; end with "IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI"
- References - list all deeds, plats, separate easement instruments, etc. used in preparing the plat; include Book and Page or Document Number for each, if recorded
- North arrow with basis of bearings
- Graphic scale - 1:100 or less; must be a multiple of 10
- Vicinity map - lines only (no images); all nearby streets and major streets labeled; site labeled; include North arrow and "NTS" or "NOT TO SCALE"; use transparent background for labels
- Legend - list found monuments first, followed by set monuments, followed by: "SUBDIVISION BOUNDARY LINE", "LOT LINE TO BE ELIMINATED" and/or "NEW LOT LINE" as applicable, "EXISTING EASEMENT LINE" and/or "NEW EASEMENT LINE" as applicable, "BUILDING SETBACK LINE", "EXTERNAL PROPERTY LINE", "RIGHT-OF-WAY LINE", "CENTERLINE", other symbols as applicable
- Curve table and/or line table, if necessary - include unit symbols for distances/lengths
- Subdivision boundary and internal lines accurately drawn and labeled with bearing and distance or referenced to curve table/line table
- Section/township/range lines accurately drawn and labeled
- Adjacent parcel lines accurately drawn
- Subdivision boundary and each lot checked for closure
- Each proposed lot labeled with lot number and area expressed in square feet and acres
- All parcels within and adjacent to the subdivision boundary labeled with record owner name and Book and Page or Document Number for deed
- All existing platted lots within and adjacent to the subdivision boundary labeled with subdivision name and Book and Page or Document Number for plat
- All existing easements within the subdivision boundary labeled as existing; include type of easement (water, sewer, utility, drainage, access, etc.); include Book and Page or Document Number, if recorded
- All new easements within the subdivision boundary labeled as "NEW ___' UTILITY EASEMENT", "NEW ___' ACCESS EASEMENT", or other type of easement as applicable
- All building setback lines within the subdivision boundary labeled; include depth
- All rights-of-way within and adjacent to the subdivision boundary labeled with street name (or labeled as alley if applicable) and right-of-way width
- All private streets within and adjacent to the subdivision boundary labeled with street name followed by "(PRIVATE STREET)" along with existing access easement information, if applicable, or shown in a new 50 foot access easement
- Notes:
 - Zoning - include zoning district name, minimum lot area, minimum lot width, maximum density if applicable, and setbacks; if zoning district has different standards based on land use type, include all standards and state the proposed use type(s)
 - Lot - include total number of lots, largest lot area, smallest lot area, and total subdivision area; include proposed density (for residential subdivisions)

MINIMUM REQUIREMENTS FOR RECORD PLATS (CONTINUED)

- Variance, if applicable - begin with "A VARIANCE IS SHOWN FOR" followed by "A REDUCED LOT AREA FOR LOT __", "A REDUCED LOT WIDTH FOR LOT __", or "A REDUCED ____ YARD SETBACK ALONG THE ____ LOT LINE OF LOT __", as applicable
- Exception, if applicable - begin with "AN EXCEPTION IS SHOWN FOR" followed by "THE OMISSION OF THE REQUIRED 10 FOOT UTILITY EASEMENT ALONG THE ____ LOT LINE OF LOT __" or "A REDUCED UTILITY EASEMENT WIDTH ALONG THE ____ LOT LINE OF LOT __", as applicable
- Floodplain - begin with "A PORTION OF THE PROPERTY FALLS WITHIN" or "NO PORTION OF THE PROPERTY FALLS WITHIN", as applicable; if referencing a zone designation, state what that designation means
- List each record owner name and Book and Page or Document Number for deed, name and address of party for whom the plat was prepared, name and address of consultant that performed the survey and prepared the plat
- Subdivision Dedication:
 - Begin with "THE UNDERSIGNED," followed by the owner name(s) as stated in the current deed(s); include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable; followed by "OWNER OF" or "OWNERS OF" and a description matching the description beneath the plat title, followed by "CONTAINING ____ SQUARE FEET (____ ACRES), MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:"; followed by a legal description of the total subdivision area; followed by "HEREBY SUBDIVIDE" or "HEREBY SUBDIVIDES"; followed by "SAID TRACT INTO ____ AS SHOWN HEREON, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED _____."
 - New right-of-way and/or easements - use standard language
- Legal description checked against drawing for congruence
- Owner signature line(s) with notary block(s) - include title after signatory name if owner is not an individual; include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable
- If plat shows existing public easement(s) to be released – use standard block for City Manager’s release
- City Clerk's certificate - use standard block for record plats
- County Recorder of Deeds' certificate - use standard block
- Surveyor's certificate

SURVEY NOTES:

This Survey Creates A New 3 Lot Subdivision From The Parent Tract Recorded In Document 2018 - 10858.

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' 44.45840"	North
Longitude	89° 39' 00.22115"	West
Ellipsoid Height	384.012	U.S. Survey Feet
Northing	575,957.276	U.S. Survey Feet
Easting	1,067,059.319	U.S. Survey Feet
Elevation	476.96	U.S. Survey Feet

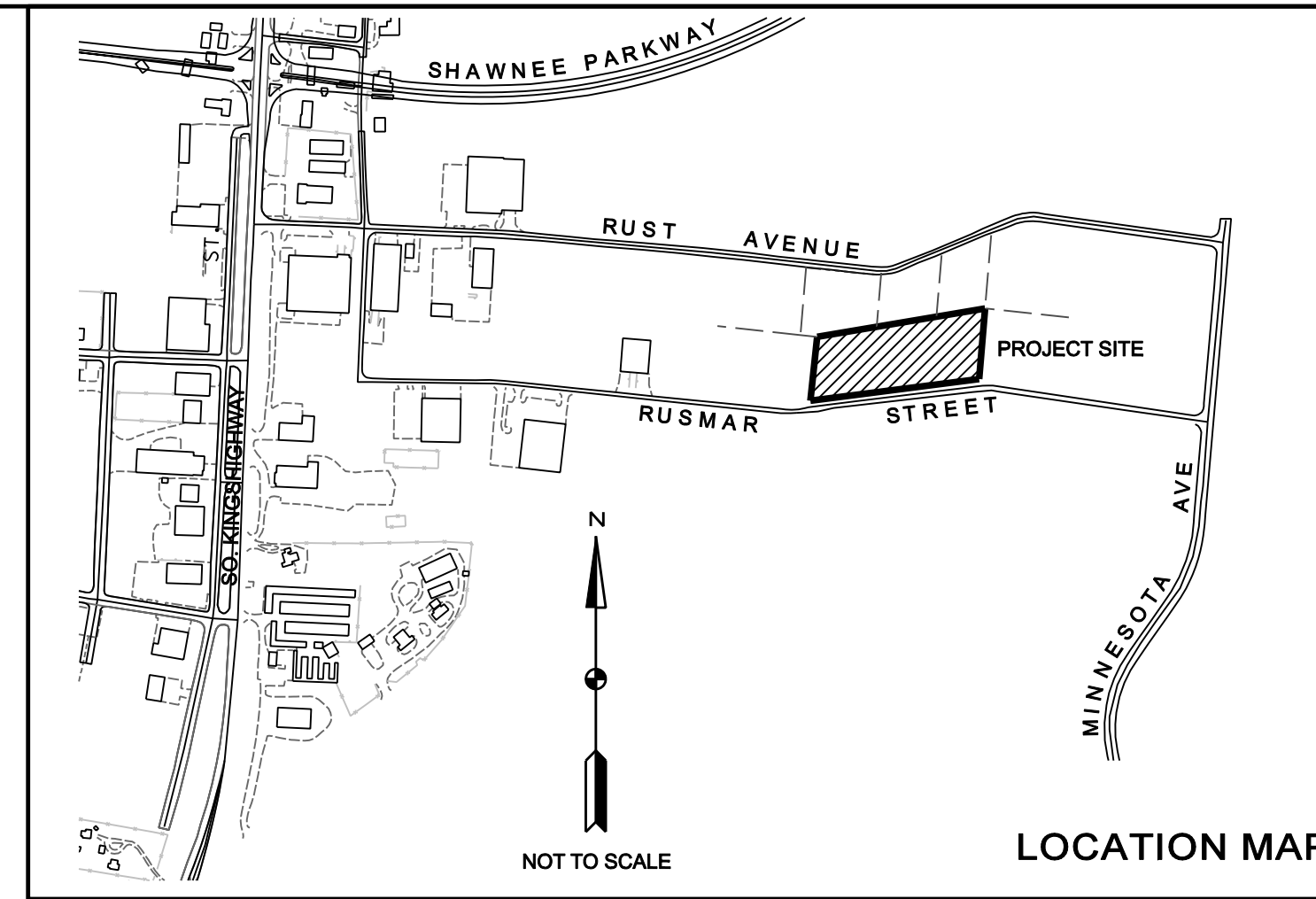
As Published On National Geodetic Data Sheets,
Retrieval Date December 28, 2023 And Converted
From Meters To U.S. Survey Feet.

Survey Class - Urban

ZONING AND LOT INFORMATION

Zoning: M-1, Light Manufacturing / Industrial
Maximum Height: 40 feet excluding silos, smokestacks, and dust collection systems.
Minimum Lot Area: None.
Minimum Lot Width: None.
Minimum Yard Requirements:
Front Yard - Twenty Five (25) Feet
Rear Yard - Twenty-Five (25) Feet
Side Yard - None, except on a lot abutting a residential district there shall be a side yard of not less than ten feet on the side of the lot abutting the residential district.

Number Of Lots = 3
Lot Sizes:
Lot 1 - 1.44 Acres (62,881 sq. ft.)
Lot 2 - 0.74 Acres (32,361 sq. ft.)
Lot 3 - 1.21 Acres (52,600 sq. ft.)
Total Area of Subdivision - 3.39 Acres (147,842 Sq. Ft.)



FOUND 1/2" IRON PIN (PLS 1627)
NE CORNER, LOT NO. 3, B AND E
WEST SECOND SUBDIVISION AS
RECORDED IN PLAT BK 20 - PAGE 87
N 531.189.858
E 1,097.614.597
NAD83, M.S.P.C.
ZONE 2401 EAST
U.S. SURVEY FEET
S.F. = 1.00002137
C.A. = 00°34'39.87861"

REFERENCES:

B and E West Second Subdivision, P.B. 20 - PG. 87
Rusmar Street Industrial Subdivision, P.B. 23 - PG. 89

General Warranty Deed, Book No. 844 - Page No. 267
General Warranty Deed, Document 2017 - 10229
General Warranty Deed, Document 2022 - 09747
General Warranty Deed, Document 2023 - 05929
General Warranty Deed, Document 2013 - 15852
General Warranty Deed, Document 2018 - 10858

Online Mapping Records For Cape Girardeau, County,
<https://maps.camvision.com/capegirardeaumo>

SURVEY MONUMENT NOTES:

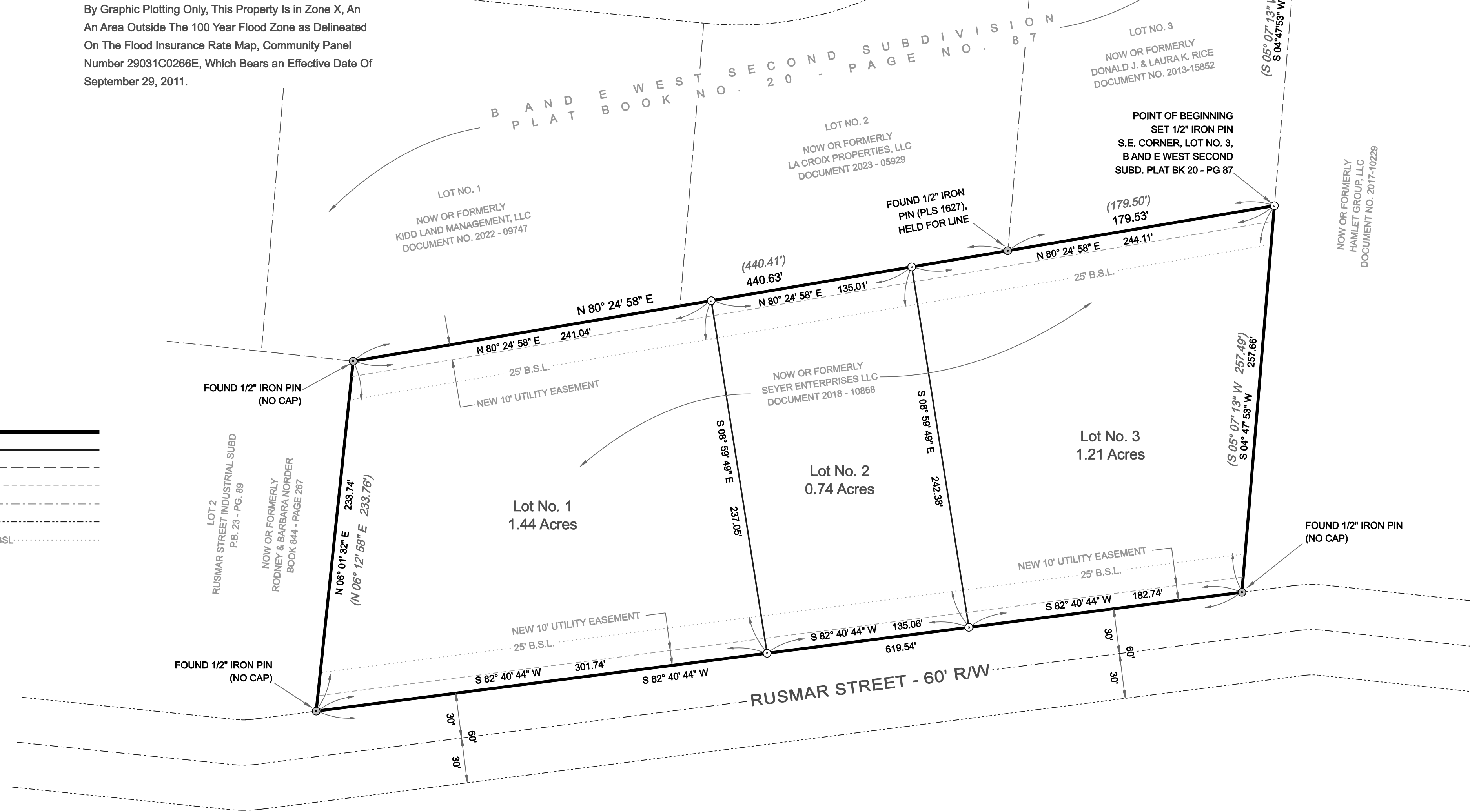
- ⊙ - FOUND 1/2" IRON PIN (AS NOTED)
- ⊙ - SET 1/2" IRON PIN

LEGEND

SUBDIVISION BOUNDARY LINE	—————
NEW LOT LINE	—————
ADJOINER PROPERTY LINE	-----
NEW UTILITY EASEMENT LINE	-----
CENTERLINE	-----
RIGHT OF WAY LINE	-----
BUILDING SETBACK LINE	----- 25' B.S.L. -----

FLOOD ZONE NOTE

By Graphic Plotting Only, This Property Is in Zone X, An Area Outside The 100 Year Flood Zone as Delineated On The Flood Insurance Rate Map, Community Panel Number 29031C0266E, Which Bears an Effective Date Of September 29, 2011.



RECORD PLAT

SEYER ENTERPRISES SUBDIVISION

A Part of OutLot No. 54, United States Private Survey No. 2199, Township 30 North, Range 13 East of The Fifth Principal Meridian, City and County of Cape Girardeau, State Of Missouri

SUBDIVISION DEDICATION

The Undersigned, Seyer Enterprises, LLC, a Missouri Limited Liability Company, Owner of a Part of OutLot No. 54, United States Private Survey No. 2199, 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:

Beginning at a 1/2" iron pin (set) at the Southeast corner of Lot No. 3, B and E West Second Subdivision as recorded in Plat Book No. 20 at Page No. 87 of the land records of the County Recorder's Office, said point also being on the west line of a tract of land recorded in Document No. 2017-10229; Thence S 04° 47' 53" W, 257.66 feet along said west line to a 1/2" Iron Pin (found) on the north right of way line of Rusmar Street; thence S 82° 40' 44" W, 619.54 feet along said North right of way line to a 1/2" Iron Pin (found) at the Southeast corner of a tract of land recorded in Book No. 844 at Page No. 267; thence N 06° 01' 32" E, 233.74 feet along the East line of said tract to a 1/2" Iron Pin (found) on the South line of the aforesaid B and E West Second Subdivision; thence N 80° 24' 58" E, 620.16 feet along the South line of said subdivision to the point of beginning, containing 3.39 acres, more or less.

Hereby declare that we have caused said land to be subdivided into lots as shown hereon, which is a true and correct representation of said subdivision, which is hereby named Seyer Enterprises Subdivision. The new utility easements shown hereon are hereby granted 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 said City to be used by a public or private utility provider for purposes related to the installation, maintenance, repair, replacement, and expansion of such utility systems.

Matthew J. Seyer, Member, Seyer Enterprises, LLC

STATE OF MISSOURI)
COUNTY OF CAPE GIRARDEAU) ss

Before Me, a Notary Public for Said State and County, Personally Appeared Matthew J. Seyer, Member, Seyer Enterprises, LLC, a Missouri Limited Liability Company, Known to Me to Be the Person Described Herein, Who Acknowledged That He Executed the Foregoing Instrument as the Free Act and Deed of said Limited Liability Company.

In Witness Whereof, I Hereunto Set My Hand and Affix My Official Seal This _____ Day Of _____, 2024, A.D.

Notary Public My Term Expires _____

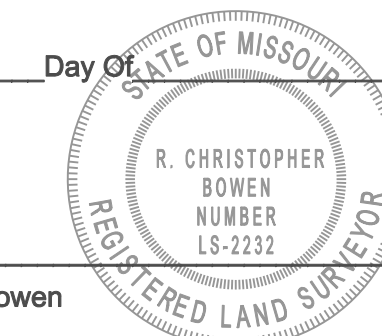
I, _____, City Clerk of The City of Cape Girardeau, Missouri, Hereby Certify That This Plat Was Approved By The City Council of The City of Cape Girardeau, Missouri By Ordinance No. _____ Passed and Approved, This _____ Day Of _____, 2024, A.D.

City Clerk of the City of Cape Girardeau, Missouri

SURVEYOR'S CERTIFICATION

This Is to Certify That at The Request of Matt Seyer, The Tract Shown Hereon as 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 Hereunto Set My Seal and Signature

This _____ Day Of _____, 2024 A.D.



R. Christopher Bowen Mo. P.L.S. #2232

STATE OF MISSOURI)
COUNTY OF CAPE GIRARDEAU) ss

Filed For Record This _____ Day Of _____, 2024 A.D.
And Duly Recorded in Document No. _____

Andrew David Blattner, Cape Girardeau County Recorder of Deeds

2121 Megan Drive
Cape Girardeau, MO 63703
Phone: 573.339.5900
Fax: 573.339.1391
www.boweneng.com

Bowen
ENGINEERING & SURVEYING

Consulting Engineers • Land Surveyors • Testing Laboratories
Bowen Engineering & Surveying, P.C.
Engineering Corporation - Missouri State Certificate of Authority #000883
Land Surveying Corporation - Missouri State Certificate of Authority #000166

SEYER ENTERPRISES LLC
2334 RUSMAR STREET
CAPE GIRARDEAU, MO. 63701

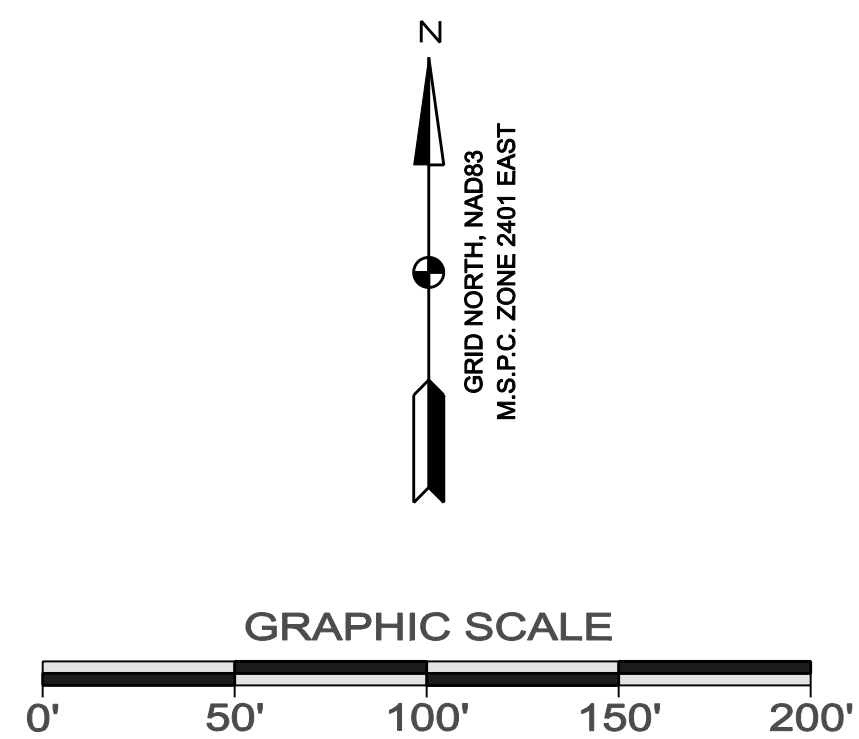
DESCRIPTION	DATE

Copyright © 2023 by Bowen Engineering & Surveying, P.C.

JOB NO.	S24-027
DATE	APRIL 12, 2024
FILE	S24027.DGN
CAICE	S24027.ZIP
DWN BY	RCB
CKD BY	CCK
SCALE	1" = 50'

RECORD PLAT

SHEET NO.
1 of 1



Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
5/20/2024

AGENDA REPORT
Cape Girardeau City Council

24-084

SUBJECT

An Ordinance authorizing the issuance of Special Tax Bills for various properties for the demolition of dangerous buildings and for the abatement of nuisances, located in the City and County of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached ordinance authorizes the issuance of special tax bills to recover costs incurred by the City in demolishing condemned buildings and abating nuisances at 807 Maple Street, 423 South Frederick Street, and 1114 Bloomfield Street.

BACKGROUND/DISCUSSION

Certain buildings at 807 Maple Street, 423 South Frederick Street, and 1114 Bloomfield Street were condemned under Chapter 7 of the City's Code of Ordinances. The City mailed a notice to each owner, ordering them to repair or demolish their respective buildings within 30 days. In addition, a sign was posted on each building giving notice of the condemnation. After the owners of the buildings failed to respond by their respective deadlines, the City held hearings and the Building Supervisor issued orders to repair or demolish each of the buildings by a certain deadline. The owners again failed to respond by their respective deadlines. As provided for in Chapter 7, the City hired a contractor to demolish the buildings. Prior to hiring the contractor, the City procured asbestos survey/testing reports for each of the buildings. In addition, the City incurred costs in abating nuisances on these properties. Pursuant to orders issued by the Building Supervisor, special tax bills have been prepared to recover these costs and related administrative costs. The special tax bills, along with the orders and invoices, are attached.

FINANCIAL IMPACT

Each special tax bill will bear an interest rate of eight percent (8%) annually on the outstanding balance until it is paid.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance authorizing the issuance of the special tax bills.

ATTACHMENTS:

Name:	Description:
Ord_Special_Tax_Bills_S_Frederick_Maple_St_Bloomfield.doc	Ordinance
Tax_Bill_Demolition_423_S_Frederick_St.doc	Tax Bill - 423 South Frederick Street
Tax_Bill_Demolition_Nuisance_807_Maple_Street.doc	Tax Bill - 807 Maple Street
Tax_Bill_Demolition_Nuisance_1114_Bloomfield.doc	Tax Bill - 1114 Bloomfield Street
Order_Causing_Tax_Bills_to_be_Issued_-_Signed.pdf	Special Tax Bill Order & Invoices - 807 Maple Street
Order_Causing_Tax_Bills_to_be_Issued_-_Signed.pdf	Special Tax Bill Order & Invoices - 423 South Frederick Street

AN ORDINANCE AUTHORIZING THE ISSUANCE OF SPECIAL TAX BILLS FOR VARIOUS PROPERTIES FOR THE DEMOLITION OF DANGEROUS BUILDINGS AND FOR THE ABATEMENT OF NUISANCES, LOCATED IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI

WHEREAS, the Building Supervisor of the City of Cape Girardeau, Missouri, issued Orders causing certain dangerous buildings to be demolished; and

WHEREAS, the City of Cape Girardeau did cause said buildings to be demolished in accordance with the Orders, thereby incurring certain expenses; and

WHEREAS, the City of Cape Girardeau also incurred certain expenses in abating nuisances on properties containing said dangerous buildings; and

WHEREAS, the Building Supervisor authorized the issuance of Special Tax Bills for said expenses; and

WHEREAS, Chapters 7 and 13 of the Code of Ordinances of the City of Cape Girardeau, Missouri, authorize the issuance of Special Tax Bills to recover said expenses.

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

ARTICLE 1. There is hereby levied, and the City Clerk is hereby authorized and ordered to place on file, the following Special Tax Bills issued in accordance with the Order of the Building Supervisor which shall be liens against the following-described properties in accordance with law, in the following amounts, until paid or collected by the City of Cape Girardeau, Missouri:

423 South Frederick Street - \$12,863.95

All of the South 1/2 of Lot Forty-nine (49) in Range "I" in the City and County of Cape Girardeau, Missouri, fronting 45-3/4 feet on South Frederick Street and running back uniform width of 45-3/4 feet to an alley 180 feet.

807 Maple Street - \$20,335.34

The East one-third of Lots Twelve (12), Thirteen (13), and Fourteen (14), in Block Seven (7) of Giboney Houck's Third Subdivision, in the City and County of Cape Girardeau, as

recorded in Plat Book 2 at Page 51, Office of the Recorder of Deeds, Cape Girardeau County, Jackson, Missouri.

1114 Bloomfield Street - \$12,187.09

Lot Seven (7) Block Thirty (30) of West End Place Addition to the City of Cape Girardeau, Missouri as shown on plat filed for record in Plat Book 2 at Page 8 of the land records of said County.

ARTICLE 2. Said Special Tax Bills shall bear an interest rate of eight per cent (8%) per annum.

ARTICLE 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

ARTICLE 4. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



No. 318-0001

Amount \$12,863.95

**SPECIAL TAX BILL FOR
DEMOLITION OF A DANGEROUS BUILDING**

To the City of Cape Girardeau, Missouri:

For work done and costs and expenses incurred in abating a nuisance by demolition of a dangerous building under the provisions of Chapter 7 of the Code of Ordinances of the City of Cape Girardeau, Missouri, and chargeable against:

**Rose Campbell
715 Ranney Avenue
Cape Girardeau, MO 63703**

for the following property:

423 South Frederick Street, Cape Girardeau, MO

All of the South 1/2 of Lot Forty-nine (49) in Range "I" in the City and County of Cape Girardeau, Missouri, fronting 45-3/4 feet on South Frederick Street and running back uniform width of 45-3/4 feet to an alley 180 feet.

Parcel No. 211110017007000000

in the City of Cape Girardeau, Missouri; said building has been demolished in accordance with the Order of the Building Supervisor dated April 26, 2022, and the cost incurred for said demolition, including the procurement of an asbestos inspection report, was Twelve Thousand, Eight Hundred Sixty-three Dollars and Ninety-five Cents (\$12,863.95).

I, Gayle L. Conrad, City Clerk of the City of Cape Girardeau, Missouri, do hereby certify that said demolition work was done as reported to the City Building Supervisor under the provisions of Chapter 7-353(6), said report dated March 27, 2024.

I also certify that the costs and expenses incurred by the City for said demolition work were Twelve Thousand, Eight Hundred Sixty-three Dollars and Ninety-five Cents (\$12,863.95) which amount the City Council has ordered assessed as a special tax against the following described property, to-wit:

423 South Frederick Street, Cape Girardeau, MO

All of the South 1/2 of Lot Forty-nine (49) in Range "I" in the City and County of Cape Girardeau, Missouri, fronting 45-3/4 feet on South Frederick Street and running back uniform width of 45-3/4 feet to an alley 180 feet.

Parcel No. 211110017007000000

the same being the sum fixed as costs by the report of the Building Supervisor.

This Special Tax Bill bears interest at the rate of eight per cent (8%) per annum from sixty (60) days after its date and is a special lien against the land herein described. The lien hereof shall continue ten (10) years after the date of issue, unless sooner paid, and in the event suit is brought to enforce such lien, then until the expiration of such litigation.

Issued by authority of Ordinance No. _____ passed and approved May 20, 2024.

IN WITNESS WHEREOF, as City Clerk of the City of Cape Girardeau, Missouri, I have hereunto set my hand under the corporate seal of said City this ____ day of _____, 2024.

Gayle L. Conrad, City Clerk

[S E A L]

No. 318-0002

Amount \$20,335.34

**SPECIAL TAX BILL FOR
DEMOLITION OF A DANGEROUS BUILDING
AND ABATEMENT OF A NUISANCE**

To the City of Cape Girardeau, Missouri:

For work done and costs and expenses incurred in abating a nuisance by demolition of a dangerous building under the provisions of Chapter 7 of the Code of Ordinances of the City of Cape Girardeau, Missouri, and chargeable against:

**Charles P. Ressler & McGraddier Robinson
233 Omaka Springs
Cape Girardeau, MO 63701**

for the following property:

807 Maple Street, Cape Girardeau, MO

The East one-third of Lots Twelve (12), Thirteen (13), and Fourteen (14), in Block Seven (7) of Giboney Houck's Third Subdivision, in the City and County of Cape Girardeau, as recorded in Plat Book 2 at Page 51, Office of the Recorder of Deeds, Cape Girardeau County, Jackson, Missouri.

Parcel No. 211100036011000000

in the City of Cape Girardeau, Missouri; said building has been demolished in accordance with the Order of the Building Supervisor dated March 15, 2022, and the cost incurred for said demolition, including the procurement of an asbestos inspection report, was Fifteen Thousand, Two Hundred Fifteen Dollars and Sixty-five Cents (\$15,215.65).

For work done and costs and expenses incurred in abating a nuisance under the provisions of Chapter 13 of the Code of Ordinances of the City of Cape Girardeau, Missouri, said property has been cleared in accordance with the Order of the Nuisance Abatement Officer, and the cost incurred for said abatement was Four Thousand, Nine Hundred Sixty-nine Dollars and Sixty-nine Cents (\$4,969.69), plus administrative costs totaling One Hundred Fifty Dollars (\$150.00).

I, Gayle L. Conrad, City Clerk of the City of Cape Girardeau, Missouri, do hereby certify that said demolition work was done as reported to the City Building Supervisor under the provisions of Chapter 7-353(6), said report dated March 27, 2024, and that the nuisance under said Chapter 13 was abated in accordance with the Order of the Nuisance Abatement Officer.

I also certify that the costs and expenses incurred by the City for said demolition work and nuisance abatement were Twenty Thousand, Three Hundred Thirty-five Dollars and Thirty-four Cents (\$20,335.34) which amount the City Council has ordered assessed as a special tax against the following-described property, to-wit:

807 Maple Street, Cape Girardeau, MO

The East one-third of Lots Twelve (12), Thirteen (13), and Fourteen (14), in Block Seven (7) of Giboney Houck's Third Subdivision, in the City and County of Cape Girardeau, as recorded in Plat Book 2 at Page 51, Office of the Recorder of Deeds, Cape Girardeau County, Jackson, Missouri.

Parcel No. 211100036011000000

the same being the sum fixed as costs by the report of the Building Supervisor.

This Special Tax Bill bears interest at the rate of eight per cent (8%) per annum from sixty (60) days after its date and is a special lien against the land herein described. The lien hereof shall continue ten (10) years after the date of issue, unless sooner paid, and in the event suit is brought to enforce such lien, then until the expiration of such litigation.

Issued by authority of Ordinance No. _____ passed and approved May 20, 2024.

IN WITNESS WHEREOF, as City Clerk of the City of Cape Girardeau, Missouri, I have hereunto set my hand under the corporate seal of said City this ____ day of _____, 2024.

Gayle L. Conrad, City Clerk

No. 318-0003

Amount \$12,187.09

**SPECIAL TAX BILL FOR
DEMOLITION OF A DANGEROUS BUILDING
AND ABATEMENT OF A NUISANCE**

To the City of Cape Girardeau, Missouri:

For work done and costs and expenses incurred in abating a nuisance by demolition of a dangerous building under the provisions of Chapter 7 of the Code of Ordinances of the City of Cape Girardeau, Missouri, and chargeable against:

**Scottie S. Thomas & Carolyn A. Thomas
1501 Jane Drive
Cape Girardeau, MO 63701**

for the following property:

1114 Bloomfield Street, Cape Girardeau, MO

Lot Seven (7) Block Thirty (30) of West End Place Addition to the City of Cape Girardeau, Missouri as shown on plat filed for record in Plat Book 2 at Page 8 of the land records of said County.

Parcel No. 211100007013000000

in the City of Cape Girardeau, Missouri; said building has been demolished in accordance with the Order of the Building Supervisor dated July 25, 2022, and the cost incurred for said demolition, including the procurement of an asbestos inspection report, was Eleven Thousand, Five Hundred Seventeen Dollars and Twenty-five Cents (\$11,517.25).

For work done and costs and expenses incurred in abating a nuisance under the provisions of Chapter 13 of the Code of Ordinances of the City of Cape Girardeau, Missouri, said property has been cleared in accordance with the Order of the Nuisance Abatement Officer, and the cost incurred for said abatement was Five Hundred Nineteen Dollars and Eighty-four Cents (\$519.84), plus administrative costs totaling One Hundred Fifty Dollars (\$150.00).

I, Gayle L. Conrad, City Clerk of the City of Cape Girardeau, Missouri, do hereby certify that said demolition work was done as reported to the City Building Supervisor under the provisions of Chapter 7-353(6), said report dated March 27, 2024, and that the nuisance under said Chapter 13 was abated in accordance with the Order of the Nuisance Abatement Officer.

I also certify that the costs and expenses incurred by the City for said demolition work and nuisance abatement were Twelve Thousand, One Hundred Eighty-seven Dollars and Nine Cents (\$12,187.09) which amount the City Council has ordered assessed as a special tax against the following-described property, to-wit:

1114 Bloomfield Street, Cape Girardeau, MO

Lot Seven (7) Block Thirty (30) of West End Place Addition to the City of Cape Girardeau, Missouri as shown on plat filed for record in Plat Book 2 at Page 8 of the land records of said County.

Parcel No. 211100007013000000

the same being the sum fixed as costs by the report of the Building Supervisor.

This Special Tax Bill bears interest at the rate of eight per cent (8%) per annum from sixty (60) days after its date and is a special lien against the land herein described. The lien hereof shall continue ten (10) years after the date of issue, unless sooner paid, and in the event suit is brought to enforce such lien, then until the expiration of such litigation.

Issued by authority of Ordinance No. _____ passed and approved May 20, 2024.

IN WITNESS WHEREOF, as City Clerk of the City of Cape Girardeau, Missouri, I have hereunto set my hand under the corporate seal of said City this ____ day of _____, 2024.

Gayle L. Conrad, City Clerk

ORDER OF BUILDING SUPERVISOR
CAUSING TAX BILLS TO BE ISSUED AGAINST PROPERTY

COMES now the Building Supervisor of the City of Cape Girardeau, Missouri, this 27th day of March, 2024, and hereby finds the following:

1. That the building on the property described as follows:

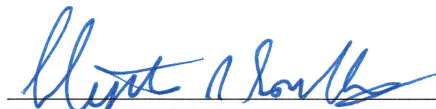
807 Maple Street, Cape Girardeau, MO

The East one-third of Lots Twelve (12), Thirteen (13), and Fourteen (14), in Block Seven (7) of Giboney Houck's Third Subdivision, in the City and County of Cape Girardeau, as recorded in Plat Book 2 at Page 51, Office of the Recorder of Deeds, Cape Girardeau County, Jackson, Missouri.

has been demolished in accordance with the Order of the Building Supervisor dated the 15th day of March, 2022.

2. That the costs incurred in the asbestos survey/testing and demolition of this building were fifteen thousand two hundred fifteen dollars and sixty-five cents (\$15,215.65), a true and accurate copy of which are attached hereto and marked "Exhibit A".

WHEREFORE, the Building Supervisor enters an order directing the City Clerk of the City of Cape Girardeau, Missouri, to issue tax bills against the property heretofore described for the cost of said asbestos survey/testing and demolition plus outstanding nuisance charges in the amount of four thousand nine hundred sixty-nine dollars and sixty-nine cents (\$4,969.69), and administrative costs in the amount of one hundred fifty dollars (\$150.00) for a total tax bill in the amount of twenty thousand three hundred thirty-five dollars and thirty-four cents (\$20,335.34).



Stephen Southard
Building Supervisor





42661

Client: The City of Cape Girardeau MO
44 N. Lorimier St.
Cape Girardeau, MO 63701

Job Name: IHS-Cape Girardeau
Various – see below
Cape Girardeau, MO 63703

ACCOUNT NO	PO NUMBER	REFERENCE	EOI JOB NUMBER	INVOICE DATE	PAGE
CAPEGIRA		7/8/2023	23514	6/30/2023	1

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1	804 S. Ellis Street, Cape Girardeau MO	\$1,463.95	\$1,463.95
1	423 S. Frederick Street, Cape Girardeau MO	\$1,463.95	\$1,463.95
1	807 Maple Street, Cape Girardeau MO	\$1,415.65	\$1,415.65

Break down per structure:

840 S. Ellis St., Cape Girardeau, MO

Mobilization - \$300
Inspection & Report - \$850
PLM Sample Analysis – 39 samples @ \$8.05 / sample

423 S. Frederick St., Cape Girardeau, MO

Mobilization - \$300
Inspection & Report - \$850
PLM Sample Analysis – 39 samples @ \$8.05 / sample

807 Maple St., Cape Girardeau, MO

Mobilization - \$300
Inspection & Report - \$850
PLM Sample Analysis – 33 samples @ \$8.05 / sample

rshrimplin@cityofcapegirardeau.org

TOTAL AMOUNT \$4,343.55

Remit to:

Environmental Operations, Inc.
7733 Forsyth Blvd
Suite 1600, Clayton, MO 63105
Phone: 314-241-0900 Fax 314-241-2451

Wire/ACH Instructions:

MRV Banks
1319 N. Truman Blvd.
Festus, MO 63028
ABA Rtg # - 081919356
Account # - 2016103

Please send an email when an ACH is being processed. michele@environmentalops.com

Thank You for Your Business!

**ORDER OF BUILDING SUPERVISOR
CAUSING TAX BILLS TO BE ISSUED AGAINST PROPERTY**

COMES now the Building Supervisor of the City of Cape Girardeau, Missouri, this 27th day of March, 2024, and hereby finds the following:

1. That the building on the property described as follows:

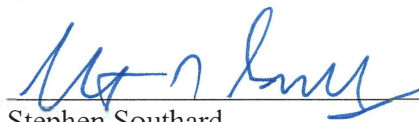
423 South Frederick Street, Cape Girardeau, MO

All of the South ½ of Lot Forty-nine (49) in Range "I" in the City and County of Cape Girardeau, Missouri, fronting 45-3/4 feet on South Frederick Street and running back uniform width of 45-3/4 feet to an ally 180 feet.

has been demolished in accordance with the Order of the Building Supervisor dated the 26th day of April, 2022.

2. That the costs incurred in the asbestos survey/testing and demolition of this building were twelve thousand eight hundred sixty-three dollars and ninety-five cents (\$12,863.95), a true and accurate copy of which are attached hereto and marked "Exhibit A".

WHEREFORE, the Building Supervisor enters an order directing the City Clerk of the City of Cape Girardeau, Missouri, to issue tax bills against the heretofore described property in the amount of twelve thousand eight hundred sixty-three dollars and ninety-five cents (\$12,863.95), for the costs incurred in said asbestos survey/testing and demolition.



Stephen Southard
Building Supervisor





INVOICE #
42661

Client: The City of Cape Girardeau MO
44 N. Lorimier St.
Cape Girardeau, MO 63701

Job Name: IHS-Cape Girardeau
Various – see below
Cape Girardeau, MO 63703

ACCOUNT NO	PO NUMBER	REFERENCE	EOI JOB NUMBER	INVOICE DATE	PAGE
CAPEGIRA		7/8/2023	23514	6/30/2023	1

QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED
1	804 S. Ellis Street, Cape Girardeau MO	\$1,463.95	\$1,463.95
1	423 S. Frederick Street, Cape Girardeau MO	\$1,463.95	\$1,463.95
1	807 Maple Street, Cape Girardeau MO	\$1,415.65	\$1,415.65

Break down per structure:

840 S. Ellis St., Cape Girardeau, MO

Mobilization - \$300
Inspection & Report - \$850
PLM Sample Analysis – 39 samples @ \$8.05 / sample

423 S. Frederick St., Cape Girardeau, MO

Mobilization - \$300
Inspection & Report - \$850
PLM Sample Analysis – 39 samples @ \$8.05 / sample

807 Maple St., Cape Girardeau, MO

Mobilization - \$300
Inspection & Report - \$850
PLM Sample Analysis – 33 samples @ \$8.05 / sample

rshrimplin@cityofcapegirardeau.org

TOTAL AMOUNT \$4,343.55

Remit to:

Environmental Operations, Inc.
7733 Forsyth Blvd
Suite 1600, Clayton, MO 63105
Phone: 314-241-0900 Fax 314-241-2451

Wire/ACH Instructions:

MRV Banks
1319 N. Truman Blvd.
Festus, MO 63028
ABA Rtg # - 081919356
Account # - 2016103

Please send an email when an ACH is being processed. michele@environmentalops.com

Thank You for Your Business!

**ORDER OF BUILDING SUPERVISOR
CAUSING TAX BILLS TO BE ISSUED AGAINST PROPERTY**

COMES now the Building Supervisor of the City of Cape Girardeau, Missouri, this 27th day of March, 2024, and hereby finds the following:

1. That the building on the property described as follows:

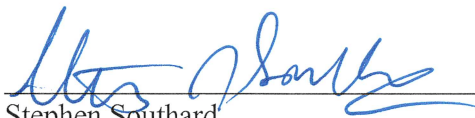
1114 Bloomfield Street, Cape Girardeau, MO

Lot Seven (7) Block thirty (30) of West End Place Addition to the City of Cape Girardeau, Missouri, as shown on plat filed for record in Plat Book 2 at Page 8 of the land records of said County.

has been demolished in accordance with the Order of the Building Supervisor dated the 25th day of July, 2022.

2. That the costs incurred in the asbestos survey/testing and demolition of this building were eleven thousand five hundred seventeen dollars and twenty-five cents (\$11,517.25), a true and accurate copy of which are attached hereto and marked "Exhibit A".

WHEREFORE, the Building Supervisor enters an order directing the City Clerk of the City of Cape Girardeau, Missouri, to issue tax bills against the property heretofore described for the cost of said asbestos survey/testing and demolition plus outstanding nuisance charges in the amount of five hundred nineteen dollars and eighty-four cents (\$519.84), and administrative costs in the amount of one hundred fifty dollars (\$150.00) for a total tax bill in the amount of twelve thousand one hundred eighty-seven dollars and nine cents (\$12,187.09).



Stephen Southard
Building Supervisor





1631 Headland Drive - St. Louis, MO 63026

INVOICE

Date	July 31, 2023
Invoice Number	C-23140-01
Authorization	Task Order No. 1

Client:

Mr. Ryan Shrimplin
 City of Cape Girardeau
 44 North Lorimier Street
 Cape Girardeau, MO 63701

NPN Contract: C-23140.A/B/C
Federal ID: 43-1642323
Terms: NET 20 Days
Late Charges: 1 1/2% per month

Scope of Work:

Asbestos Inspections - Pre-Demolition
 Vacant Houses and Building
 Cape Girardeau, MO

Date of Services:

June 14 - July 26, 2023

PO#240268

Environmental Services:

Qty	Unit	Rate	Extended	Total
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C-23140.A - 631 South Benton Street*Professional Time*

Project Principal	0.5	hour	190.00	95.00
Asbestos Program Director	4.5	hour	125.00	562.50
Asbestos Inspector	7.0	hour	85.00	595.00
Administrative Assistant	4.5	hour	70.00	<u>315.00</u>
				1,567.50

Equipment and Supplies

Travel Expenses	1.0	total	105.00	105.00
Courier	1.0	total	4.75	<u>4.75</u>
				109.75

Laboratory Analysis

PLM - EPA 600 (5-Day)	63.0	each	20.00	<u>1,260.00</u>
				1,260.00

Subtotal - 631 South Benton Street \$2,937.25

C-23140.B - 114 Bloomfield Road*Professional Time*

Project Principal	1.0	hour	190.00	190.00
Asbestos Program Director	4.5	hour	125.00	562.50
Asbestos Inspector	7.0	hour	85.00	595.00
Administrative Assistant	4.0	hour	70.00	<u>280.00</u>
				1,627.50

Equipment and Supplies

Travel Expenses	1.0	total	105.00	105.00
Courier	1.0	total	4.75	<u>4.75</u>
				109.75

Laboratory Analysis

PLM - EPA 600 (5-Day)	59.0	each	20.00	<u>1,180.00</u>
				1,180.00

Subtotal - 114 Bloomfield Road \$2,917.25

Staff: Jake Garrard, P.E., City Engineer
Agenda: 5/20/2024

AGENDA REPORT
Cape Girardeau City Council

24-089

SUBJECT

A Resolution authorizing the City Manager to execute an agreement for a General Services Agreement for general works and infrastructure projects with Lochmueller Group.

EXECUTIVE SUMMARY

The attached General Services Agreement will allow the Engineering Division to issue task orders to Lochmueller Group for professional services necessary to complete any general works and infrastructure projects.

BACKGROUND/DISCUSSION

The purpose of the attached General Services Agreement is to set the general contract provisions between the consultant and the City. From the General Services Agreement, Task Orders will be issued for defining the specific work, scope, and fee for each task. The City Manager will be authorized to sign the task orders on behalf of the City.

FINANCIAL IMPACT

All costs will be generated per the Task Orders and will be charged to the specific projects utilizing various funds necessary.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

Staff recommends the Council approve a Resolution authorizing the City Manager to enter into an Agreement with Lochmueller Group for general works and infrastructure projects.

ATTACHMENTS:

Name:	Description:
Agreement Lochmueller Engineering Services.doc	Resolution
2024.04.12.GSA.Lochmueller - Signed_04-23-24.pdf	Lochmueller GSA

BILL NO. 24-54

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH LOCHMUELLER GROUP FOR ENGINEERING 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 Lochmueller Group for Engineering Services related to infrastructure projects. The Contract shall be in substantially the form attached hereto, which document is hereby approved by the City Council, and incorporated herein by reference, with such changes or amendments as shall be approved by the officers of the City executing the same. The officers, agents, and employees of the City are hereby authorized to execute all documents and take steps as they deem necessary and advisable to carry out and perform the purpose of this Resolution.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



**CONTRACT
For
Engineering Services**

CONSULTANT NAME: Lochmueller Group

THIS CONTRACT is between City of Cape Girardeau, Missouri, hereinafter referred to as the "City", and Lochmueller Group, 411 North 10th Street, Suite 200, St. Louis, Missouri 63101, hereinafter referred to as the "Consultant".

INASMUCH as funds have been made available by the City through various sources, the City intends to complete general works and infrastructure projects and requires professional engineering, land surveying, and inspection services. The Consultant, upon the City's request through written Task Orders, will provide the City with any and all professional services hereinafter detailed for the planning, design and/or construction inspection of the desired improvements and the City will pay the Consultant as provided in this contract and subsequent Task Orders. It is mutually agreed as follows:

ARTICLE I - SCOPE OF SERVICES

- A. **DESIGN PHASE** - The Consultant will if requested by the City:
1. determine the needs of the City for the project;
 2. conduct topographic, property and utility surveys sufficient to develop plans for the project;
 3. arrange for subsurface investigations if needed, and make recommendations for structure foundations and pavement sections;
 4. perform traffic studies and/or traffic modeling if needed;
 5. conduct hydraulic studies, prepare alternative designs and cost estimates, develop preliminary plans, and recommend to the City the best overall general design based on these studies;
 6. submit appropriate copies of preliminary plans, estimates and/or studies for review by the City;
 7. prepare detailed construction plans, cost estimates, specifications and related documents as necessary, including a Stormwater Pollution Prevention Plan (SWPPP) for the purpose of soliciting bids for constructing the project. Provision will be made in the contract documents for that portion of the work that will be performed by City's forces;
 8. secure adequate property title information, determine right-of-way requirements, prepare right-of-way plans, legal descriptions, and exhibits, and assist the City in acquiring the right-of-way deeds and necessary easements needed for the project;

9. ensure compliance with water quality requirements by coordinating with the Missouri Department of Natural Resources and the U.S. Army Corps of Engineers and also ensure compliance with the requirements of the Federal Emergency Management Agency (FEMA);
 10. ensure compliance with historic preservation requirements through coordination with the Missouri Department of Natural Resources, and if deemed necessary, arrange to have the site examined by a qualified archaeologist on a subcontract basis;
 11. ensure compliance with all regulations in regards to noise abatement and air quality, if necessary; and
 12. after making final corrections resulting from reviews by agencies involved, provide the City with the appropriate sets of completed plans, specifications, studies and/or cost estimates for the purpose of obtaining construction authorization from the City.
- B. **BIDDING PHASE** - If requested by the City, the Consultant will assist the City in advertising for bids and evaluating bids.
1. Bids Exceeding Cost Estimate: If all bids exceed Consultant's Estimate, due to error or negligence on the Consultant, the Consultant shall, at the request of City and for no additional cost, prepare a report for City identifying why all the bids exceed the estimate. The City has four (4) options if all bids exceed Consultant's Estimate. The City may: (1) give written approval of an increase in the Project cost; (2) authorize rebidding of the Project, (3) terminate the Project and this Agreement, or (4) cooperate in revising the Project scope, plans, or specifications, or all as necessary to reduce the construction cost. In the case of (4), Consultant, without additional charge to City, shall consult with City and shall revise and modify the scope, plans, or specifications as necessary to achieve compliance with the Consultant's Estimate.
- C. **CONSTRUCTION PHASE** - If requested by the City, the Consultant will serve as the City's representative for administering the terms of the construction contract between City and their Contractor. Consultant will endeavor to protect the City against defects and deficiencies in workmanship and materials in work by the Contractor. However, the furnishing of such project representation will not make Consultant responsible for the construction methods and procedures used by the Contractor or for the Contractor's failure to perform work in accordance with the contract documents. Consultant's services will include more specifically as follows if needed:
1. assist the City with a preconstruction conference to discuss project details with the Contractor;
 2. make periodic site visits to observe the Contractor's progress and quality of work, and to determine if the work conforms to the contract documents. The Consultant will accompany City representatives on visits of the project site as requested;

3. check shop drawings and review schedules and drawings submitted by the Contractor;
4. reject work not conforming to the project documents;
5. prepare change orders for issuance by the City as necessary and assure that proper approvals are made prior to work being performed;
6. review wage rates, postings, equal employment opportunity and other related items called for in the contract documents;
7. inspect materials, review material certifications furnished by Contractor, sample concrete and other materials as required, and arrange for laboratory testing of samples by others on a subcontract basis. Independent assurance samples and tests will be performed by City personnel and such sampling and testing is excluded from the work to be performed by the Consultant under this contract;
8. maintain progress diary and other project records, measure and document quantities, and review monthly estimates for payments due the Contractor;
9. be present during critical construction operations, including but not limited to the following:
 - a. structure layout;
 - b. excavation and backfilling;
 - c. driving of piles;
 - d. checking of reinforcing steel prior to concrete placement;
 - e. concrete batching and pouring;
 - f. placement of girders; and
 - g. placement of surfacing materials; and
10. participate in final inspection, provide the City with project documentation (diaries, test results, certifications, etc.), and provide as-built plans for the City's records.

ARTICLE II - ADDITIONAL SERVICES

The City reserves the right to request additional work; changed or unforeseen conditions may require changes and work beyond the scope of this contract. In this event, a supplement to this agreement shall be executed and submitted for the approval of City prior to performing the additional or changed work or incurring any additional cost thereof. Any change in compensation will be covered in the supplement.

ARTICLE III - RESPONSIBILITIES OF CITY

The City will cooperate fully with the Consultant in the development of the project, including the following:

- A. make available all information pertaining to the project which may be in the possession of the City;
- B. provide the Consultant with the City's requirements for the project;
- C. make provisions for the Consultant to enter upon property at the project site for the performance of his duties;
- D. examine all studies and layouts developed by the Consultant and render decisions thereon in a prompt manner so as not to delay the Consultant;
- E. designate a City employee to act as City's representative under this contract, such person shall have authority to transmit instructions, interpret the City's policies and render decisions with respect to matters covered by this agreement;
- F. perform appraisals and appraisal review, negotiate with property owners and otherwise provide all services in connection with acquiring all right-of-way and easements needed to construct this project.

ARTICLE IV - PERIOD OF SERVICE

The Consultant will commence work within two weeks after receiving signed a Task Order and notice to proceed from the City. The phases of work shall be completed in accordance with the associated Task Order.

The times are exclusive of review time by other agencies and exclusive of time needed to acquire right-of-way. The City will grant time extensions for unavoidable delays beyond the control of the Consultant. Requests for extensions of time should be requested in writing by the Consultant, stating fully the reasons for the request.

This contract shall remain in effect for five years from the date accepted by the City of Cape Girardeau City Council.

ARTICLE V - STANDARDS

The Consultant shall be responsible for working with the City in determining the appropriate design parameters and construction specifications for the project using good engineering judgment based on the specific site conditions, City needs, and guidance provided in the most current version of the City of Cape Girardeau's Standard Specifications and Drawings. If the project is on MoDOT Right-of-Way, then the latest version of the Engineering Policy Guide (EPG) and Missouri Standard Specifications for Highway Construction shall be followed.

ARTICLE VI - COMPENSATION

For services provided under this contract, the City will compensate the Consultant as determined in the Task Order based on Consultant's Charge Out Rates as determined in this Article. It is agreed the Consultant is an independent contractor and is not an employee of the City. Consultant shall be entitled to no benefits or compensation from the City except as set forth in this Agreement and shall in no event be entitled to any fringe benefits payable to employees of the City. Consultant shall be solely responsible for any taxes or other similar charges relating to any compensation paid to the Consultant under this Agreement.

1. Charge Out rates shall include all direct payroll, general and administrative overhead, specialized equipment costs, payroll taxes, holiday and vacation pay, sick leave pay, insurance benefits, retirement and incentive pay.
2. Additional work incurred by others on a subcontract basis, said costs are to be passed through the Consultant on the basis of reasonable and actual cost as invoiced by the subcontractors, only if required and approved by the City.

METHOD OF PAYMENT – Unless otherwise stated in the Task Order, partial payments will be made to the Consultant for work satisfactorily completed upon receipt of itemized invoices by the City.

1. Invoices will be submitted monthly. Invoices submitted on or before the 20th day of any month shall become due and payable on the 10th day of the following month. Invoices for each Task Order shall be submitted separately.
2. City's Right to Withhold Payment. In the event the City becomes informed that any representations of the Consultant provided in its monthly billing, are wholly or partially inaccurate, City may withhold payment of sums then or in the future otherwise due to the Consultant until the inaccuracy and the cause thereof, is corrected to the City's reasonable satisfaction. The Consultant shall correct or revise any errors or deficiencies in its designs, drawings or specifications without additional compensation when due solely to Consultant's negligent acts, errors, or omissions.

PROPERTY ACCOUNTABILITY - If it becomes necessary to acquire any specialized equipment for the performance of this contract, appropriate credit will be given for any residual value of said equipment after completion of usage of the equipment.

ARTICLE VII - COVENANT AGAINST CONTINGENT FEES

The Consultant warrants that he has not employed or retained any company or person, other than a bona fide employee working for the Consultant, to solicit or secure this agreement, and that he 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, contingent upon or resulting from the award or making of this contract. For breach or violation of this warranty, the City shall have the right

to annul this agreement without liability, or in its discretion to deduct from the contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee, plus reasonable attorney's fees.

ARTICLE VIII - SUBLETTING, ASSIGNMENT OR TRANSFER

No portion of the work covered by this contract, the contract itself, or any Task Order, except as provided herein, shall be assigned, sublet or transferred without the written consent of the City. The subletting of the work shall not relieve the Consultant of his primary responsibility for the quality and performance of the work. The Consultant may engage subcontractors for the purposes of: foundation and/or geotechnical borings and tests, abstracts of title, archaeological studies, traffic studies, land survey, and environmental studies, if required and approved by the City.

ARTICLE IX - PROFESSIONAL ENDORSEMENT

All plans, specifications and other documents shall be endorsed by the Consultant and shall reflect the name and seal of the Professional Engineer endorsing the work. By signing and sealing the Plans, Specifications, and Estimate submittals the Engineer of Record will be representing to the City that the design is meeting the intent of the program. Any review or approval by the City of any documents prepared by the Consultant and/or its subconsultants including but not limited to the plans and specifications, shall be solely for the purpose of determining whether such documents are consistent with City's construction program and intent and shall not be construed as approval of same by City. No review of such documents shall relieve Consultant of its responsibility for the accuracy, adequacy, fitness, suitability, and coordination of its work product.

Consultant shall assign only qualified personnel to perform any service concerning the Project. At the time of execution of the Task Order, the parties will agree on the Project Manager for the Task. This person shall be the primary contact with the City's Project Manager and shall have authority to bind Consultant.

ARTICLE X - RETENTION OF RECORDS

The Consultant shall maintain all records, survey notes, design documents, cost and accounting records, construction records, and other records pertaining to this contract and to the project covered by this contract, for a period of not less than three years following final payment by City. Said records shall be made available for inspection by authorized representatives of the City during regular working hours at the Consultant's place of business.

ARTICLE XI - OWNERSHIP OF DOCUMENTS

Plans, tracings, maps, and specifications prepared under this contract shall be delivered to and become the property of the City upon termination or completion of work. Basic survey notes, design computations, and other data prepared under this contract shall be made available to the City upon request. All such information produced under this contract shall be available for use by the City without restriction or limitation on its use. If the City incorporates any portion of the work into a project other

than that for which it was performed, the Consultant shall bear no liability from any claims and liabilities resulting from such use.

ARTICLE XII - TERMINATION

The City may terminate the contract at any time by giving written notice. If the contract is terminated because the project is abandoned or postponed by the City, the Consultant will be paid for actual time and covered expenses incurred up to the date of termination, plus a pro-rated portion of any fixed fee.

If the contract is terminated due to the Consultant's services being unsatisfactory in the judgment of the City, or if the Consultant fails to prosecute the work with due diligence, the City may procure completion of the work in such manner as it deems to be in the best interest of the City. A Notice of Termination will be sent to the Consultant and the Consultant shall have a period of ten (10) days to remedy the cause for termination. The Consultant will be responsible for any excess cost in addition to that provided for in this contract or any damages the City may sustain by reason of the termination of this contract due to unsatisfactory performances or prosecution. When Consultant services have been so terminated, such termination shall not affect any rights or remedies of the City against the Consultant then existing or which may later accrue. Similarly, any retention or payment of monies due the Consultant shall not release the Consultant from liability.

ARTICLE XIII - DECISIONS UNDER THIS CONTRACT

The City will determine the acceptability of work performed under this contract, and will decide all questions which may arise concerning the project. The City's decision shall be final and conclusive.

ARTICLE XIV - SUCCESSORS AND ASSIGNS

Subject to the restrictions on assignments in Article VIII above, the City and the Consultant agree that this contract and all contracts entered into under the provisions of this contract shall be binding upon the parties hereto and their successors and assigns.

ARTICLE XV - COMPLIANCE WITH LAWS

The Consultant shall comply with all federal, state, and local laws, ordinances, and regulations applicable to the work, including Title VI of the Civil Rights Act of 1964 and non-discrimination clauses incorporated herein, and shall procure all licenses and permits necessary for the fulfillment of obligations under this contract. Consultant shall further comply with the following state law requirements:

Work Authorization Program. If the Contract is for services expected to cost more than \$5,000.00, the Consultant shall comply with of Section 285.530 RSMo., pertaining to enrollment and participation in a federal work authorization program (as defined therein) and shall provide verification through an affidavit (attached as **Attachment C**) that the Consultant (1) does not knowingly employ any person who is an unauthorized alien in connection with the Contract and (2) is enrolled in a federal work

authorization program and provide documentary proof thereof. The affidavit shall contain the notarized signature of the registered agent, legal representative, or corporate officer of the Consultant including but not limited to the human resources director or their equivalent.

Proof of Lawful Presence. Section 208.009 RSMo., requires that all applicants at the time of application for any contract provided by a local government provide “affirmative proof that the applicant is a citizen or a permanent resident of the United States or is lawfully present in the United States.” Consultant’s affirmative proof must be established through (i) a Missouri driver's license, (ii) any “documentary evidence recognized by the department of revenue when processing an application for a driver's license,” or (iii) “any document issued by the federal government that confirms an alien's lawful presence in the United States.” §208.009.3

ARTICLE XVI - INDEMNIFICATION AND IMMUNITY

Consultant shall indemnify and hold harmless the City, its officers, employees from and against any and all claims, demands, damage, loss or liability of any kind or nature, costs or expenses, including attorneys’ fees ,witness costs, and defense costs, which may be asserted by any person or persons related to or resulting from injuries or damages suffered based on negligent acts or omission by the Consultant, its officers, agents, employees and subcontractors. In no event shall the language of this Agreement constitute or be construed as a waiver or limitation of the City’s rights or defenses with regard to applicable sovereign, governmental, or immunities and protections as provided by federal and state constitution or law.

ARTICLE XVII - INSURANCE

The Consultant shall maintain commercial general liability, automobile liability, and worker’s compensation and employer’s liability insurance in full force and effect to protect the Consultant from claims under Worker’s Compensation Acts, claims for damages for personal injury or death, and for damages to property arising from the negligent acts, errors, or omissions of the Consultant and its employees, agents and subconsultants in the performance of the services covered by this Agreement, including, without limitation, risks insured against in commercial general liability policies.

The Consultant shall also maintain professional liability insurance to protect the City against the negligent acts, errors, or omissions, of the Consultant and those for whom it is legally responsible, arising out of the performance of professional services under this Agreement.

Unless another amount is agreed to by the City based on the circumstances, the Consultant and his subconsultants shall procure and maintain during the life of this Agreement insurance of the types and minimum amounts as follows:

Insurance Type

Amount

Worker’s Compensation:

In full compliance with statutory requirements of Federal and State of Missouri

Comprehensive General and Professional Liability, \$505,520 each person
including: Employer Liability \$3,370,137 each occurrence

The Consultant's Protective policy shall name the City as the Insured. Certificates evidencing such insurance shall be furnished to the City prior to the Consultant commencing the work on this project. The certificates must state, "The CITY OF CAPE GIRARDEAU is an additional insured". If the State of Missouri raises the sovereign immunity liability limits contained in Section 537.600 et seq., revised statutes of Missouri, or elsewhere, the Consultant shall increase its insurance coverage required in this Agreement to an amount equal to those increased liability limits.

The Consultant shall, upon request at any time, provide the City with certificates of insurance evidencing the Consultant's commercial general or professional liability policies and evidencing that they and all other required insurance is in effect, as to the services under this Contract.

Any insurance policy required as specified in this Article shall be written by a company that is incorporated in the United States of America or is based in the United States of America. Each insurance policy must be issued by a company authorized to issue such insurance in the State of Missouri.

ARTICLE XVIII - FINDINGS CONFIDENTIAL

To the fullest extent permitted by law, all reports, information, data, etc. prepared or assembled by the Consultant under this contract are confidential, and the Consultant agrees they shall not be made available to any individual or organization without the prior written approval of the City.

ARTICLE XIX - NONDISCRIMINATION

The Consultant, with regard to the work performed by it after award and prior to completion of the contract work, will not discriminate on the ground of race, color or national origin in the selection and retention of subcontractors. The Consultant will comply with Title VI of the Civil Rights Act of 1964, as amended. More specifically, the Consultant will comply with the regulations of the Department of Transportation relative to nondiscrimination in federally assisted programs of the Department of Transportation, as contained in 49 CFR 21 through Appendix H and 23 CFR 710.405 which are herein incorporated by reference and made a part of this contract. In all solicitations either by competitive bidding or negotiation made by the Consultant for work to be performed under a subcontract, including procurements of materials or equipment, each potential subcontractor or supplier shall be notified by the Consultant's obligations under this contract and the regulations relative to non-discrimination on the ground of color, race or national origin.

ARTICLE XX - CHOICE OF LAW; VENUE; WAIVER OF OBJECTIONS

This Agreement and its performance shall be deemed to have been fully executed, made by both the Consultant and the City in, and governed by and construed in accordance with the laws of the State of Missouri and to be performed wholly within such state, without regard to choice or conflict of laws provisions. Both the Consultant and the City hereto each agree that any action at law, suit in equity, or other judicial proceeding arising out of this Agreement shall be instituted only in the Circuit Court of

CITY of CAPE GIRARDEAU

DEVELOPMENT SERVICES

Cape Girardeau County, Missouri and waive any objection based upon venue or *forum non conveniens* or otherwise.

ARTICLE XXI - ATTACHMENTS

The following exhibits are attached hereto and are hereby made part of this contract:

Attachment A - Charge out rates for 2024, 2025, 2026, 2027, 2028 and 2029

Attachment B - Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions

Attachment C - Affidavit of Participation in Federal Work Authorization Program

Attachment D - Anti-Discrimination Against Israel Act Certification

Executed by the Consultant this ^{23RD} ^{APRIL} day of _____, 2024.

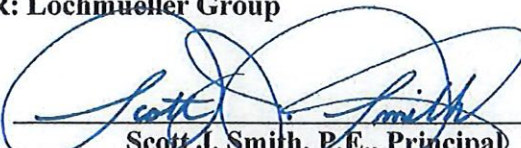
Executed by the City this _____ day of _____, 20__.


FOR: CITY OF CAPE GIRARDEAU

BY: _____
City Manager, Dr. Kenneth Haskin

ATTEST: _____
City Clerk

FOR: Lochmueller Group

BY:  _____
Scott J. Smith, P.E., Principal

ATTEST:  _____

ATTACHMENT A

BREAK OUT RATES FOR YEAR 2024-2029

Lochmueller Group, Inc.						
Billing Rate Calculation						
City of Cape Girardeau						
Classification	2024 Straighttime Billing Rates	2025 Straighttime Billing Rates	2026 Straighttime Billing Rates	2027 Straighttime Billing Rates	2028 Straighttime Billing Rates	2029 Straighttime Billing Rates
		4.7%	4.7%	4.7%	4.7%	4.7%
Sr. Project Manager III	\$314.00	\$328.76	\$344.21	\$360.39	\$377.33	\$395.06
Sr. Project Manager II	\$289.00	\$302.58	\$316.80	\$331.69	\$347.28	\$363.60
Sr. Project Manager I	\$255.00	\$266.99	\$279.54	\$292.68	\$306.44	\$320.84
Sr. Engineer	\$252.00	\$263.84	\$276.24	\$289.22	\$302.81	\$317.04
Project Engineer IV	\$205.00	\$214.64	\$224.73	\$235.29	\$246.35	\$257.93
Project Engineer III	\$182.00	\$190.55	\$199.51	\$208.89	\$218.71	\$228.99
Project Engineer II	\$165.00	\$172.76	\$180.88	\$189.38	\$198.28	\$207.60
Project Engineer I	\$159.00	\$166.47	\$174.29	\$182.48	\$191.06	\$200.04
Project Liason	\$240.00	\$251.28	\$263.09	\$275.46	\$288.41	\$301.97
Senior Trans Planner II	\$252.00	\$263.84	\$276.24	\$289.22	\$302.81	\$317.04
Senior Trans Planner I	\$194.00	\$203.12	\$212.67	\$222.67	\$233.14	\$244.10
Transportation Planner III	\$150.00	\$157.05	\$164.43	\$172.16	\$180.25	\$188.72
Transportation Planner II	\$130.00	\$136.11	\$142.51	\$149.21	\$156.22	\$163.56
Transportation Planner I	\$115.00	\$120.41	\$126.07	\$132.00	\$138.20	\$144.70
Senior Landscape Architect	\$245.00	\$256.52	\$268.58	\$281.20	\$294.42	\$308.26
Landscape Architect	\$140.00	\$146.58	\$153.47	\$160.68	\$168.23	\$176.14
Engineering Intern III	\$145.00	\$151.82	\$158.96	\$166.43	\$174.25	\$182.44
Engineering Intern II	\$135.00	\$141.35	\$147.99	\$154.95	\$162.23	\$169.85
Engineering Intern I	\$125.00	\$130.88	\$137.03	\$143.47	\$150.21	\$157.27
Engineering Designer IV	\$211.00	\$220.92	\$231.30	\$242.17	\$253.55	\$265.47
Engineering Designer III	\$158.00	\$163.33	\$171.01	\$179.05	\$187.47	\$196.28
Engineering Designer II	\$142.00	\$148.67	\$155.66	\$162.98	\$170.64	\$178.66
Engineering Designer I	\$130.00	\$136.11	\$142.51	\$149.21	\$156.22	\$163.56
Graphic Designer	\$159.00	\$166.47	\$174.29	\$182.48	\$191.06	\$200.04
Student Intern	\$84.00	\$87.95	\$92.08	\$96.41	\$100.94	\$105.68
Construction Inspector II	\$149.00	\$156.00	\$163.33	\$171.01	\$179.05	\$187.47
Construction Inspector I	\$116.00	\$121.45	\$127.16	\$133.14	\$139.40	\$145.95
Right of Way Services Specialist	\$146.00	\$152.86	\$160.04	\$167.56	\$175.44	\$183.69
Senior Appraiser	\$185.00	\$193.70	\$202.80	\$212.33	\$222.31	\$232.76
Realty Specialist	\$137.00	\$143.44	\$150.18	\$157.24	\$164.63	\$172.37
Environmental Geologist	\$180.00	\$188.46	\$197.32	\$206.59	\$216.30	\$226.47
Environmental Specialist IV	\$177.00	\$185.32	\$194.03	\$203.15	\$212.70	\$222.70
Environmental Specialist III	\$176.00	\$184.27	\$192.93	\$202.00	\$211.49	\$221.43
Environmental Specialist II	\$145.00	\$151.82	\$158.96	\$166.43	\$174.25	\$182.44
Environmental Specialist I	\$105.00	\$109.94	\$115.11	\$120.52	\$126.18	\$132.11
Environmental Technician II	\$109.00	\$114.12	\$119.48	\$125.10	\$130.98	\$137.14
Environmental Technician I	\$94.00	\$98.42	\$103.05	\$107.89	\$112.96	\$118.27
Field Lab Technician I	\$87.00	\$91.09	\$95.37	\$99.85	\$104.54	\$109.45
Historian/Section 106 Specialist IV	\$187.00	\$195.79	\$204.99	\$214.62	\$224.71	\$235.27
Historian/Section 106 Specialist III	\$155.00	\$162.29	\$169.92	\$177.91	\$186.27	\$195.02
Historian/Section 106 Specialist II	\$137.00	\$143.44	\$150.18	\$157.24	\$164.63	\$172.37
Historian/Section 106 Specialist I	\$105.00	\$109.94	\$115.11	\$120.52	\$126.18	\$132.11
Administrative Assistant	\$101.00	\$105.75	\$110.72	\$115.92	\$121.37	\$127.07

ATTACHMENT B**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS**

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause of default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," "proposal" and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction" provided by the department or agency

entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to check the Nonprocurement List at the Excluded Parties List System.
<https://www.epls.gov/epl/search.do?page=A&status=current&agency=69#A>.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters -Primary Covered Transactions

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ATTACHMENT C
AFFIDAVIT OF PARTICIPATION IN
FEDERAL WORK AUTHORIZATION PROGRAM

Comes now Scott J. Smith, P.E. as Principal first being duly sworn, on my oath, affirm Lochmueller Group, Inc. ("Consultant") is enrolled and will continue to participate in a federal work authorization program in respect to employees that will work in connection with the contracted services related to General Services Agreement and any incidental items associated with this work for the duration of the contract, if awarded, in accordance with Section 285.530.2, Revised Statutes of Missouri. I also affirm that the Consultant does not and will not knowingly employ a person who is an unauthorized alien in connection with the contracted services for the duration of the contract, if awarded. Attached to this affidavit is documentation of the Consultant's participation in a federal work authorization program.

(ATTACH DOCUMENTATION SHOWING THAT COMPANY PARTICIAPTES IN FEDERAL WORK AUTHORIZATION PROGRAM. ALSO ATTACH PROOF OF LAWFUL PRESENCE, AS PROVIDED IN THE GENERAL CONDITIONS)

In Affirmation thereof, the facts stated above are true and correct (The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo).

Signature (person with authority)

Scott J. Smith, P.E.
Printed Name

Principal
Title

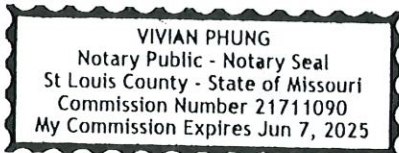
April 22, 2024
Date

State of Missouri)
County of St. Louis) ss.

Subscribed and sworn to before me this 22nd day of April, 2024

My commission expires:

Notary Public



**ATTACHMENT D
ANTI-DISCRIMINATION AGAINST ISRAEL CERTIFICATION**

Pursuant to RSMo. §34.600, a public entity shall not enter into a contract to acquire or dispose of services, supplies, information technology, or construction valued at \$100,000 or more, or with a contractor having ten or more employees, unless the contract includes a written certification that the person or company is not currently engaged in, and shall not, for the duration of the contract, engage in a boycott of:

Goods or services from the State of Israel;

Companies doing business in, or with, Israel;

Companies authorized by, licensed by, or organized under, the laws of the State of Israel; or Persons or entities doing business in the State of Israel;

For a definition of the term "boycott", please refer to RSMo. §34.600.3. A copy of the statute is attached.

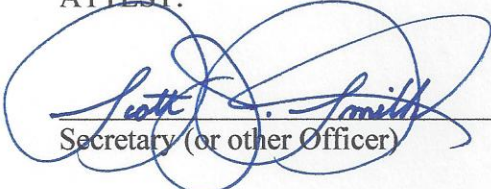
By signing below, the Contractor agrees and certifies that it does not currently, and will not for the duration of this contract, engage in any of the types of boycotts listed above.

IN AFFIRMATION THEREOF, the undersigned states that the facts stated above are true and correct, and that he/she understands that false statements made in this filing are subject to the penalties provided in Section 575.040, RSMo.

Lochmueller Group, Inc.
(Name of Corporation)

By: Scott J. Smith, P.E., Principal
(Name of Officer of Corporation and Title)

ATTEST:


Secretary (or other Officer)

(SEAL OF CORPORATION)

CITY of CAPE GIRARDEAU

DEVELOPMENT SERVICES

STATE OF Missouri)
) ss.
COUNTY OF St. Louis)

On this 22nd day of April, 2024, before me appeared Scott S. Smith, to me personally known, who, being by me duly sworn, did say that he/she is the Principal of Lochmueller Group, a Missouri Corporation, and that the seal affixed to the foregoing instrument is the seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and acknowledged said instrument to be the free act and deed of said Corporation.

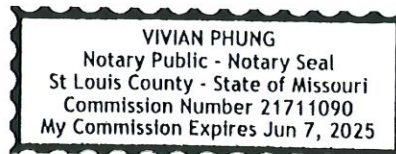
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office, the day and year first above written.



Notary Public

My Commission Expires:

June 7, 2025



Staff: Casey Brunke, P.E., Public Works
Agenda: Director
5/20/2024

AGENDA REPORT
Cape Girardeau City Council

24-090

SUBJECT

A Resolution authorizing the City Manager to execute an Agreement with KCI Construction for the Wastewater Treatment Plant Influent Pump Station Mechanical Bar Screen project.

EXECUTIVE SUMMARY

The work includes installation of two bar screens with a single gripper, trolley, and trolley structure for removing screenings and two conditioning pumps in the existing influent pump station. Work also includes structural modifications to the pump station, a davit crane, excavation, concrete foundation work, erosion control, electrical improvements, site restoration, and ancillary work as necessary for a complete and satisfactory project as prepared by Crawford, Murphy & Tilley.

BACKGROUND/DISCUSSION

The City of Cape Girardeau conducted a preliminary engineering study for a mechanical bar screen at the WWTP Influent Pump Station. The purpose of the study was to evaluate options to remedy debris and pump clogging issues at the City's existing WWTP influent pump station. The City wishes to proceed with construction of the recommended mechanical bar screen. On April 24, 2024, two bids were received for the project. The low bid was submitted by KCI Construction in the amount of \$3,468,000. The other bid, submitted by Goodwin Brothers Construction, was \$3,953,000. The City budgeted \$3,500,000 for the project. The Engineer's Estimate was \$3,150,000. Due to fluctuations in equipment pricing since the Engineer's Estimate (February 2024) and the bid opening (April 2024), the low bid is higher than the Engineer's Estimate, but within budget.

FINANCIAL IMPACT

This project is being funded by the Sewer Fund.

STAFF RECOMMENDATION

Staff recommends Council pass and approve a Resolution authorizing the City Manager to enter into a contract with KCI Construction for the Wastewater Treatment Plant Influent Pump Station Mechanical Bar Screen.

ATTACHMENTS:

Name:	Description:
Agreement KCI Wastewater Plant Pump Station.doc	Resolution
Agreement_with_KCI.pdf	Agreement with KCI

BILL NO. 24-55

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH KCI CONSTRUCTION COMPANY FOR IMPROVEMENTS AT THE WASTEWATER TREATMENT PLANT 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 with KCI Construction Company for the Wastewater Treatment Plant Influent Pump Station Mechanical Bar Screen Project. The Agreement shall be in substantially the form attached hereto, which document is hereby approved by the City Council, and incorporated herein by reference, with such changes or amendments as shall be approved by the officers of the City executing the same. The officers, agents, and employees of the City are hereby authorized to execute all documents and take steps as they deem necessary and advisable to carry out and perform the purpose of this Resolution.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



CITY *of* CAPE G I R A R D E A U

AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR CONSTRUCTION CONTRACT (STIPULATED PRICE)

THIS AGREEMENT is by and between The City of Cape Girardeau (“Owner”) and
KCI Construction Company (“Contractor”).

Owner and Contractor hereby agree as follows:

ARTICLE 1 – WORK

Contractor shall complete all Work as specified or indicated in the Contract Documents. The work includes, but is not limited to, installation of two bar screens with a single gripper, trolley, and trolley structure for removing screenings and two conditioning pumps in the existing influent pump station. Work also includes, but is not limited to, structural modifications to the pump station, a davit crane, excavation, concrete foundation work, erosion control, electrical improvements, site restoration and ancillary work as necessary for a complete and satisfactory project as shown on the Drawings and specified herein.

ARTICLE 2 – THE PROJECT

2.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows: *WWTP Influent Pump Station Mechanical Bar Screen Project.*

ARTICLE 3 – ENGINEER

3.01 The Project has been designed by Crawford, Murphy & Tilley who shall be known as the Owner’s Consultant, but will serve no role as the Owner’s representative for this Project unless otherwise specified herein.

3.02 The City Engineer or the City Engineer’s designee is to act as Owner’s representative, assume all duties and responsibilities, and have the rights and authority assigned to Engineer in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 4 – CONTRACT TIMES

4.01 *Time of the Essence*

A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.02 *Contract Times:*

4.03 The Work will be substantially completed within 480 days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions within 510 days after the date when the Contract Times commence to run.

4.04 *Liquidated Damages*

- A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the times specified in Paragraph 4.02 above, plus any extensions thereof allowed in accordance with the Contract. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty):
1. Substantial Completion: Contractor shall pay Owner \$1625 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified in Paragraph 4.02.A above for Substantial Completion until the Work is substantially complete.
 2. Completion of Remaining Work: After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Time (as duly adjusted pursuant to the Contract) for completion and readiness for final payment, Contractor shall pay Owner \$1625 for each day that expires after such time until the Work is completed and ready for final payment.
 3. Liquidated damages for failing to timely attain Substantial Completion and final completion are not additive and will not be imposed concurrently.

ARTICLE 5 – CONTRACT PRICE

5.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents the amounts that follow, subject to adjustment under the Contract:

- A. For all Work, at the prices stated in Contractor's Bid, attached hereto as an exhibit.

ARTICLE 6 – PAYMENT PROCEDURES

6.01 *Submittal and Processing of Payments*

- A. Contractor shall submit Applications for Payment in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

6.02 *Progress Payments; Retainage*

- A. Owner shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment on or about the 10th day of each month during performance of the Work as provided in Paragraph 6.02.A.1 below, provided that such Applications for Payment have been submitted in a timely manner and otherwise meet the requirements of the Contract. All such payments will be measured by the Schedule of Values established as provided in the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no Schedule of Values, as provided elsewhere in the Contract.

1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Owner may withhold, including but not limited to liquidated damages, in accordance with the Contract
 - a. 95 percent of Work completed (with the balance being retainage). If the Work has been 50 percent completed as determined by Engineer, and if the character and progress of the Work have been satisfactory to Owner and Engineer, then as long as the character and progress of the Work remain satisfactory to Owner and Engineer, there will be no additional retainage; and
 - b. 95 percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).
- B. Upon Substantial Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to 98 percent of the Work completed, less such amounts set off by Owner pursuant to Paragraph 15.01.E of the General Conditions.

6.03 *Final Payment*

- A. Upon final completion and acceptance of the Work in accordance with Paragraph 15.06 of the General Conditions, Owner shall pay the remainder of the Contract Price as recommended by Engineer as provided in said Paragraph 15.06.

ARTICLE 7 – INTEREST

- 7.01 All amounts not paid when due shall bear interest at the maximum rate allowed by Missouri's Public Prompt Payment Act.

ARTICLE 8 – CONTRACTOR'S REPRESENTATIONS

- 8.01 In order to induce Owner to enter into this Contract, Contractor makes the following representations:
 - A. Contractor has examined and carefully studied the Contract Documents, and any data and reference items identified in the Contract Documents.
 - B. Contractor has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 - C. Contractor is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
 - D. If applicable, Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
 - E. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and if applicable, the Site-related reports and drawings identified in the Contract Documents, with respect to the

effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor; and (3) Contractor's safety precautions and programs.

- F. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
- G. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
- H. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
- I. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
- J. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that without exception all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents.

ARTICLE 9 – CONTRACT DOCUMENTS

9.01 Contents

- A. The Contract Documents consist of the following:
 - 1. This Agreement (pages 1 to 7, inclusive).
 - 2. Performance bond (pages to , inclusive).
 - 3. Payment bond (pages to , inclusive).
 - 4. General Conditions and Supplementary Conditions (pages 1 to 66, inclusive).
 - 5. Specifications as listed in the table of contents of the Project Manual.
 - 6. Drawings (not attached but incorporated by reference) consisting of 22 sheets with each sheet bearing the following general title: WWTP Influent Pump Station Mechanical Bar Screen.
 - 7. Addenda (numbers 1 to 3, inclusive).
 - 8. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor's Bid (pages BF-1 to BF-4, inclusive). Marked as Exhibit A
 - 9. The following which may be delivered or issued on or after the Effective Date of the Contract and are not attached hereto:
 - a. Notice to Proceed.
 - b. Work Change Directives.
 - c. Change Orders.
 - d. Field Orders.
 - e. Affidavit of Compliance with Prevailing Wage

- f. Contractor's Warranty
- g. Contractor's Affidavit Regarding Settlement of Claims
- B. The documents listed in Paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above).
- C. There are no Contract Documents other than those listed above in this Article 9.
- D. The Contract Documents may only be amended, modified, or supplemented as provided in the General Conditions.

ARTICLE 10 – MISCELLANEOUS

10.01 *Terms*

- A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

10.02 *Assignment of Contract*

- A. Unless expressly agreed to elsewhere in the Contract, no assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, money that may become due and money that is due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.03 *Successors and Assigns*

- A. Owner and Contractor each binds itself, its successors, assigns, and legal representatives to the other party hereto, its successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

10.04 *Severability*

- A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

10.05 *Contractor's Certifications*

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. Bidder must submit a completed Certification Regarding Debarment, Suspension and other Responsibility Matters as attachment to the Bid. For the purposes of this Paragraph 10.05:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process or in the Contract execution;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of Owner, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

10.06 Other Provisions

- A. Owner stipulates that if the General Conditions that are made a part of this Contract are based on EJCDC® C-700, Standard General Conditions for the Construction Contract, published by the Engineers Joint Contract Documents Committee®, and if Owner is the party that has furnished said General Conditions, then Owner has plainly shown all modifications to the standard wording of such published document to the Contractor, through a process such as highlighting or "track changes" (redline/strikeout), or in the Supplementary Conditions.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement.

This Agreement will be effective on _____ (which is the Effective Date of the Contract).

OWNER: City of Cape Girardeau

CONTRACTOR: KCI Construction Company

By: Dr. Kenneth Haskin

By: _____

Title: City Manager

Title: _____

(If Contractor is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest: _____

Attest: _____

Title: _____

Title: _____

Address for giving notices:

Address for giving notices:

Community Development Department, City Hall

KCI Construction Company

44 N. Lorimier Street

10315 Lake Bluff Drive

Cape Girardeau, MO 63703

St. Louis, MO 63123

License No.: _____

(where applicable)

Exhibit A

CITY *of* CAPE
G I R A R D E A U

BID FORM

PROJECT IDENTIFICATION:

The work includes, but is not limited to, installation of two bar screens with a single gripper, trolley, and trolley structure for removing screenings and two conditioning pumps in the existing influent pump station. Work also includes, but is not limited to, structural modifications to the pump station, a davit crane, excavation, concrete foundation work, erosion control, electrical improvements, site restoration and ancillary work as necessary for a complete and satisfactory project as shown on the Drawings and specified herein.

CONTRACT IDENTIFICATION:

Project Name: WWTP Influent Pump Station Mechanical Bar Screen Project

City Project Number: 6226

Issue Date: March 2024

TABLE OF CONTENTS

	Page
ARTICLE 1 – Bid Recipient	1
ARTICLE 2 – Bidder’s Acknowledgements.....	1
ARTICLE 3 – Bidder’s Representatlons	1
ARTICLE 4 – Bidder’s Certification.....	2
ARTICLE 5 – Basis of Bid	2
ARTICLE 6 – Time of Completion.....	3
ARTICLE 7 – Attachments to this Bid.....	3
ARTICLE 8 – Defined Terms.....	3
ARTICLE 9 – Bid Submittal.....	3

ARTICLE 1 – BID RECIPIENT

- 1.01 This Bid is submitted through the City’s eProcurement system.
- 1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS

- 2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER’S REPRESENTATIONS

- 3.01 In submitting this Bid, Bidder represents that:
 - A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.</u>	<u>Addendum, Date</u>
<u>1</u>	<u>3/22/2024</u>
<u>2</u>	<u>4/5/2024</u>
<u>3</u>	<u>4/16/2024</u>

- B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Bidder has carefully studied all, if any: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
- E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder’s safety precautions and programs.

- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Owner written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Owner is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 – BIDDER'S CERTIFICATION

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
 - 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

- 5.1 Bidder will complete the Work in accordance with the Contract Documents for the following price(s): The following lump sum prices shall be used to determine the amount of payment to

the Contractor for actual work completed. The items of Work and the method of measurement to determine quantities shall be as described in Specification Section 01 20 00. Quantities are not guaranteed. Final payment will be based on actual quantities.

TOTAL LUMP SUM BID AMOUNT \$ 3,468,000

IN WRITING Three million Four hundred Sixty - Eight thousand Dollars

(Payment under Total Lump Bid Amount shall include all contract Work including allowances)

ARTICLE 6 – TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.01 The following documents are submitted with and made a condition of this Bid:
- A. Required Bid security;
 - B. Evidence of authority to do business in the state of the Project; or a written covenant to obtain such license within the time for acceptance of Bids;
 - C. If applicable, Contractor's License No.: 00110432 [or] Evidence of Bidder's ability to obtain a State Contractor's License and a covenant by Bidder to obtain said license within the time for acceptance of Bids;
 - D. Required Bidder Qualification Statement with supporting data;
 - E. Affidavit of Work Authorization;
 - F. Affidavit of OSHA Training;
 - G. Anti-Discrimination Against Israel Act Certification; and
 - H. Certification Regarding Debarment, Suspension and Other Responsibility Matters.

ARTICLE 8 – DEFINED TERMS

- 8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 – BID SUBMITTAL

BIDDER: *[Indicate correct name of bidding entity]*

KCI Construction Company

By:
[Signature]

Thomas C. Hult

[Printed name] Tom Huster, President

(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

[Signature]

Angie Lovatto

[Printed name]

Angie Lovatto

Title:

Secretary

Submittal Date:

4/4/2024

Address for giving notices:

10315 Lake Bluff Drive St. Louis, MO 63123

Telephone Number:

314-337-1239

Fax Number:

Contact Name and e-mail address:

David Stealy

dstealy@kciconstruction.com

Bidder's License No.:

00110432
(where applicable)

STATE OF MISSOURI



John R. Ashcroft
Secretary of State


CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING

I, JOHN R. ASHCROFT, Secretary of State of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

KCI CONSTRUCTION COMPANY
00110432

was created under the laws of this State on the 1st day of October, 1963, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 16th day of February, 2023.


Secretary of State



Certification Number: CERT-02162023-0019

**CITY of CAPE
GIRARDEAU**

COMMUNITY DEVELOPMENT

BUSINESS NAME & LOCATION

KCI CONSTRUCTION
CAPE GIRARDEAU MO

Business License

2023

License Number	19083
Issue Date	01/18/2024
Expiration Date	12/31/2024
Category	BUSINESS LICENSE
Type	CONTRACTOR

By: Maile L. Conrad City Clerk

POST IN A CONSPICUOUS PLACE

NON-TRANSFERABLE

**CITY of CAPE
GIRARDEAU**

COMMUNITY DEVELOPMENT

BUSINESS NAME & LOCATION

KCI CONSTRUCTION
CAPE GIRARDEAU MO

Business License

2023

License Number	19083
Issue Date	01/18/2024
Expiration Date	12/31/2024
Category	BUSINESS LICENSE
Type	CONTRACTOR

By: Maile L. Conrad City Clerk

POST IN A CONSPICUOUS PLACE

Office Copy

NON-TRANSFERABLE

CARROLLTON BANK

November 1, 2023


Re: KCI Construction Company
10315 Lake Bluff Drive
St. Louis, MO 63123

To Whom It May Concern:

This letter is to inform you that KCI Construction Company ("KCI") has had a loan and depository relationship with Carrollton Bank ("Bank") since 2010. KCI currently has a line of credit with the Bank secured by all business assets and is reviewed on an annual basis. As of this date, the line of credit has a zero balance and has not been utilized. KCI Construction Company is a satisfactory customer and all accounts have been handled as agreed.

If you have additional questions, please feel free to contact me at (618) 374-3150.

Sincerely,



Laura M. Beckman
Senior Vice President

1575 N Green Mount Road • O'Fallon, IL 62269
618-624-1166 • fax 618-624-1136 • www.carrolltonbanking.com

Alton • Arnold • Carrollton • Clayton • Creve Coeur • Des Peres • Edwardsville
Jerseyville • O'Fallon, IL • Springfield • St. Charles • St. Louis Hills



CONSTRUCTION IN PROCESS (November 2023)

I-55 Corridor Design Build – Jefferson County

23030

Owner: MoDOT

Original Contract: \$206,000,000 Current Contract: \$206,000,000

Start Date: July 15th, 2023 Completion Date: December 1, 2026

Project Details: Design Build project to upgrade the 7-mile alignment on I-55 from Rte. Z in Pevly to Rte. 67 in Festus along with 1-mile of alignment on Rte. 67 from I-55 to Rte. CC in Festus. Includes adding a 3rd lane in PCCP on I-55, replacing 1 lane of existing I-55 each direction with new PCCP; Lowering the Rte. 67 profile for the interchange at CC and replacing the existing pavement with new PCCP. A total of 394K SY of new concrete pavement will be installed with 44K LF of new barrier wall to separate traffic. We will be Replacing 8 EA sonovoid bridges build in the 1960's with new precast girder bridges, Replacing superstructure on 4 steel girder bridges, replacing an additional 6 Bridges for a total of 14 new bridges, rehabilitating 8 bridges and build a new interchange on Rte. CC consisting of a tight diamond interchange with new bridge. This is a total of 27 bridges touched or replaced. All this will be done while keeping the existing 2 lanes of traffic open during peak hours for MOT. Additional work as required on cross streets and interchanges at Rte. Z, Herky Horine, McNutt Blvd, Rte. A, and Rte. 67. Additionally, we will overlay existing I-55 from Rte. M to Rte. 67, Rte. Z and Rte. 67 within the project limits (400K SY of Asphalt work). Our design team consists of Bartlett & West as Lead Design with Wilson Company as a Major consultant with additional support from Terracon, Civil Design and HG Consult.

Self Perform: 67.1% (Includes design as a Sub)

% Complete: 2.5% (Design Phase)

References: Justin Wolf MoDOT 314.624.3276

Rte. 79 Bridge over Bear Creek and NSRR

23023

Owner: MoDOT

Original Contract: \$12,455,000 Current Contract: \$12,455,000

Start Date: November 6, 2023 Completion Date: October 1, 2024

Project Details: Replacement of existing bridge over Bear Creek and NSRR in Hannibal. The existing bridge is 1019.75x32.75 (33K SF) consisting of structural steel spans with approach spans of sonovoid with CIP walls and foundations. Earthwork to shorten the bridge length on the north end to fill in behind a new soldier pile with precast wall (1918 SF or precast lagging panels with H-pile foundation (907 LF) in 3' drilled shafts (639 LF)). The new foundation will consist of H-pile abutments and 5.5'-6' intermediate drilled shaft foundations (1045 LF). Substructure consists of 8 bents of standard design, with the columns placed outside the existing bridge footprint to facilitate construction of substructure prior to demo (630 CY). New superstructure consists of NU 53 and NU-63 precast beams (4329 LF) with Stay in Place metal decking and full depth deck (4028 SY). Work within ACOE permit for creek crossing of Bear Creek, along with crossing the NSRR alignment with demo, new girders and deck over 1 span of bridge. Additional roadway earthwork (2600-CY), drainage (865 LF) and PCCP Paving (1750 SY) to replace approaches to bridge.

A BUILDER, NOT A BROKER.

General Building | Design/Build | Heavy Industrial | Transportation



Self Perform: 72.5%
% Complete: 0% (Not Started Yet)
References: Marty Lincoln, Jr. MoDOT 573.248.2441
 Erin Kopta HNTB 314.241.2808

ADA Improvements to Multiple Intersections 23021

Owner: City of Springfield
Original Contract: \$614,150.08 **Current Contract:** \$614,150.08
Start Date: November 2023 **Completion Date:** August, 2024
Project Details: Updating National, Battlefield and Sunshine Intersections to meet ADA standards. Includes 1000 SY of curb ramps and sidewalk removal and replacement along with signal upgrades and corresponding traffic control, striping and other items to facilitate the work.

Self Perform: 66.5%
% Complete: 0% (Not Started Yet)
References: Andrew Flippin City of Springfield 417.864.1946

Southern Missouri Community Healthcare - West Plains Expansion 23017

Owner: City of Branson
Original Contract: \$4,977,000 **Current Contract:** \$4,977,000
Start Date: September 2023 **Completion Date:** August, 2024
Project Details: 15,000 SF medical clinic addition and minor remodel of existing areas. Building expansion includes aggregate pier improvements under CIP foundation and slab. Steel frame and masonry facing building.

Self Perform: 21.5%
% Complete: 5.3%
References: Bryan Adcock SMCH 417.255.8464
 Stephanie Ireland Ireland Architects 417.881.3409

Compton WWTP Flood Wall 23011

Owner: City of Branson
Original Contract: \$9,962,199.10 **Current Contract:** \$9,962,199.10
Start Date: July 17, 2023 **Completion Date:** October 15, 2024
Project Details: Construction of a new flood wall around the City of Branson WWTP, consisting of 4K CY of embankment to level the site for a new 2155 LF structural sheet pile wall (112K SF), with pile supported CIP entrance and gate structures for influent and outflow piping to keep the plan operational in a flood condition. Sitework includes overlaying the roadway/lot with asphalt and some replacement PCCP Pavement, with 144 LF of new RCP to handle site storm flow. Plant is to be kept online except brief outages which require bypass pumping for continual operation. Includes mechanical piping and tie-in modifications to new gate structures and electrical upgrades.

Self Perform: 85.6%
% Complete: 8%

A BUILDER, NOT A BROKER.

General Building | Design/Build | Heavy Industrial | Transportation



References: Kendall Powell City of Branson Utilities 417.243.2731
Eric Dove HDR Engineering 417.351.6500

Cape Girardeau Airport Terminal 22049

Owner: City of Cape Girardeau
Original Contract: \$12,016,053 **Current Contract:** \$12,016,053
Start Date: December 21, 2022 **Completion Date:** June 28, 2024
Project Details: Design Build project to provide a new 20K SF Airport terminal for the city municipal airport. Includes new TSA, baggage, waiting area along with modifications to existing sitework, drainage and paving to tie into the new structure while keeping the existing facility in service for the duration of construction.
Self Perform: 9.7%
% Complete: 23.2%
References: Katrina Amos Cape Girardeau Airport 573.334.6230
Jodi Cooper Burns & McDonnell JDcooper@BurnsMCD.Com

Business 65 Greene County Improvements 22047

Owner: MoDOT
Original Contract: \$14,895,000 **Current Contract:** \$14,895,000
Start Date: January 2, 2023 **Completion Date:** January 1, 2024
Project Details: 7 Miles of alignment improvements, including sidewalk & curb ramps (13,600 SY), driveway replacements (12,000 SY), curb (6300 LF). New signals, ITS, HAWK Signal, and asphalt overlay.
Self Perform: 50.0%
% Complete: 30%
References: Brad Griпка MoDOT 417.895.6720

CoxHealth Branson Super Clinic 22045

Owner: CoxHealth
Original Contract: \$11,877,472.23 **Current Contract:** \$11,919,186.35
Start Date: February 13, 2023 **Completion Date:** April 25, 2024
Project Details: CMAR Project working with owner's design team with negotiated GMP. Provide new urgent care facility. 30,000 SF New Construction Clinic Steel, curtainwall and brick veneer finish on exterior Metal stud framing with treatment rooms. All sitework and utilities to connect building to city infrastructure.
Self Perform: 22.9%
% Complete: 48.3%
References: Rod Schaffer CoxHealth 417.269.7585
Bryon Oster H Design 417.887.6595

I-55/I-270 & I-44/I-270 Bridge Rehabs 22041

A BUILDER, NOT A BROKER.

General Building | Design/Build | Heavy Industrial | Transportation



Owner: MoDOT
Original Contract: \$15,299,000 **Current Contract:** \$15,804,887.88
Start Date: January 2, 2023 **Completion Date:** January 1, 2024
Project Details: Rehab 11 Bridges at or near I-55/I-270 or I-44/I-270. 500 375 SF of decks treated. 28,149 SY of Epoxy Overlay (SUB); 27,855 of MMA Sealing (SUB) Half Sole; Substructure repair; Painting, Drainage Troughs, R&R Bearings. Night/Weekend work; Closures and lane drops
Self Perform: 31.8%
% Complete: 77%
References: Chris Morgan MoDOT 314.453.1818

Sidewalk Improvements 22037

Owner: City of Springfield
Original Contract: \$2,019,135 **Current Contract:** \$2,008,349.50
Start Date: September 9, 2022 **Completion Date:** December 1, 2023
Project Details: 25K SF sidewalk removal and replacement, ADAP Ramps, Driveways and Storm Pipe
Self Perform: 98.2%
% Complete: 95%
References: Tina Stob City of Springfield 417.532.2156

Incline Village WWTF Upgrades (PH II & III) 22029

Owner: Missouri American Water
Original Contract: \$2,121,052 **Current Contract:** \$2,378,757.60
Start Date: September 9, 2022 **Completion Date:** TBD
Project Details: Construct approx. 40'x40'x16' deep concrete tank to serve as new treatment plant, with CMU blower building, and then demolition of existing plant in short 3 month time constraint. Contract extended for Change Order Work. Substantially Complete.
Self Perform: 53.7%
% Complete: 98%
References: Rob Caraccio Missouri American Water 314.619.9344
 Colin Schroeder Lochmueller 314.930.3862

Howard Bend Levee T&M 22025

Owner: Howard Bend Levee District
Original Contract: \$200,000 **Current Contract:** \$403,870.00
Start Date: August 18, 2022 **Completion Date:** TBD
Project Details: T&M subcontract to move fill for Plocher using dozer with GPS and scrapers.
Self Perform: 100%
% Complete: 99%
References:

I-44 Lewis Road Bridge Repairs 22015

Owner: MoDOT

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CONSTRUCTION COMPLETED IN LAST 5 YEARS (November 2023)

South Main Parking Lot

23019

Owner: City of St. Charles

Original Contract: \$2,075,000 Current Contract: \$2,075,000

Start Date: August 22, 2023 Completion Date: November, 2023

Project Details: One acre parking lot expansion including importing 10K CY Fill, various quantities of storm and sewer pipe (1400 LF) new lighting, fence, concrete pavement (500 SY), 1665 LF of curb and sidewalk (233 SY) along with asphalt parking lot and landscaping.

Self Perform: 67.7%

References:	Daniel Mann	City of St. Charles	636.949.3229
	Todd Ehlen	CMT Engineering	314.436.5500

Missouri Metals Chem Line Building Relocation

23013

Owner: Missouri Metals

Original Contract: \$434,800 Current Contract: \$803,192.28

Start Date: July 2023 Completion Date: November, 2023

Project Details: 29' x 66' PEMB building addition to existing warehouse to produce auto parts. CIP Foundations for new building and floor slab. Concrete pits added to existing warehouse floor for additional process. Additional concrete and site work and added on millwright work to move equipment to new facility.

Self Perform: 77.1%

References:	Caelen Carvin	Missouri Metals	314.707.0690
	Dan Mareschal	Accuro Services	314.363.4793

Wentzville Public Works Utilities

23009

Owner: City of Wentzville

Original Contract: \$697,770 Current Contract: \$803,192.28

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Start Date: May 2023 **Completion Date:** December 29, 2023
Project Details: Subcontractor to LCS (Building General Contractor) to install the site utilities for a new public works maintenance facility in Wentzville. Includes 3700 LF of storm, sewer and waterlines.
Self Perform: 99.7%
References: Steve Layne LCS Construction 636.734.6968

Guthrie Road 23005

Owner: City of O'Fallon
Original Contract: \$4,299,750 **Current Contract:** \$4,299,750
Start Date: March 21, 2023 **Completion Date:** December 15, 2023
Project Details: Move 80K CY of earth and rock to realign Guthrie Road while staging local access to homeowners. Temporary pavement and new concrete pavement (9500 SY) with machine pour requirements, curb (5900 LF) and sidewalk (2750 SY) and drainage (1700 LF) including a new curved 5x10 precast box culvert (105 LF).
Self Perform: 87.6%
References: Ruth Fields City of O'Fallon 636.379.5407

Locust Street Sanitary 23001

Owner: Public Water Sewer District #2 of St. Charles
Original Contract: \$240,000 **Current Contract:** \$240,000
Start Date: March 1, 2023 **Completion Date:** May 1, 2023
Project Details: 516 LF of new sanitary, 2 manholes and demo of lift station and street/site restoration next to NSRR Alignment.
Self Perform: 60.4%
References: Kevin Hampe PWSD #2 636.561.3737

Jefferson Ave Streetscape 22043

Owner: City of Springfield
Original Contract: \$1,797,790 **Current Contract:** \$1,863,164.98
Start Date: March 1, 2023 **Completion Date:** September 30, 2023
Project Details: This project is planned for streetscape improvements along Jefferson Ave. between St. Louis and Walnut. It will include new signals at St. Louis and Jefferson, and signal modifications improvements at McDaniel and Jefferson and, Walnut and Jefferson. This project will also include ADA sidewalk improvements at the intersections and sidewalk /storm improvements along the east side.
Self Perform: 69.4%
References: Angela Nelson City of Springfield 471.864.1969

Lebanon T-Hanger 22039

Owner: City of Lebanon
Original Contract: \$366,503.35 **Current Contract:** \$366,503.35
Start Date: October 24, 2022 **Completion Date:** January 2, 2023

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Project Details: Construction of four T-hangars. Building is prefabricated and just needs assembled on site after the construction of a foundations.

Self Perform: 91.7%

References:

Riverlands Way 22033

Owner: Army Corps of Engineers

Original Contract: \$523,729 **Current Contract:** \$906,042.59

Start Date: September 9, 2022 **Completion Date:** September 30, 2023

Project Details: Subcontract to Widman Construction, creating new Entrance off Rte. 67 near Alton; 2600 SY concrete paving, 6000 CY earthwork; 200 LF Storm. Work adjacent to 21025.

Self Perform: 95.7%

References:

Salt River Road Interchange 22031

Owner: City of St. Peters

Original Contract: \$5,999,999 **Current Contract:** \$6,053,020.25

Start Date: November 7, 2022 **Completion Date:** September 3, 2023

Project Details: 65K CY of new fill w/ 100K SF of wick drains required for 4600 SY of new concrete ramp from Salt River Road to I-370 SB. Widening of existing I-370 SB bridge to accommodate new lane, demo overhang add-on new substructure and widened superstructure w/ 3 new TY 4 concrete beams.

Self Perform: 67.4%

References: Russell Batzel City of St. Peters 636.477.6600
 John Klein Horner & Shifrin 314.531.4321

Pkg 219 South Hampton 22023

Owner: Missouri American Water

Original Contract: \$636,520.00 **Current Contract:** \$768,609.63

Start Date: April 22, 2022 **Completion Date:** September 20, 2022

Project Details: Installation of 885 linear feet of 8" water main to replace existing main, including services to residences along street.

Self Perform: 78.1%

References: Chris Lesch Missouri American Water 314.996.2259

Cox Health Harrison Clinic Concrete 22021

Owner: Cox Health

Original Contract: \$635,548 **Current Contract:** \$661,142

Start Date: July 22, 2022 **Completion Date:** September 9, 2023

Project Details: Sub to JE Dunn. Addition to an elevator pit inside existing facility, existing atrium infill with new elevated slab, utility slab cut patching, exterior paving and adding storm sewer.



Self Perform: 100%
References: Brian Helmich JE Dunn 816.283.9065

Rolla S&T Marketing 22019

Owner: University of Missouri, Rolla S&T
Original Contract: \$806,938 **Current Contract:** \$856,682.04
Start Date: June 27, 2022 **Completion Date:** September 22, 2022
Project Details: Select architectural demolition and office infill for Marketing and Communications Department relocation project. Approximately 5,500 SF of new finishes with revisions to existing MEP systems.

Self Perform: 21.2%
References: Amber Long Missouri S&T 573.341.7005

SportPort Phase 3 22017

Owner: KBG Holdings
Original Contract: \$85,973 **Current Contract:** \$85,973
Start Date: June 15, 2022 **Completion Date:** August 15, 2022
Project Details: Excavation of 22,600 CY material to create three 1/2-acre rainwater storage ponds for new site development.

Self Perform: 100%
References: Doug Jones KBG Holdings 314.220.7901

Route 96 Bridge Replacement 22011

Owner: MoDOT
Original Contract: \$1,920,000 **Current Contract:** \$1,844,259.89
Start Date: June 8, 2022 **Completion Date:** December 9, 2022
Project Details: Replacement of 200 foot long bridge over the White Oak Creek near Avilla, MO with new 3-span bridge. Approximately 5K CY of earthwork/channel work for new alignment, 2700 SY of new pavement for 9200 SF bridge with 27" Spread Box Beams on Pile foundations. Bridge was originally built in 1925.

Self Perform: 80.9%
References: Karen Lane MoDOT 417.834.6831
 Phil Schrick Veenstra and Kimm 816.781.6182

Mexico Plant CL2 Conversion 22009

Owner: Missouri American Water
Original Contract: \$1,635,000 **Current Contract:** \$2,003,833.40
Start Date: March 25, 2022 **Completion Date:** November 29, 2022
Project Details: New sodium hypochlorite building addition within existing plant, including new tanks & controls in CMU & steel joist construction, truck unloading containment area and site improvements.



Self Perform: \$37.8%
References: Rob Caraccio Missouri American Water 314.619.9344
 Blake Wilburs Bartlett & West 573.690.8393

East Madison 22007

Owner: Missouri American Water
Original Contract: \$178,750 **Current Contract:** \$354,464.11
Start Date: April 22, 2022 **Completion Date:** September 20, 2022
Project Details: Installation of 885 linear feet of 8" water main to replace existing main, including services to residences along street.
Self Perform: 99.9%
References: Chris Lesch Missouri American Water 314.996.2259

Wright City Park 22001

Owner: Wright City
Original Contract: \$1,020,500 **Current Contract:** \$1,620,500
Start Date: January 31, 2022 **Completion Date:** December 20, 2022
Project Details: Site clearing, earthwork, utilities and retaining walls to prepare site for new 60-acre park.
Self Perform: 76.3%
References: Jim Schuchmann Wright City 636.745.3101
 Scott Kolkmeier Bax Engineering 636.928.5552

East Lane Water Main Installation 21051

Owner: Missouri American Water
Original Contract: \$901,700 **Current Contract:** \$901,700
Start Date: January 1, 2022 **Completion Date:** July 29, 2022
Project Details: Replacement of approximately 2,500 LF of 12" ductile iron water main off Tesson Ferry in South County, including 34 service transfers and restorations.
Self Perform: 91.2%
References: Cody Landis Missouri American 314.996.2377

CoxHealth Sunshine National Clinic 21047

Owner: CoxHealth
Original Contract: \$12,000,000 **Current Contract:** \$11,986,419
Start Date: December 9, 2021 **Completion Date:** May 1, 2023
Project Details: CMAR Project working with owner's design team to provide new urgent care facility. Demolition of 6 existing houses on site in central Springfield, MO, followed by construction of new 2 story medical clinic with basement, totaling 33,025 SF with site utilities, parking lot and underground detention area.
Self Perform: 30.8%

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References: Dustin Steiro CoxHealth 417.839.0682
 Bryon Oster H Design 417.887.6595

MAW Pkg 343 Water Main

21043

Owner: Missouri American Water
 Original Contract: \$1,050,000 Current Contract: \$1,066,215
 Start Date: October 15, 2021 Completion Date: April 20, 2022
 Project Details: 6,000 LF of 6" & 8" water main replacement and tap on 3 streets in Frontenac. Includes restoration including concrete pavement with curb.
 Self Perform: 93.7%
 References: Chris Lesch MAW 636.996.2259

Route 100 Manchester Road Improvements

21035

Owner: MoDOT
 Original Contract: \$30,573,000 Current Contract: \$31,542,830
 Start Date: July 26, 2021 Completion Date: July 1, 2023
 Project Details: 4.7 miles of improvements from Big Bend to Lindbergh Blvd., including new pavement (27.9K SY), sidewalks (19.7K SY) & curbs (43.3K LF), utilities (22.6K LF), signals & lighting, pedestrian trail w/ precast underpass, bridge rehabilitation and replacement (11K SF).
 Self Perform: 47.0%
 References: Chris Morgan MoDOT 314.453.1818

Deer Creek Flood Mitigation Phase 2 Bridge Replacement

21033

Owner: L. Keeley Construction
 Original Contract: \$941,032 Current Contract: \$950,259.50
 Start Date: May 15, 2021 Completion Date: November 1, 2022
 Project Details: Subcontractor to L. Keeley to replace Breckenridge Industrial Court over Deer Creek, with 2-span precast girder bridge, 178' x 44' (7800 SF) on h-pile end bents and drilled pier intermediate bent.
 Self Perform: 61.8%
 References: Justin Keys L Keeley 314.797.9337

Route 367 Improvements

21025

Owner: MoDOT
 Original Contract: \$7,066,248 Current Contract: \$7,190,241
 Start Date: August 9, 2021 Completion Date: September 30, 2023
 Project Details: Clear & grub approximately 12 Acres, raise grade by an average of 10 feet by moving/placing ~ 75K CY of earth, re-align and install concrete paving for 1.183 miles of Southbound Route 367 through West Alton to alleviate flooding from Mississippi River. Install approximately 45K SY of PCCP pavement and shoulder, and approximately 3300 LF of Drainage pipe while staging work to keep traffic open.
 Self Perform: 84.2%



References: Christina Sfreddo Jacobs 314.956.1055

Route 70 & 370 Bridge Rehabs 21023

Owner: MoDOT
 Original Contract: \$3,899,000 Current Contract: \$3,825,477
 Start Date: July 6, 2021 Completion Date: June 30, 2022
 Project Details: Rehabilitation of 6 bridges to include joint replacement, substructure & approach slab work, deck repairs, epoxy overlay and protective coatings in select areas.

Self Perform: 55.2%
 References: John Lewis MoDOT 636.240.7393

Metro Skinker Bridge Rehabilitation 21021

Owner: BI-State Development
 Original Contract: \$1,982,683 Current Contract: \$2,075,128
 Start Date: September, 2021 Completion Date: March, 2022
 Project Details: Replace 320 lf of rail, remove crib wall support and re-grade embankment, replace bridge bearings, repair floorbeam bolsters and girders, and substructure concrete repairs.

Self Perform: 40.2%
 References: Matthew Melly Metro 314.956.1055

MU Children's Hospital Drilled Shaft Package 21019

Owner: Barton Malow
 Original Contract: \$1,482,810 Current Contract: \$2,017,887
 Start Date: August 1, 2021 Completion Date: December 15, 2021
 Project Details: Subcontractor to Paric/Barton Malow JV for 86 each 24"-96" diameter drilled shafts from 10 to 50 foot deep to support new hospital addition.

Self Perform: 32.0%
 References: Matt Mitchell Barton Marlow 812.202.9791
 Michael Sartain Burns & McDonnell 816.349.6635

Curium Concrete Package 21017

Owner: Rhodey Construction (Construction Manager)
 Original Contract: \$461,627 Current Contract: \$764,903
 Start Date: July, 2021 Completion Date: May, 2022
 Project Details: Structural concrete package to include concrete and reinforcing steel for retrofit of existing facility to accommodate new radioactive cyclotron bunker, and drilled piers for cooling tower platform.

Self Perform: 88.2%
 References: Dillon Corr Rhodey Construction 314.452.5544

I-270 Girder Replacement 21015

Owner: MoDOT



Original Contract: \$293,270 **Final Contract:** \$308,465.54
Start Date: July 16, 2021 **Completion Date:** September 1, 2021
Project Details: Replace damaged precast girder over I-44, along with associated concrete deck and barrier wall.
Self Perform: 63.5%
References: Chris Morgan MoDOT 314.453.1818

Riverside Landing Park 21009

Owner: MoDOT
Original Contract: \$4,125,000 **Current Contract:** \$3,914,993
Start Date: February 28, 2021 **Completion Date:** December 9, 2021
Project Details: 10,000 sf formed substructure repairs, 4,921 lf of epoxy crack repair, 16,382 sy epoxy wearing surface and 1,000 sf half sole repairs. Work from land and barge to access site, work with traffic on bridge, river traffic and pedestrian traffic.
Self Perform: 78.8%
References: Chris Brownell MoDOT 573.508.2922

Riverside Landing Park 20053

Owner: St. Charles County Parks & Recreation
Original Contract: \$3,804,829 **Current Contract:** \$3,871,461
Start Date: February 1, 2021 **Completion Date:** November 1, 2021
Project Details: New park at confluence of Mississippi River and Dardenne Creek to include RV and tent camping sites, boat ramp, roads and parking for visitors and day boaters.
Self Perform: 78.6%
References: Ryan Graham St. Charles County 636.949.7535
 Tim Dean Intuition & Logic 636.777.3000

CoxHealth Republic Clinic 20051

Owner: CoxHealth
Original Contract: \$3,716,000 **Final Contract:** \$3,817,014
Start Date: November 12, 2020 **Completion Date:** August 25, 2021
Project Details: New 15,185 square foot clinic building in Republic, MO, including exam rooms, offices, procedure room, lab, x-ray, therapy area and waiting room, as well as site utilities, parking lot and site detention.
Self Perform: 22.2%
References: Dustin Steiro CoxHealth 417.839.0682
 Bryon Oster H Design 417.887.6595

MRO Hanger Development 20045

Owner: City of Springfield
Original Contract: \$10,333,500 **Current Contract:** \$10,966,959
Start Date: November 2, 2020 **Completion Date:** November 8, 2021



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Project Details: New 57,960 square foot airplane hanger (PEMB) with small area for offices, restrooms & training for the Springfield-Branson National Airport. Pre-Engineered Metal Building construction on reinforced concrete slab.

Self Perform: 17.6%

References: David Schaumburg City of Springfield (Airport) 417.868.0500
 Jerry Crone FSB 405.842.9556

Jefferson & I-64 Improvements 20039

Owner: MoDOT

Original Contract: \$24,349,745 **Current Contract:** \$26,676,655

Start Date: July 15, 2020 **Completion Date:** June 1, 2022

Project Details: New interchange at I-64 and 22nd Street involving a bridge over I-64 and north and south outer roads to 22nd Street bridge. Additional work includes removal & replacement of Ewing Ave. bridge; removal & replacement of I-64 East Entrance Ramp over Metrolink Tracks, Amtrak and Union Station parking lot. KCI self-perform 125,000 CY earthwork, storm sewer & waterline work, bridge construction, and 25,000 SY concrete paving.

Self Perform: 62.2%

References: Scott Washausen MoDOT 314.497.3939
 Jeff Smith HNTB 314.242.2264

Vance Road Pump Station 20035

Owner: MSD

Original Contract: \$4,325,000 **Final Contract:** \$4,428,520

Start Date: June 12, 2020 **Completion Date:** January, 2022

Project Details: Rehabilitation & flood protection for existing pump station, including replacement of electrical, mechanical and plumbing systems; new concrete coatings, roofing, flood protection doors and sluice gates. Bypass pumping required for up to 6 months during rehabilitation work (24 MGD Max).

Self Perform: 38.5%

References: Vali Jo Hansen MSD 314.269.4180
 Adrienne Eilers CMT 618.410.3290

Greene County Jail Concrete Package 20033

Owner: JE Dunn-DeWitt Joint Venture (Construction Manager)

Original Contract: \$4,133,621 **Final Contract:** \$4,467,768

Start Date: June, 2020 **Completion Date:** April, 2022

Project Details: Sub contract to JE Dunne to perform excavation, placement of concrete foundation, concrete slabs and site concrete for new 389,000 SF Greene County Jail in Springfield, MO.

Self Perform: 87.4%

References: Nick Tuggle JE Dunn-DeWitt 417.877.7812
 Branden Warden Mettenmeyer 417.890.8002

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MSD Deer Creek Pump Station

20031

Owner: MSD
Original Contract: \$28,940,000 **Current Contract:** \$32,185,634
Start Date: July 15, 2020 **Completion Date:** 4/21/23 Substantial
Project Details: Construct 1 Wet Well and 2 Dry Wells, each 180 ft deep x 36 ft diameter, inside vertical shafts drilled and shotcreted by others. Build Dry & Wet Well Bldgs, MEP systems for new pumping station including pumps, rakes, elevator and controls. Complete site development including drainage, roadway and landscaping to tie into new buildings.
Self Perform: 47.9%
References: Dan Nichols MSD 314.335.2084
 Nancy Matteoni Parsons 314.819.5071

MSD ORS Phase II Design-Build Gates

20025

Owner: MSD
Original Contract: \$9,495,000 **Current Contract:** \$9,697,833
Start Date: May 25, 2020 **Completion Date:** March 15, 2022
Project Details: Replacement of 12 Roller Gates, 5 Sluice Gates, 2 Rolling Bar Screens and associated actuators, along with structural and electrical modifications at Baden and Riverview Pump Stations.
Self Perform: 47.3%
References: Dan Nichols MSD 314.335.4000
 Alan Christanell Black & Veatch 636.536.5816

MSD Grand Glaize Floodwall

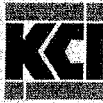
20023

Owner: MSD
Original Contract: \$3,100,000 **Final Contract:** \$3,170,640.83
Start Date: April 26, 2020 **Completion Date:** June 9, 2021
Project Details: Construct 586 LF of sheetpile & concrete wall along with 615 LF of new earth levee to provide flood protection for the Grand Glaize WWTP. New 380 LF of new site drainage system with 7 cast-in-place concrete storm structures also included.
Self Perform: 72.2%
References: Vali Jo Hansen MSD 314.269.4180
 Jeff Bertel Reitz & Jens 314.581.8488

Cox Medical Clinic – Ozark, MO

20017

Owner: CoxHealth Systems
Original Contract: \$7,183,623 **Final Contract:** \$7,452,669.75
Start Date: January 29, 2020 **Completion Date:** October 25, 2020
Project Details: Renovation of 2 levels of existing clinic totaling 14,000 SF and a single-story steel-framed 15,850 SF addition to house clinic expansion.
Self Perform: 22.9%
References: Grey Thomas CoxHealth Systems 417.597.2073



Matt Jennings BSA Lifestructures 913.522.3830

Blanchette Bridge Rehabilitation

20013

Owner: MoDOT
Original Contract: \$32,975,925 **Current Contract:** \$32,174,369
Start Date: March 9, 2020 **Completion Date:** July 2022
Project Details: Renovation of the 3,680 LF I-70 Eastbound truss bridge and approaches over Missouri River, including painting & repairing steel, barrier curb modifications, expansion joint replacement and overlay.
Self Perform: 34.8%
References: Niall Jansson MoDOT 314.275.1525
 Greg Kuntz HDR Engineering 314.425.8320

Riverside Lift Station

19073

Owner: City of Ozark, MO
Original Contract: \$389,000 **Final Contract:** \$410,503
Start Date: November 1, 2019 **Completion Date:** May 8, 2020
Project Details: New cast-in-place wet well, 2 manhole structures, 6" & 8" gravity sewer lines, grinder pumps, modify existing meter vault, new generator & site improvements.
Self Perform: 77.6%
References: John McCart City of Ozark 417.581.2407
 Mark Blair Cochran 417.595.4108

Lower Meramec Corrosion & Humidity Improvements

19071

Owner: MSD
Original Contract: \$3,623,942 **Final Contract:** \$3,596,209
Start Date: September 27, 2019 **Completion Date:** August 21, 2020
Project Details: Xypex waterproofing on bottom 100 feet of perimeter concrete walls of pump station, and HVAC and Piping changes to non-corrosive materials.
Self Perform: 33.2%
References: Vali Jo Hansen MSD 314.335.2160
 Raed Armouti CMT 314.571.9058

Russellville Wastewater Treatment Improvements

19069

Owner: City of Russellville, MO
Original Contract: \$2,199,000 **Final Contract:** \$2,366,785
Start Date: September 23, 2019 **Completion Date:** October 2, 2020
Project Details: Removal of two wastewater lagoons and replace with UV treatment system to include aeration tanks, clarifiers, blower system, SCADA and associated site improvements.
Self Perform: 34.3%
References: Jan Wyatt City of Russellville 573.782.3511
 Gary Davis Bartlett & West 573.634.3181



Elfindale Urgent Care

19067

Owner: CoxHealth Systems
Original Contract: \$400,000 **Final Contract:** \$499,451
Start Date: July 8, 2019 **Completion Date:** September 30, 2019
Project Details: Remodel of an existing 3,600 SF clinic to include a new canopy, entrance system, and interior remodel.
Self Perform: 39%
References: Grey Thomas CoxHealth Systems 417.597.2073
 Matt Jennings BSA Lifestructures 913.522.3830

Route T Bridge over Bourbeuse River

19057

Owner: MoDOT
Original Contract: \$1,516,565 **Final Contract:** \$1,684,131.45
Start Date: June 20, 2019 **Completion Date:** December 1, 2019
Project Details: Demolition of 9 span bridge over Bourbeuse River near St. James and construction of 4-span precast girder bridge.
Self Perform: 48.7%
References: Chris Brownell MoDOT 573.265.0797
 Robert Hanfland Civil Design Inc. 314.863.5570

Lemay Pump Station 1 Sluice Gate Replacements

19043

Owner: MSD
Original Contract: \$2,358,000 **Final Contract:** \$2,728,585
Start Date: April 1, 2019 **Completion Date:** January 15, 2021
Project Details: Replacement of six 60" x 60" sluice gates in one 70' deep pump station, and one 72" x 84" gate in another 50' deep pump station.
Self Perform: 65.9%
References: Jenna Jarvis MSD 314.335.2084
 Steve Hildebrand CDG Engineers 314.781.7770

Shawnee Ford Road Bridge

19037

Owner: Franklin County, MO
Original Contract: \$1,481,000 **Final Contract:** \$1,495,112.50
Start Date: March 4, 2019 **Completion Date:** June 28, 2019
Project Details: Replacement of 300-foot long, 3-span bridge with NU-Girder Bridge over the Bourbeuse River in Southwestern Franklin County.
Self Perform: 35.8%
References: Ron William Franklin County 636.583.6361
 Kevin Kriete HDR Engineering 314.591.1691

N. Christina Ave & Memorial Pkwy Bridge Replacement

19035

Owner: City of Union, MO
Original Contract: \$1,670,373 **Final Contract:** \$2,050,026.68

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Start Date: August 10, 2019 **Completion Date:** April 15, 2020
Project Details: Demolition of two existing bridge structures, replacing one with a 30-foot wide slab span structure and the other with a box beam structure.
Self Perform: 68.8%
References: Jonathan Zimmerman City of Union 636.583.1805
 Andrew Mueller Cochran Engineering 314.609.5660

Midland Bridge over Lindbergh 19033

Owner: MoDOT
Original Contract: \$4,998,473 **Final Contract:** \$4,787,297
Start Date: April 1, 2019 **Completion Date:** December 1, 2019
Project Details: Replacement of 300-foot long, 4 span bridge with 110-foot long, single span steel girder bridge over the Lindbergh Blvd. in St. Louis within a 90-day schedule, followed by sitework and pavement improvements.
References: Niall Jansson MoDOT 314.275.1525
 Howard Gotschall Hanson Prof. Services 314.942.5285

Route 61 Troy Bridges 19031

Owner: MoDOT
Original Contract: \$14,595,000 **Final Contract:** \$14,643,227.24
Start Date: April 8, 2019 **Completion Date:** November 11, 2020
Project Details: Replacement of twin 1,000 foot long, 8 span bridges over the Cuivre River, including 150,000 CY of earth fill, piling, drilled shafts and 41,000 SY of concrete paving.
Self Perform: 52.5%
References: Rick Domzalski MoDOT 573.406.6523

Cox College Renovation 19029

Owner: CoxHealth Systems
Original Contract: \$5,830,678 **Final Contract:** \$6,697,796
Start Date: February, 2019 **Completion Date:** March, 2020
Project Details: 52,600 square foot renovation of Cox College School of Nursing: MEP Systems, Interior finishes, windows and a new atrium stairway, all performed over a 3-phase schedule.
Self Perform: 24.6%
References: Grey Thomas CoxHealth Systems 417.597.2073
 Tim Rosenbury Butler Rosenbury 417.849.5364

Route 141 Improvements 18055

Owner: MoDOT
Original Contract: \$7,050,000 **Final Contract:** \$7,050,000
Start Date: February 2019 **Completion Date:** March 2020
Project Details: Repair roadway items and bridges, and epoxy overlay on bridges on approximately 11 miles of Route 141 from I-64 to Route 30.
Self Perform: 34.5%



References: John Grana MoDOT 314.280.6550

AVCRAD Phase 3A Addition

18043

Owner: State of Missouri – Office of Administration
 Original Contract: \$22,972,800 Final Contract: \$23,612,730
 Start Date: November 2018 Completion Date: June 2021
 Project Details: 84,000 SF two-story AVCRAD facility including administration, electrical shop, avionics shop, and other operational support spaces.
 Self Perform: 19.9%
 References: Michael Smith State of Missouri 573.638.9655
 Larry Pijut Jacobs Engineering 314.335.4000

Bissell Point WWTF Influent Pump Station Bar Screen Replacement

18041

Owner: City Utilities Springfield
 Original Contract: \$909,000 Final Contract: \$1,044,219
 Start Date: November 5, 2018 Completion Date: August, 2019
 Project Details: Remove & replace existing bar screens in two 105' deep wet wells, with a tight 90-day schedule for field measurement, fabrication and installation in sequence. Other work includes cleaning of wet wells and concrete repairs.
 Self Perform: 38.7%
 References: Jerry Jung MSD 314.768.6226
 Steve Hildebrand CDG Engineers 314.781.7770

Blackman WTP High Service Pump Station

18033

Owner: City Utilities Springfield
 Original Contract: \$3,642,000 Final Contract: \$3,793,383
 Start Date: August, 2018 Completion Date: May, 2019
 Project Details: Construct 5,000 square foot steel framed high service pump station on existing clear well structure lid. Exterior brick veneer & insulated metal panels. Building to house 8-400 HP high service water pumps, associated piping and controls.
 Self Perform: 36.8%
 References: Mike Pessina City Utilities Springfield 417.831.8668
 Norman Kirsch ESC Consulting Engineers 417.831.5500

Cole Creek Bank Stabilization

18029

Owner: City of St. Charles, MO
 Original Contract: \$1,180,750 Final Contract: \$1,469,608
 Start Date: August, 2018 Completion Date: March, 2020
 Project Details: Stabilization of 650 LF creek bank with 16,000 CY of excavation, 7,000 tons of rip rap, 7,000 SF retaining wall, plantings and storm sewers.
 Self Perform: 67.6%
 References: Merk Rees City of St. Charles 636.949.3502
 Tim Dean Intuition & Logic 636.777.3000



- Charter Church Road** 18027
 Owner: Jefferson County, MO
 Original Contract: \$725,930 Final Contract: \$724,225
 Start Date: July 16, 2018 Completion Date: November, 2018
 Project Details: Replacement of 2 span precast girder bridge over Plattin Creek, with drilled piers, driven pile, concrete substructure.
 Self Perform: 54.2%
 References: Robert Russel Jefferson County 636.797.5342
 Chris Linneman EFK Moen 314.394.3100
- I-44 & I-70 Pedestrian Bridges** 18025
 Owner: MoDOT
 Original Contract: \$2,550,000 Final Contract: \$2,543,061
 Start Date: August 20, 2018 Completion Date: June 1, 2019
 Project Details: Two precast box-girder pedestrian bridge (3-span x 185 ft and 2-span x 160 ft) over I-44 & I-70, on 2,000 LF of 24" pipe pile with 1,000 LF of cast-in-place ramp walkways.
 Self Perform: 62.7%
 References: Scott Washausen MoDOT 314.877.0330
 Matt Jost TWM, Inc. 618.509.6646
- I-44 Bridges Over Meramec River** 18023
 Owner: MoDOT
 Original Contract: \$51,144,000 Final Contract: \$52,058,884
 Start Date: June 2018 Completion Date: October 2021
 Project Details: Replace EB & WB I-44 Bridges over Meramec River in Fenton, MO, Replace Watson EB/WB Bridge and new Exit Ramp & Bridge from SB-270 to WB-44.
 Self Perform: 43.1%
 References: Chris Morgan MoDOT 314.453.1818
 Rod Riley Jacobs Engineering 314.335.4482
- Bridge Rehab at I-270 / I-370** 18013
 Owner: MoDOT
 Original Contract: \$519,000 Final Contract: \$531,140
 Start Date: October 1, 2018 Completion Date: December 1, 2018
 Project Details: 5 bridge rehabs including 9,100 SY of epoxy polymer concrete overlay, half-soling, mud jacking, and installing drain trough under existing expansion joint.
 Self Perform: 83.1%
 References: Niall Jansson MoDOT 314.877.2770
 Lisa Kuntz MoDOT 314.877.2770
- Ramsey Lane Bridge Replacement** 18011
 Owner: City of Ballwin



Original Contract: \$555,125 **Final Contract:** \$559,383
Start Date: August 3, 2018 **Completion Date:** January 29, 2019
Project Details: Remove existing 3-cell box culvert and replace with 52' precast box beam bridge, minimal sewers, asphalt/concrete paving.
Self Perform: 76.9%
References: Gary Kramer City of Ballwin 636.227.9000
 Tim Nugent CDG Engineers 314.446.3518

Ries Road Bridge Replacement 18009

Owner: City of Ballwin
Original Contract: \$642,000 **Final Contract:** \$693,310
Start Date: May 25, 2018 **Completion Date:** December 6, 2018
Project Details: Remove existing 4-cell box culvert and replace with 60' precast arch, minimal sewers, asphalt/concrete paving.
Self Perform: 88%
References: Gary Kramer City of Ballwin 636.227.9000
 Matt Voss CDG Engineers 314.781.7770

McDaniel Dam Gate Modifications 18007

Owner: City Utilities Springfield, MO
Original Contract: \$319,385 **Final Contract:** \$319,385
Start Date: July 16, 2018 **Completion Date:** October 8, 2018
Project Details: Modification of existing roller gates and installation of two new slide gates.
Self Perform: 96%
References: James Okumu City Utilities 417.831.8652
 Jeff Fickbohn CMT 417.799.6254

I-270 Bridges over Fee-Fee Creek 18005

Owner: MoDOT
Original Contract: \$4,864,645 **Final Contract:** \$4,981,922.52
Start Date: April 15, 2018 **Completion Date:** November 10, 2018
Project Details: Concrete and steel repairs at three bridges followed by latex overlay, phased construction over 4-month duration.
Self Perform: 58.2%
References: Niall Jansson MoDOT 314.877.2770
 Kevin Kriete HDR 314.425.8300

O'Fallon WWTP Biosolids Upgrades 18003

Owner: MoDOT
Original Contract: \$3,493,000 **Final Contract:** \$3,551,277
Start Date: February, 2018 **Completion Date:** March, 2020
Project Details: Replace existing equipment with Rotary Drum Thickeners, Gravity Belt Thickeners, and Conveyor extension. Replace load out area concrete pad.



KCI Construction Company
ST. LOUIS: 10315 Lake Bluff Drive | St. Louis, MO 63123

O: 314.894.8888
F: 314.894.7418
www.kciconstruction.com

Self Perform: 26.4%
References: Chris Horvath City of O'Fallon 636.379.4225
Marc Thomas Woodard & Curran 800.675.2756

FedEx Earthwork & Utility Package

18001

Owner: Quandel Construction (CM)
Original Contract: \$5,200,000 **Final Contract:** \$5,216,355
Start Date: January, 2018 **Completion Date:** September, 2018
Project Details: Mass grading and utility installation for 100 acre site to accommodate new 500,000 SF distribution facility. 300,000 CY cut/fill; 1,000,000 SF parking lot; 17,000 LF Storm & Sanitary Sewers; 6,000 LF Water mains.
Self Perform: 84.9%
References: Andy Bensman Quandel Construction 614.778.1332
Tim Stock Stock & Associates 636.681.2404

A BUILDER, NOT A BROKER.

General Building | Design/Build | Heavy Industrial | Transportation

EXHIBIT
AFFIDAVIT OF WORK AUTHORIZATION

COMES NOW (Name) Tom Huster as (Office Held) President
of (Company Name/Contractor) KCI Construction Company and first being duly sworn, on
my oath, affirm as follows:

1. (Company Name/Contractor) KCI Construction Company
is enrolled and will continue to participate in a federal work authorization program in respect to
employees that will work in connection with the contracted services related to (Project Name) WWTP
Influent Pump Station Mechanical Bar Screen for the duration of the contract in accordance with RSMo
Chapter 285.530(2).

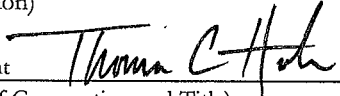
2. I also affirm that (Company Name/Contractor) KCI Construction Company does
not and will not knowingly employ a person who is an unauthorized alien in connection with the
contract services related to (Project Name) WWTP Influent Pump Station Mechanical Bar Screen for
the duration of the contract.

3. Attached hereto is documentation affirming Contractor's enrollment and
participation in a federal work authorization program with respect to the employees working in
connection with the contracted services.

FURTHER AFFIANT SAITH NOT.

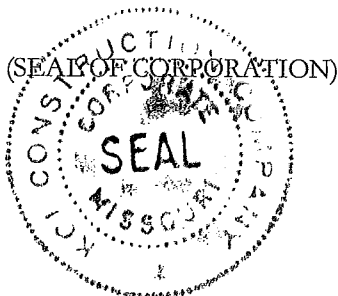
**IN AFFIRMATION THEREOF, the facts stated above are true and correct (the
undersigned understands that false statements made in this filing are subject to the
penalties provided in Section 575.040, RSMo.)**

KCI Construction Company
(Name of Corporation)

By: Tom Huster, President 
(Name of Officer of Corporation and Title)

ATTEST:

Angie Lovatto, Secretary
Secretary (or other officer)



STATE OF Missouri)
) ss.
COUNTY OF St. Louis)

On this 3rd day of April, 2024, before me appeared Tom Huster, to me personally known, who, being by me duly sworn, did say that he/she is the President of KCI Construction Company, a Missouri Corporation, and that the seal affixed to the foregoing instrument is the seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and acknowledged 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.

Sarah Marie Ferrenbach
Notary Public

My Commission Expires:
09/02/2024



EXHIBIT
AFFIDAVIT OF OSHA TRAINING

COMES NOW (Name) Tom Huster as (Office Held) President
of (Company Name/Contractor) KCI Construction Company and first being duly sworn, on
my oath, affirm in connection with the contracted services related to WWTP Influent Pump Station Mechanical
Bar Screen (Project Name) for the duration of the contract, as follows:

1. Contractor shall provide a ten (10) hour Occupational Safety and Health Administration (OSHA) construction safety program for all employees who will be on-site at the Project. The construction safety program shall include a course in construction safety and health that is approved by OSHA or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program as required by Section 292.675, RSMo.

2. Contractor shall require its on-site employees to complete a construction safety program within sixty (60) days after the date work on the Project commences, as required by Section 292.675, RSMo.

3. Contractor acknowledges and agrees that any of Contractor's employees found on the Project site without documentation of the successful completion of a construction safety program shall be required to produce such documentation within twenty (20) days, or will be subject to removal from the Project.

4. Contractor shall require all of its Subcontractors to comply with the requirements of Section 292.675, RSMo.

5. Contractor acknowledges that pursuant to Section 292.675, RSMo., Contractor shall forfeit to City as a penalty two thousand five hundred dollars (\$2,500.00), plus one hundred dollars (\$100.00) for each employee employed by Contractor or its Subcontractor, for each calendar day, or portion thereof, such employee is employed without the training required in Section 292.675, RSMo.

6. Contractor acknowledges that violations of Section 292.675, RSMo, and imposition of the penalties described therein shall be investigated and determined by the Missouri Department of Labor and Industrial Relations.

7. Contractor acknowledges that in the event that the Missouri Department of Labor and Industrial Relations has determined that a violation of Section 292.675, RSMo., has occurred and that a penalty shall be assessed, the City shall withhold and retain all sums and amounts due and owing when making payments to Contractor under this Contract.

FURTHER AFFIANT SAITH NOT.

IN AFFIRMATION THEREOF, the facts stated above are true and correct (the undersigned understands that false statements made in this filing are subject to the penalties provided in Section 575.040, RSMo.)

KCI Construction Company
(name of corporation)

By: Tom Huster, President *Thomas C. Huster*
(name of officer of corporation and title)

ATTEST:

Angie Lovatto, Secretary *Angie Lovatto*
Secretary (or other officer)



)
) ss.
)

On this 3rd day of April, 2024, before me appeared Tom Huster, to me personally known, who, being by me duly sworn, did say that he/she is the President of KCI Construction Company, a Missouri Corporation, and that the seal affixed to the foregoing instrument is the seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and acknowledged 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.

Sarah Marie Ferrenbach
Notary Public

My Commission Expires:
9/2/2024



ANTI-DISCRIMINATION AGAINST ISRAEL ACT CERTIFICATION

Pursuant to RSMo. §34.600, a public entity shall not enter into a contract to acquire or dispose of services, supplies, information technology, or construction valued at \$100,000 or more, or with a contractor having ten or more employees, unless the contract includes a written certification that the person or company is not currently engaged in, and shall not, for the duration of the contract, engage in a boycott of:

Goods or services from the State of Israel;

Companies doing business in, or with, Israel;

Companies authorized by, licensed by, or organized under, the laws of the State of Israel; or

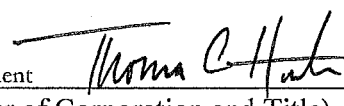
Persons or entities doing business in the State of Israel;

For a definition of the term "boycott", please refer to RSMo. §34.600.3. A copy of the statute is attached.

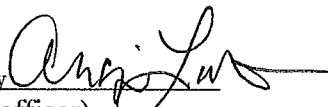
By signing below, the Contractor agrees and certifies that it does not currently, and will not for the duration of this contract, engage in any of the types of boycotts listed above.

IN AFFIRMATION THEREOF, the undersigned states that the facts stated above are true and correct, and that he/she understands that false statements made in this filing are subject to the penalties provided in Section 575.040, RSMo.

KCI Construction Company
(Name of Corporation)

By: Tom Huster, President 
(Name of Officer of Corporation and Title)

ATTEST:

Angie Lovatto, Secretary 
Secretary (or other officer)

(SEAL OF CORPORATION)



STATE OF Missouri)
) ss.
COUNTY OF St. Louis)

On this 3rd day of April, 2024, before me appeared Tom Huster, to me personally known, who, being by me duly sworn, did say that he/she is the President of KCI Construction Company, a Missouri Corporation, and that the seal affixed to the foregoing instrument is the seal of said Corporation, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors, and acknowledged 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.

Sarah Marie Ferrenbach
Notary Public

My Commission Expires:

09/02/2024



CITY of CAPE GIRARDEAU

Certification Regarding Debarment, Suspension and Other Responsibility Matters

The contractor hereby certifies to the best of its knowledge and belief and that it and its principals and its subcontractors and their principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal or State department or agency;
- (b) Have not within a three (3) year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this subcontract had one or more public transactions (Federal, State or Local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this contractor or termination of the contract. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$ 10,000 or imprisonment for up to five (5) years or both.

Justin Cline, Vice President of Operations

Typed Name & Title of Authorized Representative


Signature of Authorized Representative

4/4/2024
Date

I am unable to certify to the above statement. My explanation is attached.

AIA Document A310™ – 2010

Bid Bond

CONTRACTOR:

(Name, legal status and address)

KCI CONSTRUCTION COMPANY
10315 Lake Bluff Drive
St. Louis, MO 63123

SURETY:

(Name, legal status and principal place of business)

LIBERTY MUTUAL INSURANCE COMPANY
175 Berkeley Street
Boston, MA 02116

OWNER:

(Name, legal status and address)

CITY OF CAPE GIRARDEAU

44 N. Lorimier Street, Cape Girardeau, MO 63701

BOND AMOUNT: Five Percent of Amount bid
(5% of Amount Bid)

PROJECT:

(Name, location or address, and Project number, if any)

Project # 6226, WWTP Influent Pump Station Mechanical Bar Screen, Cape Girardeau, Project Number, if any:
MO

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

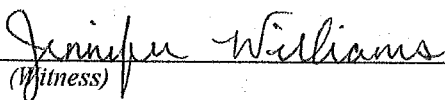
The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 3rd day of April, 2024

(Witness)


(Witness)

KCI CONSTRUCTION COMPANY

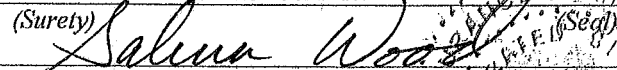
(Principal)

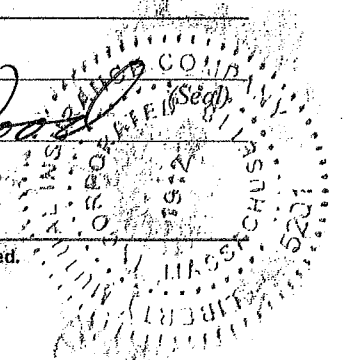
(Seal)

(Title)

LIBERTY MUTUAL INSURANCE COMPANY

(Surety)


(Title) Salena Wood, Attorney in Fact





This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8204826 - 8204826

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Barbara Pannier; Catherine L. Geimer; Christina Baratti; Eric D. Sauer; Jennifer Williams; Salena Wood; Susan R. Schwartz; Thomas U. Krippene

all of the city of Saint Louis state of MO each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 9th day of February, 2021.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

State of PENNSYLVANIA ss
County of MONTGOMERY

On this 9th day of February, 2021 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 3rd day of April, 2021.



By: Renee C. Llewellyn, Assistant Secretary

Staff: Jake Garrard, PE, City Engineer
Agenda: 5/20/2024

AGENDA REPORT
Cape Girardeau City Council

24-091

SUBJECT

An Ordinance vacating the City's interest in an approximately 20-foot-wide part of N. West End Blvd Right of Way adjacent to 689 Highland Drive.

EXECUTIVE SUMMARY

The City received a request from Debra and Brian Tracy to vacate the City's interest in an approximately 20-foot-wide strip of N West End Blvd Right of Way adjacent to the backyard of 689 Highland Drive.

BACKGROUND/DISCUSSION

Debra and Brian Tracy have requested the City of Cape Girardeau vacate its interest in part of N West End Blvd adjacent to their property at 689 Highland Drive. The request is for an approximately 20-foot-wide strip of land that contains property improvements including flower beds and a perimeter property fence. This right of way vacation would bring the existing fence into their property. It seems the fence has mistakenly built in the N West End Blvd Right of Way well over 20+ years ago. The Tracy's were not aware that this fence was not already part of their property. This problem was brought to their attention during the Engineering Improvement project for N West End Blvd happening over the last couple of years. After the vacation request is complete, the N West End Blvd Right of Way will be 75-foot-wide. This is equivalent to the majority of the N. West End Blvd Right of Way.

FINANCIAL IMPACT

The property owners will pay for the cost of recording the vacation ordinance.

STAFF RECOMMENDATION

Staff recommends approval of the attached Ordinance vacating a part of N West End Blvd adjacent to 689 Highland Drive in the City of Cape Girardeau, Missouri.

PUBLIC OUTREACH

An advertisement for a Public Hearing appeared in the Southeast Missourian on May 9, 2024. A Public Hearing was held on May 20, 2024. External Utility Companies were contacted on April 18, 2024. No company had

utilities in the vacation area and none objected to the vacation.

ATTACHMENTS:	
Name:	Description:
<input type="checkbox"/> Vacate Right of Way North West End Highland Drive.doc	Ordinance
<input type="checkbox"/> GOOD Tracy - ROW Vacation Area Exhibit.pdf	Exhibit
<input type="checkbox"/> GOOD Legal Description N West End Vacation area for 689 Highland Dr.docx	Legal Description
<input type="checkbox"/> City of Cape - Public Hearing May 20.pdf	Publication Proof

BILL NO. 24-56

ORDINANCE NO. _____

AN ORDINANCE VACATING THE CITY'S INTEREST IN
A PORTION OF NORTH WEST END BOULEVARD RIGHT
OF WAY ADJACENT TO 689 HIGHLAND DRIVE, IN
THE CITY OF CAPE GIRARDEAU, MISSOURI

WHEREAS, the City Council has received a request to vacate an approximately twenty foot wide part of North West End Boulevard Right of Way adjacent to 689 Highland Drive, in the City of Cape Girardeau, Missouri; and

WHEREAS, a public hearing was held on May 20, 2024, at which time all interested parties were afforded the opportunity to speak in favor of or in opposition to the proposed vacation of the Right of Way; and

WHEREAS, at least ten days notice of the time and place of this hearing was published in a newspaper of general circulation in the City; and

WHEREAS, the City Council has determined that the Right of Way in question is not necessary or needed for any of the purposes for which it was dedicated and established; and

WHEREAS, it is in the public interest that the Right of Way be vacated.

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

ARTICLE 1. The City Council hereby finds that it is in the public interest that this Right of Way be vacated.

ARTICLE 2. The City's interest in the Right of Way located in the following described real estate:

TRACT 1

THAT PART OF OUT LOT 38 OF U.S.P. SURVEY NO. 2199, ALL IN TOWNSHIP 31 NORTH, RANGE 14 EAST, OF THE FIFTH PRINCIPAL MERIDIAN IN THE COUNTY OF CAPE GIRARDEAU, THE STATE OF MISSOURI, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 5 OF THE WEST HIGHLAND PLACE SUBDIVISION AS RECORDED IN DEED BOOK 4,

PAGE 28 OF THE COUNTY LAND RECORDS, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, THENCE SOUTH 06°20'14" WEST, 3.65 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF NORTH WEST END BLVD, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID POINT NORTH 83°12'06" WEST, 22.08 FEET; THENCE NORTH 25°37'16" WEST, 120.00 FEET; THENCE NORTH 30°52'15" EAST, 26.72 FEET; THENCE SOUTH 24°11'46" EAST, 146.63 FEET TO THE POINT OF BEGINNING AND MORE OR LESS CONTAINING 0.06 ACRES.

is hereby vacated.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



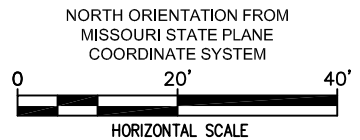
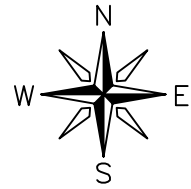
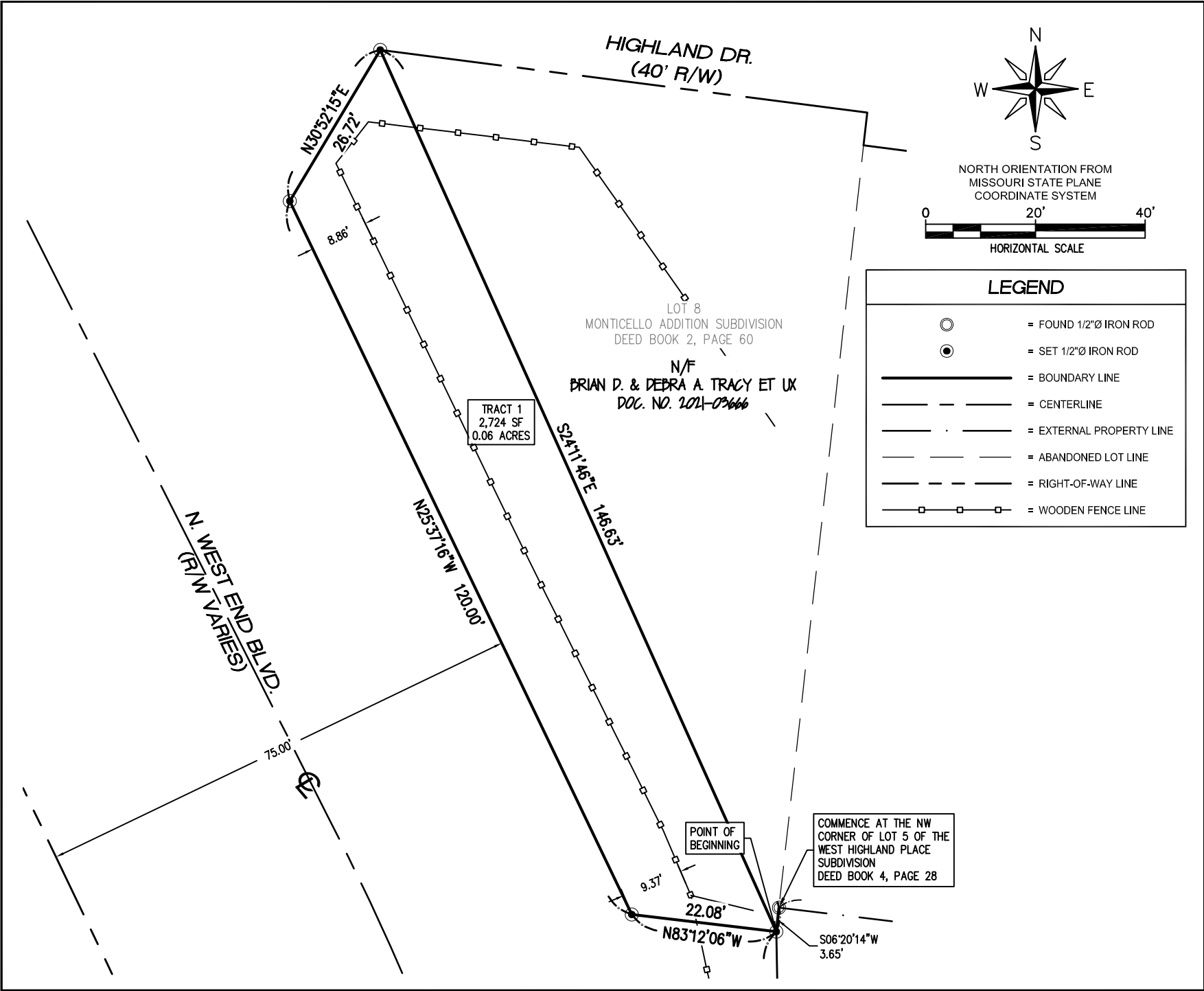
STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

On this _____ day of _____, 2024, before me personally appeared Stacy Kinder, to me personally known, who, being by me duly sworn, did say that she is the Mayor 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 said instrument was signed and sealed on behalf of said City by authority of its City Council, and acknowledged 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.

My Commission Expires:

Notary Public



LEGEND	
	= FOUND 1/2"Ø IRON ROD
	= SET 1/2"Ø IRON ROD
	= BOUNDARY LINE
	= CENTERLINE
	= EXTERNAL PROPERTY LINE
	= ABANDONED LOT LINE
	= RIGHT-OF-WAY LINE
	= WOODEN FENCE LINE

DATE: 04/17/2024
 REVISED: 4/22/2024

DRAWING
1 of 1

EXHIBIT FOR
 N. WEST END BLVD VACATION AREA

689 HIGHLAND
 CAPE GIRARDEAU, MO 63701

KE KOEHLER
 ENGINEERING AND LAND SURVEYING, INC.

Civil Engineering and Surveying Services
 194 Coker Lane - Cape Girardeau, MO 63701
 Phone: 573.335.3026 - Fax: 573.335.3049
 www.koehlerengineering.com

TRACT 1

THAT PART OF OUT LOT 38 OF U.S.P. SURVEY NO. 2199, ALL IN TOWNSHIP 31 NORTH, RANGE 14 EAST, OF THE FIFTH PRINCIPAL MERIDIAN IN THE COUNTY OF CAPE GIRARDEAU, THE STATE OF MISSOURI, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 5 OF THE WEST HIGHLAND PLACE SUBDIVISION AS RECORDED IN DEED BOOK 4, PAGE 28 OF THE COUNTY LAND RECORDS, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, THENCE SOUTH $06^{\circ}20'14''$ WEST, 3.65 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF NORTH WEST END BLVD, SAID POINT BEING THE POINT OF BEGINNING; THENCE LEAVING SAID POINT NORTH $83^{\circ}12'06''$ WEST, 22.08 FEET; THENCE NORTH $25^{\circ}37'16''$ WEST, 120.00 FEET; THENCE NORTH $30^{\circ}52'15''$ EAST, 26.72 FEET; THENCE SOUTH $24^{\circ}11'46''$ EAST, 146.63 FEET TO THE POINT OF BEGINNING AND MORE OR LESS CONTAINING 0.06 ACRES.

Classified Proof

Client	15897 - City Of Cape Girardeau	Phone	(573) 339-6707
Address	44 North Lorimier Street, P. O. Box 617	E-Mail	acctspayable@cityofcape.org
	Cape Girardeau, MO, 63701	Fax	(573) 335-3357

Order#	589203	Requested By		Order Price	\$79.69
Classification	0999 - Legals	PO #	050924	Tax 1	\$0.00
Start Date	05/09/2024	Created By	JJOHNS	Tax 2	\$0.00
End Date	05/09/2024	Creation Date	04/25/2024, 02:12:34 pm	Total Net	\$79.69
Run Dates	1			Payment	\$0.00
Publication(s)	Southeast Missourian	Dimensions	3.627 " X 2.110 "		

Sales Rep	10CL - Jasmine Johnson	Phone	(573) 335-6611
		E-Mail	jjohnson@semissourian.com
		Fax	

NOTICE OF PUBLIC HEARING CITY OF CAPE GIRARDEAU, MISSOURI

Notice is hereby given that Cape Girardeau, Missouri, City Council will hold a public hearing on Monday, May 20, 2024 at 5:00 p.m., in the City Hall Council Chambers, at City Hall, 44 N. Lorimier St., Cape Girardeau, Missouri, to consider vacating part of the City's interest in: An approx. 20-foot-wide strip of N West End Blvd adjoining 689 Highland Dr.

All interested parties shall be afforded the opportunity to speak at the hearing in favor of or in opposition to the proposed vacation.

Gayle L. Conrad
City Clerk
City of Cape Girardeau

(May 9, 2024)(589203)

Staff: Jake Garrard, PE, City Engineer
Agenda: 5/20/2024

AGENDA REPORT
Cape Girardeau City Council

24-092

SUBJECT

An Ordinance authorizing the City Manager to execute Supplemental Agreements with Bacon Farmer Workman Engineering & Testing, Inc., for the design of sidewalks along North Cape Rock Drive, in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The Supplemental Agreements between the City of Cape Girardeau and Bacon Farmer Workman Engineering & Testing, Inc., update delivery milestones and expanding the cost of work specified in the Engineering Services Contract and Program Agreement for the design of sidewalks along N. Cape Rock Drive.

BACKGROUND/DISCUSSION

The scope of work in the ESC was changed in the ESC Supplemental Agreements (021) and (022) due to needs discovered once design work in the field began. Due to the need for acquisition of easements along the project, we are revising the original PS&E approval deadline dates and the cost of work.

FINANCIAL IMPACT

The changes will effect on the costs and services to be provided under the provisions of the agreement.

STAFF RECOMMENDATION

Staff recommends Council approve an ordinance authorizing the City Manager to enter into a Supplemental Agreements between the City of Cape Girardeau and Bacon Farmer Workman Engineering & Testing, Inc., updating delivery milestones and expanding the cost of work specified in the Engineering Services Contract and Program Agreement for the design of sidewalks along N. Cape Rock Drive, contingent upon MoDOT approval.

ATTACHMENTS:

Name:	Description:
TAP_Agreement.Bacon_Farmer_Cape_Rock_Drive_Sidewalks.doc	Ordinance
2607_001.pdf	Supplemental Agreement (021)
2608_001.pdf	Supplemental Agreement (022)

BILL NO. 24-57

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE SUPPLEMENTAL AGREEMENTS WITH BACON FARMER WORKMAN ENGINEERING & TESTING, INC., FOR THE DESIGN OF SIDEWALKS ALONG NORTH CAPE ROCK DRIVE, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

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

ARTICLE 1. The City Manager is hereby authorized to execute, on behalf of the City, Supplemental Agreements for Project (TAP-1501(021)) and (TAP-1501(022)), with Bacon Farmer Workman Engineering & Testing, Inc., for the design of sidewalks along North Cape Rock Drive, in the City of Cape Girardeau, Missouri. The City Clerk is hereby authorized and directed to attest to said documents and to affix the seal of the City thereto. Said Agreements shall be in substantially the form attached hereto, which documents are hereby approved by the City Council, with such changes or amendments as shall be approved by the officer of the City executing the same. The officers, agents, and employees of the City are hereby authorized to execute all documents and take steps as they deem necessary and advisable to carry out and perform the purpose of this Ordinance.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



**SUPPLEMENTAL AGREEMENT NO. 1
TO
ENGINEERING SERVICES CONTRACT**

This Supplemental Agreement is made part of an agreement dated June 1, 2023 between the City of Cape Girardeau and Bacon Farmer Workman Engineering & Testing, Inc. for design of project TAP-1501(021). The purpose of this Supplemental Agreement is to: 1) Revise the scope of work specified in the Original Agreement to include additional surveying, design, and environmental/cultural review as necessary for the preparation of right of way plans for City acquisition of temporary construction easements to accommodate driveway grade adjustments, or as otherwise needed, and; 2) To update the delivery Milestone specified in Original Agreement which remains to be accomplished. These additional services shall be in an amount not to exceed Thirty Thousand, Five Hundred Seventy Three Dollars and Fifty Six Cents (\$30,573.56) without further authorization. The total design services shall be in an amount not to exceed Ninety Nine Thousand, One Hundred Sixty Five Dollars and Sixty Eight Cents (\$99,165.68). Attachment A outlines the cost breakdown for this Supplemental Agreement.

The right of way line is located 12 feet, more or less, beyond the back side of the street curb through much of the project. A significant number of driveways have existing grades which exceed 8%, therefore there is insufficient room within the available right of way to modify the driveway grades to accommodate the sidewalk crossings and yet achieve an acceptable grade on the driveway tie-ins at the back side of the sidewalk crossings. In February 2024, the City's original assumption for resolving the grade issues via a separate city project was determined by MoDOT to not meet the intent of the TAP program guidelines. As a result, the preparation of right of way plans has been deemed necessary.

The Final PS&E Approval delivery Milestone of 12/01/23 in the Original Agreement was arbitrarily set to precede the Final PS&E Approval date in the Program Agreement by 5 months, leaving little buffer time for potential delays. Acquisition of field survey data by the project subconsultant occurred 3 months later than scheduled resulting in less than planned project development time. The delivery Milestone is being revised to accommodate the earlier survey field work delay plus the additional work in this Supplemental Agreement, plus time needed for City acquisition and right of way clearance.

Revised date for delivery Milestone under Article V shall be established as follows:

	<u>Original Date</u>	<u>Supp. #1 Date</u>
PS&E Approval by MoDOT	12/01/23	2/28/25

Supplement Agreement No. 1 accepted as defined herein:

OWNER: City of Cape Girardeau

ENGINEER: Bacon Farmer & Workman
Engineering & Testing, Inc

BY: _____

BY: [Signature]

TITLE: _____

TITLE: Executive VP

DATE: _____

DATE: 4/22/2024

ATTEST:

BY: _____

BY: [Signature]

TITLE: _____

TITLE: Benefits & Wellness Coordinator

DATE: _____

DATE: 04/22/2024

Executed by the City on the _____ day of _____, 2024.

**ATTACHMENT A
SUPPLEMENTAL AGREEMENT NO. X
April 22, 2024**

DESIGN Phase Services (Additional):

	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Project Manager	21	\$70.42	\$1,478.82
Environmental Manager	22	\$57.34	\$1,261.48
Historic Preservation Specialist	40	\$49.91	\$1,996.40
GIS Specialist	4	\$21.78	\$87.12
Project Engineer	25	\$70.33	\$1,758.25
Staff Engineer	50	\$38.73	\$1,936.50
Senior Transportation Designer	8	\$42.91	\$343.28
Professional Land Surveyor	28	\$48.03	\$1,344.84
Instrument Operator	24	\$31.35	\$752.40
Subtotal	222		\$10,959.09
Payroll Overhead (est. at 44.30%)			\$4,854.88
General and Administrative Overhead (est. at 99.61%)			\$10,916.35
Other Direct Costs			
Mileage, etc			\$131.00
Subtotal			\$26,700.32
Fixed Fee (available only for significant supplemental agreements)			\$3,742.24
Total Supplemental Agreement No. 1			\$30,573.56
Summary Design Phase:			
Original Agreement			\$68,592.12
Supplemental Agreement			\$30,573.56
Total			\$99,165.68

FIG. VI - 4

FIG. VI - 4

Revised 02-14-00

**SUPPLEMENTAL AGREEMENT NO. 1
TO
ENGINEERING SERVICES CONTRACT**

This Supplemental Agreement is made part of an agreement dated June 1, 2023 between the City of Cape Girardeau and Bacon Farmer Workman Engineering & Testing, Inc. for design of project TAP-1501(022). The purpose of this Supplemental Agreement is to: 1) Revise the scope of work specified in the Original Agreement to include additional surveying, design, and environmental/cultural review as necessary for the preparation of right of way plans for City acquisition of temporary construction easements to accommodate driveway grade adjustments, or as otherwise needed, and; 2) To update the delivery Milestone specified in Original Agreement which remains to be accomplished. These additional services shall be in an amount not to exceed Twenty Nine Thousand, Five Hundred Eighty Four Dollars and Sixty Cents (\$29,584.60) without further authorization. The total design services shall be in an amount not to exceed Sixty Nine Thousand, One Hundred Eighty Seven Dollars and One Cent (\$69,187.01). Attachment A outlines the cost breakdown for this Supplemental Agreement.

The right of way line is located 12 feet, more or less, beyond the back side of the street curb through much of the project. A significant number of driveways have existing grades which exceed 8%, therefore there is insufficient room within the available right of way to modify the driveway grades to accommodate the sidewalk crossings and yet achieve an acceptable grade on the driveway tie-ins at the back side of the sidewalk crossings. In February 2024, the City's original assumption for resolving the grade issues via a separate city project was determined by MoDOT to not meet the intent of the TAP program guidelines. As a result, the preparation of right of way plans has been deemed necessary.

The Final PS&E Approval delivery Milestone of 12/01/23 in the Original Agreement was arbitrarily set to precede the Final PS&E Approval date in the Program Agreement by 5 months, leaving little buffer time for potential delays. Acquisition of field survey data by the project subconsultant occurred 3 months later than scheduled resulting in less than planned project development time. The delivery Milestone is being revised to accommodate the earlier survey field work delay plus the additional work in this Supplemental Agreement, plus time needed for City acquisition and right of way clearance.

Revised date for delivery Milestone under Article V shall be established as follows:

	<u>Original Date</u>	<u>Supp. #1 Date</u>
PS&E Approval by MoDOT	12/01/23	2/28/25

Supplement Agreement No. 1 accepted as defined herein:

OWNER: City of Cape Girardeau

ENGINEER: Bacon Farmer & Workman
Engineering & Testing, Inc

BY: _____

BY: [Signature]

TITLE: _____

TITLE: Executive VP

DATE: _____

DATE: 4/22/2024

ATTEST:

BY: _____

BY: [Signature: Sonya Wuth]

TITLE: _____

TITLE: Benefits & Wellness Coordinator

DATE: _____

DATE: 04/22/2024

Executed by the City on the _____ day of _____, 2024.

**ATTACHMENT A
SUPPLEMENTAL AGREEMENT NO. X
April 22, 2024**

DESIGN Phase Services (Additional):

	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Project Manager	19	\$70.42	\$1,337.98
Environmental Manager	24	\$57.34	\$1,376.16
Historic Preservation Specialist	36	\$49.91	\$1,796.76
GIS Specialist	4	\$21.78	\$87.12
Project Engineer	23	\$70.33	\$1,617.59
Staff Engineer	50	\$38.73	\$1,936.50
Senior Transportation Designer	8	\$42.91	\$343.28
Professional Land Surveyor	28	\$48.03	\$1,344.84
Instrument Operator	24	\$31.35	\$752.40
Subtotal	222		\$10,592.63
Payroll Overhead (est. at 44.30%)			\$4,692.54
General and Administrative Overhead (est. at 99.61%)			\$10,551.32
Other Direct Costs			
Mileage, etc			\$131.00
Subtotal			\$25,967.49
Fixed Fee (available only for significant supplemental agreements)			\$3,617.11
Total Supplemental Agreement No. 1			\$29,584.60
Summary Design Phase:			
Original Agreement			\$39,602.41
Supplemental Agreement			\$29,584.60
Total			\$69,187.01

FIG. VI - 4

Revised 02-14-00

Staff:
Agenda: 5/20/2024

AGENDA REPORT
Cape Girardeau City Council

24-093

SUBJECT

Appointment of one member to the Parks and Recreation Advisory Board for a term expiring October 29, 2025.

EXECUTIVE SUMMARY

Alix Gasser was appointed in error to the Parks and Recreation Board April 15, 2024 to replace David Cantrell, who was serving a term on the Parks and Recreation Advisory Board set to expire October 29, 2025. A copy of the roster is attached for your review.

BACKGROUND/DISCUSSION

The Parks and Recreation Advisory Board acts in an advisory capacity to the City Council to review, promote and expedite development of existing and new public park and recreational facilities and activities. The City Council shall appoint eleven members to the Parks and Recreation Advisory Board. Members of the Board serve for three-year terms.

The following individuals have expressed an interest in serving on the board, and their board applications are attached.

Applicant	Ward	Citizen Academy Graduate
Matt Britt	5	No
Thomas Drummond	4	No
Holly Godwin	5	No
Greg Griffith	2	Yes
C. Donald Harris	5	No
Michelle Latham	4	Yes
Joy Livesay	5	No
Marvin Mcbride	2	No
Dharmiyon Meehan	3	No
Jeremiah Nichols	6	No
Andrew Ostrowski	3	Yes
Scott Ringwald	6	No
Keith Sander	4	No
John Spear	4	No

STAFF RECOMMENDATION

Staff recommends the appointment of one member to the Parks and Recreation Advisory Board for a term expiring October 29, 2025.

BOARD OR COMMISSION RECOMMENDATION

The Parks and Recreation Board, at their April 8, 2024, meeting, made a recommendation to appoint Thomas Drummond for a term expiring October 29, 2025.

ATTACHMENTS:	
Name:	Description:
Parks_and_Rec_Roster_(22).pdf	Park and Recreation Board Roster
roster_attendance.park.pdf	Park and Recreation Board Attendance Roster

CITY OF CAPE GIRARDEAU, MISSOURI

Roster of Advisory Boards and Committees

February 20, 2024

All members of Advisory boards must be residents of the City of Cape Girardeau unless otherwise noted.

Members may serve for only two consecutive full terms on the same board or commission.

Parks and Recreation Advisory Board

	<u>Date Appointed</u>	<u>Date Reappointed</u>	<u>Term Expires</u>
Lewis Jackson Hill (Tree Board Liaison)	October 18, 2021	---	October 29, 2024
Darrin Bruenderman	January 24, 2022	---	October 29, 2024
Philip Moore	September 19, 2022	---	October 29, 2024
Anne Dohogne	September 4, 2018	10/15/18; 4/16/19; 10/18/21	October 29, 2024
Percy Huston	July 18, 2022	11/07/22	October 29, 2025
Tamera Buck	November 7, 2022	---	October 29, 2025
Mark Stone	September 20, 2021	11/07/22	October 29, 2025
vacant	March 15, 2017	10/16/19, 11/07/22	October 29, 2025
Beverly Evans	May 21, 2018	10/19/20 ; 10/16/23	October 29, 2026
Jerry Dement	October 16, 2023	---	October 29, 2026
MaryAnn Maloney	October 16, 2023	---	October 29, 2026
Council, Nate Thomas, ex-officio	May, 2022		

Serve three year terms, two full term limit, appointed by Council. Regular meetings held second Monday at 5:30 p.m. in Osage Centre. A Council member may serve as liaison. Staff contact –Parks & Recreation Director, Doug Gannon 339-6340.

PARKS AND RECREATION ADVISORY BOARD Attendance Record

Ordinance effective 4/13/00

P = present, A = absent

2024 2nd Monday	Jan 9	Feb 12	Mar 11	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	1st letter	2nd letter	3rd letter	appt'ed	termi- nated	
Bruenderman, Darrin	P	P													09/15/23	01/24/22		
Buck, Tamera		P											10/13/23				11/07/22	
Cantrell, David		Resigned 2/6/24											09/15/20	02/22/23	#####	11/07/22		
Dohogne, Ann		P											09/19/22	05/09/23			09/04/18	02/22/19
Evans, Beverly		P															05/21/18	
Frazier, Pete		P											01/06/21	10/20/22	#####		03/21/16	
Huston, Percy		P											11/21/22				07/18/22	
Jackson Hill, Lewis		P															10/18/21	
Moore, Philip		P															09/19/22	
Noel, Kevin		P											12/28/17				09/15/15	
Stone, Mark		P											02/22/23	05/09/23			11/07/22	

2023 2nd Monday	Jan 9	Feb 13	Mar 13	Apr 10	May 9	Jun 12	Jul 10	Aug 14	Sep 12	Oct 11	Nov 14	Dec 12	1st letter	2nd letter	3rd letter	appt'ed	termi- nated	
Bruenderman, Darrin	P	P	P	P	P	P	P	A	A	P	P				09/15/23	01/24/22		
Buck, Tamera		P	P	P	P	P	P	A	P	A	P	P	10/13/23				11/07/22	
Cantrell, David	P	A	P	P	P	P	P	P	A	P	P	P	09/15/20	02/22/23	#####		11/07/22	
Dement, Jerry	appointed 10/16/23																	
Dohogne, Ann	P	P	A	P	A	P	P	P	P	P	P	P	09/19/22	05/09/23			09/04/18	02/22/19
Evans, Beverly	P	P	A	P	P	A	P	P	P	P	P	P					05/21/18	
Frazier, Pete	P	A	P	P	P	P	P	P	P	P	P	P	01/06/21	10/20/22	#####		03/21/16	
Huston, Percy	P	P	P	P	P	P	P	P	P	P	P	P	11/21/22				07/18/22	
Jackson Hill, Lewis	P	P	P	P	P	P	P	P	P	P	P	P					10/18/21	
Moore, Philip	A	P	P	P	P	P	P	P	P	P	P	P					09/19/22	
Noel, Kevin	A	P	P	P	P	P	P	P	P	P	P	P	12/28/17				09/15/15	
Stone, Mark	P	A	P	P	A	P	P	P	P	P	P	P	02/22/23	05/09/23			11/07/22	

Staff: Gayle L. Conrad, MPCC/CMC,
Director of Citizen Services/City
Agenda: Clerk
5/20/2024

AGENDA REPORT
Cape Girardeau City Council

24-094

SUBJECT

Appointment of one member to the Tax Increment Financing Commission for a term expiring April 1, 2028.

EXECUTIVE SUMMARY

The appointments to the TIF Commission are made by the Mayor with the consent of a majority of the City Council. The terms of Marla Mills and Jay Knudtson expired April 1, 2024. Marla Mills has been a member on the TIF Commission since 2020 and Jay Knudtson since 2012. Jay Knudtson was reappointed to the TIF Commission at the April 15, 2024, City Council meeting. Marla Mills is not interested in reappointment.

BACKGROUND/DISCUSSION

In April of 2002, the City Council appointed an 11 member TIF Commission to review and make recommendations with respect to proposed Tax Increment Financing Projects. Six members of the commission were appointed by the city, two by the school district, two by the county, and one by the outside taxing district that was within the project area. Commission members appointed by the City serve for a four year term. The City positions on the commission are dedicated positions, while the remaining positions are project specific and are appointed at the time of the creation of a TIF project.

One application has been received for the TIF Commission. Old Town Cape Director Liz Haynes has expressed interest in serving on the TIF Commission, and a copy of her Advisory Board Application is attached.

STAFF RECOMMENDATION

It is recommended to make one appointment to the Tax Increment Financing Commission for a term expiring April 1, 2028.

ATTACHMENTS:

Name:	Description:
TIF Commission Roster 05-06-2024.pdf	TIF Commission Roster

CITY OF CAPE GIRARDEAU, MISSOURI

Roster of Advisory Boards and Committees

May 6, 2024

All members of Advisory boards must be residents of the City of Cape Girardeau unless otherwise noted.

Members may serve for only two consecutive full terms on the same board or commission.

TIF Commission

	<u>Date Appointed</u>	<u>Date Reappointed</u>	<u>Term Expires</u>
Matt Welker (school district)	April 2020	April 2023	to end of project
Neil Glass (school district)	November 2018	April 2023	to end of project
Katie Earnhart (other districts)	April 2023		to end of project
Charles Herbst (county)	July 2015	April 2020, April 2023	to end of project
Roger Hudson(county)	July 2015	April 2020, April 2023	to end of project
Danny Essner (city)	April 1, 2002	4/5/05; 4/6/09; 03/18/13;4/3/17; 4/5/21	April 1, 2025
Albert M. Spradling III (city)	April 1, 2002	4/5/05; 4/6/09; 03/18/13;4/3/17;4/5/21	April 1, 2025
Rob Gilligan (city)	April 3, 2023	---	April 1, 2026
Adrienne Henry (city)	August 3, 2015	04/02/18; 4/4/22	April 1, 2026
vacant (city)		---	April 1, 2028
Jay Knudtson (city)	April 2, 2012	4/4/16; 4/20/20;4/15/24	April 1, 2028

Members appointed by city serve four year term, appointed by Mayor with consent of City Council. Two members appointed by school district, one member appointed by other taxing districts, two members appointed by County, term ending upon final approval of the redevelopment project. RSMo. 99.820. Meetings called by Chairman as needed. Staff contact – City Planner, 339-6326.

Staff: Bruce Taylor, Deputy City Clerk
Agenda: 5/20/2024

MEMORANDUM
Cape Girardeau City Council

24-017

SUBJECT

Appointment to the Board of Appeals for two terms expiring June 4, 2028 and two terms expiring June 4, 2029.

EXECUTIVE SUMMARY

Kristen Uhrhan and Brian Horrell have terms on the Board of Appeals which were set to expire June 4, 2023. Ms. Uhrhan has been serving an alternate position on the board since 2014, and Mr. Horrell has been serving since 2018. Mr. Horrell is not interested in reappointment.

Robert Blasiney and Willie Sandin have terms on the Board of Appeals that expire June 4, 2024. Mr. Blasiney has been serving on the board since 2015 and Mr. Sandin has been serving as an alternate since 2015. Each have expressed interest in reappointment. A copy of the roster is attached for your review. With the current makeup of the board, an individual from one of the following professions is eligible to serve: contractor/architect, plumber/mechanical engineer, structural engineer, electrical engineer, or fire protection engineer.

BACKGROUND/DISCUSSION

The International Building Code (as amended by the city) stipulates that the Board shall consist of seven individuals, not more than two from each of the following professions: (1) registered architect, or builder or superintendent of building construction with 10 years experience; (2) registered design professional with structural engineering or architectural experience; (3) registered design professional with mechanical or plumbing engineering experience, or mechanical or plumbing contractor with 10 years experience; (4) registered design professional with electrical engineering experience or an electrical contractor with 10 years experience; (5) registered design professional with fire protection engineering experience or a fire protection contractor with 10 years experience. If no qualified city residents apply for the board, then qualified applicants who are residents of Cape Girardeau County may be considered. In addition, two alternate members may be appointed and shall possess the qualifications required for board membership. Members serve five year terms.

The following individuals are qualified applicants and have expressed an interest in serving on the board; their board applications are attached.

Applicant		Citizens Academy Graduate
Ward		
Robert Blasiney	6	No
Duane W. Sandin, P.E.	n/a	No

GENERAL DIRECTION

Appointments for the Board of Appeals will appear on a future agenda for consideration. Appointment of two regular members should be made first, with one term expiring June 4, 2028 and the other expiring June 4, 2029. Then the Council may appoint two alternate members with one term expiring June 4, 2028 and the other expiring June 4, 2029.

ATTACHMENTS:

Name:	Description:
☐ board_of_appeals_roster.docx	Board of Appeals Roster
☐ roster_attendance.appeals.pdf	Board of Appeals Attendance Roster
☐ Blasiney__Robert.02-28-24.pdf	Blasiney, Robert application
☐ Sandin__Willie.02-28-24.pdf	Sandin, Duane Willie application

CITY OF CAPE GIRARDEAU, MISSOURI

Roster of Advisory Boards and Committees

May 6, 2024

All members of Advisory boards must be residents of the City of Cape Girardeau unless otherwise noted.
Members may serve for only two consecutive full terms on the same board or commission.

Board of Appeals

	<u>Date Appointed</u>	<u>Date Reappointed</u>	<u>Term Expires</u>
Kristen Uhrhan (architect) (alt.)	June 2, 2014	06/04/18	June 4, 2023
vacant		---	June 4, 2023
Robert Blasiney (contractor/electric)	January 20, 2015	05/20/19	June 4, 2024
(served as alternate)	October 6, 2014		
Willie Sandin (PE) (alt.)	January 20, 2015	05/20/19	June 4, 2024
Craig Milde (architect)	November 2, 2015	06/01/20	June 4, 2025
vacant (MEP engr)	----	---	September 4, 2025
Derrick Geringer (contractor)	June 21, 2021	---	June 4, 2026
Melanie Cantrell (structural engineer)	December 15, 2008	6/4/12; 6/05/17;10/17/22	June 4, 2027
Mark Strickland (mechanical)	October 6, 2014	06/05/17;10/17/22	June 4, 2027
(served as alternate)	June 2, 2014		

Serve five year terms, appointed by Council. Of the seven members, no more than two from each of the following professions: (1) Registered design professional that is a registered architect; or a builder or superintendent of building construction with at least 10 years experience 5 of which shall have been in responsible charge of work; (2) Registered design professional with structural engineering or architectural experience; (3) Registered design professional with mechanical or plumbing engineering experience; or a mechanical or plumbing contractor with 10 years experience 5 of which shall have been in responsible charge of work; (4) Registered design professional with electrical engineering experience; or an electrical contractor with at least 10 years experience 5 of which shall have been in responsible charge of work; (5) registered design professional with fire protection engineering experience; or a fire protection contractor with at least ten years experience 5 of which shall have been in responsible charge of work. If no applications from qualified residents, the qualified applicants from Cape Girardeau County may be considered (Ord. 4567) Meetings held second Thursday at 7:00 p.m. in Council Chambers. Board considers appeals from the building codes. Staff contact – Doug Weisbrod, Building and Code Enforcement Manager. 339-6327.

BOARD OF APPEALS Attendance Record

Ordinance effective 4/13/00

X = present, A = absent

2024 2nd Thursday	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	1st letter	2nd letter	3rd letter	termi- nated	appointed reapptd
Blasiney, Robert	X	X	X	X													05/20/19
Cantrell, Melanie	X	X	X	X													10/17/22
Geringer, Derrick	X	X	X	X													06/21/21
Horrell, Brian	RESIGNED 2/12/24													02/12/24	06/04/18		
Strickland, Mark	X	X	X	X													10/17/22
Milde, Craig	X	X	X	X													06/01/20
Alternates:	X	X	X	X													
Sandin, Willie	X	X	X	X													05/20/19
Uhrhan, Kristen	X	X	X	X													06/04/18

2023 2nd Thursday	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	1st letter	2nd letter	3rd letter	termi- nated	appointed reapptd
Blasiney, Robert	X	X	X	X	X	X	X	X	X	X	X	X					05/20/19
Cantrell, Melanie	X	X	X	X	X	X	X	X	X	X	X	X					10/17/22
Geringer, Derrick	X	X	X	X	X	X	X	X	X	X	X	X					06/21/21
Horrell, Brian	X	X	X	X	X	X	X	X	X	X	X	X					06/04/18
Strickland, Mark	X	X	X	X	X	X	X	X	X	X	X	X					10/17/22
Milde, Craig	X	X	X	X	X	X	X	X	X	X	X	X					06/01/20
Alternates:	X	X	X	X	X	X	X	X	X	X	X	X					
Sandin, Willie	X	X	X	X	X	X	X	X	X	X	X	X					05/20/19
Uhrhan, Kristen	X	X	X	X	X	X	X	X	X	X	X	X					06/04/18

Staff:
Agenda: 5/20/2024

AGENDA REPORT
Cape Girardeau City Council

ATTACHMENTS:	
Name:	Description:
AirportBoard-Minutes-3-12-2024-1.pdf	Airport Board 03-12-2024
AirportBoard-Minutes_4.11.2024.pdf	Airport Board 04-11-2024 draft
Board_of_Adjustment_Minutes_04-04-24_Draft.pdf	Board of Adjustment 04-04-2024
CVB_Executive_Committee_Minutes_05032024.pdf	CVB Exec Board 05-03-2024
Golf_Board_Minutes_2.22.24_draft.pdf	Golf Course Board 02-22-2024 draft
Historic_Preservation_Commission_Minutes_02-21-24.pdf	Historic Preservation Commission 02-21-2024
Historic_Preservation_Commission_Minutes_03-20-24.pdf	Historic Preservation Commission 03-20-2024
Historic_Preservation_Commission_Minutes_04-17-24_-_DRAFT.docx	Historic Preservation Commission 04-27-2024 draft
Parks_03.11.2024_Advisory_Board_Meeting_Minutes_-_Draft.pdf	Park Board 03-11-2024 draft
Park.04.08.2024_advisory_board_meeting_minutes_-_draft.pdf	Park Board 04-08-2024 draft
Planning_and_Zoning_Commission_Minutes_03-13-24.pdf	P&Z Commission 03-13-2024
Planning_and_Zoning_Commission_Minutes_04-10-24_-_Draft.pdf	P&Z Commission 04-10-2024
Tree_Advisory_Board_Meeting_Minutes_04-05-2024_Draft.pdf	Tree Board 04-05-2024



Cape Girardeau Regional Airport Advisory Board Meeting - Minutes
March 12, 2024

The Cape Girardeau Regional Airport Advisory Board held their regular meeting on March 12, 2024 at 11:30 am at The Pilot House Restaurant.

Board Members Present:

Richard Knote, Chair
Beverly Clear, Vice Chair
Joe Uzoaru, Board Member
Justin Davidson, Board Member (via phone)
Dr. Quantella Noto, Board Member
Shawn Wasson, Board Member
Mark Mehner, Board Member
Mike Marshall, Board Member

Staff Present:

Katrina Amos, Airport Manager
Audrey Lorch, Airport Support Specialist
Mark Bliss, City Council Liaison

Others Present: NA

Absent: Keith Boeller, Board Member

Call to Order/Approval of Minutes – Mr. Knote called the meeting to order at 11:30 am. Mr. Marshall motioned and Ms. Clear seconded a motion to approve the January 2024 minutes. All were in favor and the motion passed with a unanimous vote.

Appearances – None

I. **Old Business** -

A. **Airport Activity Report** – Ms. Amos reported at this time, CGI activity has been steady for the last two months, CGI January numbers were up 4%. Ms. Amos informed the Board that she had a discussion with Matt Chaifetz (CEO Contour) and Skywest Airlines, Skywest has purchased 25% of Contour Airlines, this will impact the operational aspects of Contour Airlines, and this merger will increase crew, aircraft fleet and decrease mechanical issues.

At this time Ms. Amos is working with Mike Mooney CGI's Aviation Consultant on other options and goals for other destinations. More discussion on this topic.

B. **Cape Aviation Report** – Ms. Amos presented Cape Aviation fuel report, there is a slight increase in sales, US Aviation continues to do well in terms of fuel sales and have been flying regularly, Fuel gallons were up 7.4% TYD. The FBO has been operating business as usual.

C. **Airport Projects Update** -

- **New Terminal Building** – Ms. Amos reported the terminal progress is on time and going well, KCI's Construction team continues to be very impressive on handling their time and projects, at this time the drywall is going up and the spaces are now visible. KCI was able to switch lead time on the stone used on the exterior walls to a local vendor, the stone is now here and ready to be applied.
Ms. Amos noted to the board that due to Taxi-Way B coming in under budget; CGI will be able to use those funds to cover the difference for the new sign, CGI will now have the obelisk sign with LED lighting and screens. More discussion on topic.
- **T-Hangars** – Ms. Amos reported the Storm Water Prevention Plan was received, and this is the last document the FAA needs in order to give CGI their approval in addition to what the City of Cape Girardeau needs in order to get the building permit. Ms. Amos will then issue a notice to proceed, once that is done, Zoellner Construction will have 14 days to start the project. More discussed on topic.

New Business –

- A. **New Member Recommendations** – At this time the Board has two members that are termed out, and one member for re-appointment. Ms. Amos asked the Board to look at new applicants to vote on next month.

I. Non-Agenda Items –

- A. **Solar Eclipse** - Ms. Amos and staff are working on a logistic plan for the Eclipse Aircraft Traffic, CGI has enough spaces for 150 aircraft to park, however there will be an emergency hold in the event CGI gets inundated with aircraft traffic, most likely a portion of Taxiway Alfa will be closed for more aircraft space. Ms. Amos has been coordinating with the Memphis center in the event CGI has too many Aircraft, the Memphis team can divert traffic elsewhere. There will be a contingent for grass parking, depending on weather. Taxiway Charlie will be closed and US Aviation will not be flying on Monday, April 8.
- B. **Aircraft Rescue and Fire Fighting (ARFF)** – Ms. Amos has been working with Cape Career and Technology Center and Cape Public Schools, as well as Missouri Representatives, about funding opportunities for an ARFF Training Facility, at this time there are three ARFF facility's, Wisconsin, Texas and Kentucky. The development will be in the North West quadrant of the airport campus. This would increase CGI's index capability from an A to a B, meaning this training facility would allow CGI to take in larger aircraft. There will be additional discussions on this topic.
- C. **New Hangar Construction** – Ms. Amos informed she is in discussions on a new private owned fifteen thousand sq. ft. Box Hangar; development will be in the South West Quadrant of the Airport Campus.

D. **Budget Discussions** – Ms. Amos has been working closely with the City’s Finance Director on more avenues to increase revenue, such as ramp fees for Itinerant aircraft, and aircraft parking fees, currently CGI does not charge such fees. If the Pilot purchases fuel, the fees will be waved. More discussion on this topic.

II. **Adjournment** – There being no other business, Mr. Marshall moved to adjourn the meeting, Ms. Noto, second the motion. All were in favor. The meeting adjourned at 12:29 pm.

Minutes prepared by:

Audrey Lorch, Airport Support Specialist



Cape Girardeau Regional Airport Advisory Board Meeting - Minutes
April 11, 2024
Special Meeting

The Cape Girardeau Regional Airport Advisory Board held their special meeting on April 11, 2024 at 11:30 am at The Pilot House Restaurant.

Board Members Present:

Richard Knote, Chair
Beverly Clear, Vice Chair
Shawn Wasson, Board Member
Justin Davidson, Board Member
Dr. Quantella Noto, Board Member

Staff Present:

Katrina Amos, Airport Manager
Audrey Lorch, Airport Support Specialist
Mark Bliss, City Council Liaison

Others Present: Nathen Gladden, Southeast Missourian

Absent: Mark Mehner, Board Member

Call to Order/Approval of Minutes – Mr. Knote called the meeting to order at 11:30 am. Mr. Wasson motioned and Ms. Clear seconded a motion to approve the March 2024 minutes. All were in favor and the motion passed with a unanimous vote.

Appearances – NA

I. **Old Business** -

Airport Activity Report – Ms. Amos provided the March activity report. Contour is trending upward compared to 2023. Summer travel with Contour is expected to increase.

General Aviation traffic has increased, although overall March was down slightly YTD. As the summer months continue, traffic will increase due to the Professional Pilot Program with SEMO.

- **Cape Aviation Report** – Ms. Amos presented the fuel reports for March, fuel sales continue to trend in the upward direction, over thirty five thousand gallons of fuel sold for the month of March. Business continues as usual.

- **Airport Projects Update -**

- **New Terminal Building** – Ms. Amos reported the project is progressing well, Burns and McDonnell has been contracted to test electrical & mechanical systems, as things go online. There will be a meeting with TSA next week, to finalize when they would like to move in. Ms. Amos will meet with the Airline in the next few weeks to coordinate their move-in timeline. At this time CGI is approximately two and a half months to completion.
- **T-Hangars** – Ms. Amos reported the storm water issue is still a challenge due to restrictions. The City’s standards is a minimum of one-inch treatment of storm water. The team is working closely with the City on a solution. More discussion on topic.
- **Taxiway D Project Update** – Ms. Amos shared Taxiway D will be out to bid next week. The complete reconstruction will be a three-part project, this includes Taxiway E and F. The funding will be from Airport Improvement Program (AIP) and Bipartisan Infrastructure Law (BIL) funding.
- **Eclipse Event Overview** - Ms. Amos reports the event went very well. The general aviation turnout was a great success with over 300 enthusiasts that flew into CGI for the event. Jet traffic as well as light aircraft traffic fuel sales were very successful.

The event resulted in 105 aircraft, 5,900 gallons of jet fuel and 2,000 gallons of low-lead fuel was sold.

The Cape Pilots club had a successful fundraising opportunity as well, selling burgers and hotdogs. The Professional Pilot Program Fraternity helped with marshalling aircraft, and there was great attendance from the volunteers. The day was safe, fun, positive and enjoyed by all. Aviation News Network Magazine, was also in attendance.

II. New Business –

- A. **New Member Recommendations** – At this time the Board has two members that are termed out, Mark Mehner will stay on another term, the recommendation to City Council will be made. Mr. Mike Marshall will not continue his term and Joe Uzoaru has termed out. Recommendations of Bruce Loy and Nancy Kopp have been elected to serve on the Board. Mr. Knote Motioned to approve; Mr. Davidson, first, Ms. Noto second, all were in favor for the vote.
- B. **MAMA/MoSAC Conference Overview** – Ms. Amos attended the annual conference, as well as State Aviation Day, As the Chair of Missouri State Aviation Council.

- C. **Non-Agenda Items** – Motion to close session by Mr. Knote, Ms. Noto first and Mr. Wasson second the motion, all were in favor.

** The Airport Board of the City of Cape Girardeau, Missouri may, as a part of a study session or regular or special Airport Board Meeting, hold a closed session to discuss legal actions, causes of legal action or litigation, leasing, purchasing or sale of real estate.*

Motion to open session by Mr. Knote, Mr. Boeller first, and Ms. Clair second, all were in favor.

- I. **Adjournment** – There being no other business, Mr. Knote moved to adjourn the meeting, Ms. Noto, first, Mr. Davidson, second the motion. All were in favor. The meeting adjourned at 12:32 pm.

Minutes prepared by:

Audrey Lorch, Airport Support Specialist

BOARD OF ADJUSTMENT

MEETING MINUTES

April 4, 2024

City Hall – Council Chambers
44 North Lorimier Street

Regular Members Present: Gary Hill, Ron Robertson, Skip Smallwood, Reg Swan

Regular Members Absent: None

Alternate Members Present: Dave Hinton

Alternate Members Absent: Ed Hart

Staff Present: Carol Peters, Ryan Shrimplin

Call to Order

Chairman Smallwood called the meeting to order at 7:00 p.m.

Approval of Minutes

The minutes of the October 5, 2023 meeting were unanimously approved upon a motion made by Mr. Hill and seconded by Mr. Swan.

ZONING CODE VARIANCES

1. A public hearing was held on the request of Sandra Rhodes for a variance from Zoning Code Section 30-59(b)(1), permitted principal uses, for property located at 1712 Woodlawn Avenue, located in the R-3 (High Density Single-Family Residential) zoning district. Ms. Sandra Rhodes presented the request. She explained that she is interested in buying the property, which contains a single-family home in the front and a smaller single-family home in the rear. Last September, she spoke with Doug Weisbrod, Building and Code Enforcement Manager, about the property. Mr. Weisbrod informed her that the rear home could no longer be occupied because the zoning did not allow two homes on the same lot. Mr. Weisbrod and Mr. Trevor Pulley, Assistant City Manager / Community Development Director, visited the property and were supportive of allowing both homes to be occupied again. She then spoke with Mr. Shrimplin, who indicated that she would need to apply for, and receive approval of, two variances in order to use both homes as residences. She then filed a variance application. Mr. Shrimplin later informed her that he had prepared a staff report recommending approval of both variance requests, but the City Attorney was not comfortable signing off on the staff report, so he had to revise it to recommend denial. She added that she had spoken with the owner of the adjacent property to the east, Mr. Ryan Lane. Mr. Lane told her that he would have no issues with both homes being occupied again as long as they were renovated and properly maintained.

A staff report was submitted to the Board, which contained the following findings of fact:

Criterion #1: The variance request arises from a condition which is unique to the property in question and which is not ordinarily found, and is not created by an action or actions of the property owner or the applicant.

Finding: The subject property is a lot containing two vacant single-family detached dwellings (one at the front of the lot and one at the rear). Both dwellings were constructed many years ago. The property was nonconforming with respect to the number of single-family detached dwellings and with respect to the density. However, the nonconforming status has expired due to the length of vacancy. The Nonconforming Structures and Uses section of the Zoning Code, Section 30-110, states: "Any nonconforming use which is discontinued, or its normal operation stopped, for a period of 274 consecutive days shall not be resumed, but the use of the property shall thereafter conform to the uses permitted in the district in which it is located." At least one of the dwellings has been vacant for more than 274 consecutive days. This is not unusual, as there are several properties in the city that have lost their nonconforming status as a result of the use being stopped for more than 274 consecutive days.

Criterion #2: Approval of the variance request will not adversely affect the rights of adjacent property owners or tenants.

Finding: Approval of the variance request will infringe on the rights of adjacent property owners and tenants because use of the property is required to conform to the R-3 district regulations. In the absence of a case of unnecessary hardship (see next finding), there is no justification for allowing the use to deviate from the regulations.

Criterion #3: The strict application of the provisions of the Zoning Code from which the variance is requested will constitute unnecessary hardship upon the utilization of the property.

Finding: In order to demonstrate that denial of the variance would constitute unnecessary hardship upon the utilization of the property, the applicant would need to provide evidence that strict enforcement of the Code would deprive them of all beneficial use of the property under any of the permitted uses. The applicant has not provided such evidence.

Criterion #4: Approval of the variance request will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

Finding: In the absence of a case of unnecessary hardship, approval of the variance request will adversely affect the public because it will confer upon the applicant a special privilege that is not justified under the variance criteria.

Criterion #5: Approval of the variance request is consistent with the general spirit and intent of the Zoning Code.

Finding: Approval of the variance request is not consistent with the general spirit and intent of the Zoning Code because the applicant has failed to demonstrate that strict enforcement of the Code would constitute unnecessary hardship upon the utilization of the property.

Based on the above findings, staff recommended denial of the variance request. Mr. Shrimplin explained that Mr. Greg Young, City Attorney, cited two Missouri court cases involving use variances. In both cases, the final ruling concluded that the applicant failed to demonstrate that strict enforcement of the ordinance would cause undue hardship by depriving the owner of all

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beneficial use of the property under any of the permitted uses. Mr. Shrimplin noted that if Ms. Rhodes' variance request were to be denied, the owner would still be able to live in or rent out one of the homes, so they would not be deprived of all beneficial use of the property.

Chairman Smallwood opened the public hearing.

Ms. Louise Jausel, 1745 Cecilia Street, expressed her full support of Ms. Rhodes' plans because they would increase the property values of the surrounding properties. She stated that she was excited to see improvements to the homes.

Ms. Beth McFerron, Thomas Meyer Realty, representing the current owner, stated that both homes are currently in disrepair. She was also in support of Ms. Rhodes receiving the variance, which would enable her to renovate the property to benefit the area. Mr. Hill asked where parking would be provided for the rear home. Ms. McFerron stated that there is an alley behind the property, but it is not clear if the alley is public or private. A title search has been ordered to determine the ownership of the alley. If the alley cannot be used for access, then a driveway could be provided along the east property line.

Mr. Brian Winans, 57 Simonel Lane, McClure, IL spoke in support of the request. He stated Ms. Rhodes wants to invest in the community. He asked the Board to be open to the possibility of what could be accomplished on the property.

Ms. Suzanne Stucker, 710 Penny Avenue, spoke in opposition to the request. She stated that the rear home has been vacant since she and her husband purchased their property in 2018. She expressed her concerns with having two rental homes on the lot and how the rear home would be accessed. She stated that they have had drainage issues on their property, and she is afraid that any work done to the alley could interfere with the drainage improvements they have made.

Ms. Rhodes stated that if the variances were to be approved, she would like most likely live in the front home and use the rear home for a short-term rental.

Seeing no other appearances to speak, Chairman Smallwood closed the public hearing.

Mr. Hill asked if the Zoning Code allows short-term rentals in the R-3 district. Mr. Shrimplin stated that the Zoning Code does not contain regulations specifically for short-term rentals. He added that as long as the property is zoned residential, any dwelling unit could be used as a short-term rental, subject to the other provisions in the Code.

Mr. Hinton asked if demolishing the rear home and building a new one in its place would make a difference with regard to the variance request. Mr. Shrimplin stated that it would not make a difference because the nonconforming status has expired. Ms. Rhodes noted that she has had contractors look at both homes, and they have told her that both are salvageable.

A motion was made by Mr. Hill and seconded by Mr. Swan to approve the variance request. Chairman Smallwood explained that the Board is required by law to make Findings of Fact and Conclusions of Law whenever it approves or denies a variance request. When the Board follows the recommendation in the staff report, it can adopt the staff report as its Findings of Fact and Conclusions of Law. When the Board deviates from the recommendation in the staff report, it must make its own Findings of Fact and Conclusions of Law. Mr. Hill explained that he made a motion to approve the variance request in order to have a discussion among the Board members. That being said, he was not in favor of the request. Mr. Swan expressed concern with regard to the

access and drainage issues raised by Ms. Stucker. The motion failed with a roll call vote of 0 in favor, 5 in opposition, and 0 abstaining (*Nay: Hill, Hinton, Robertson, Smallwood, Swan*). Chairman Smallwood called for a motion to adopt the staff report as the Board's Findings of Fact and Conclusions of Law. Mr. Hill made a motion to adopt, which was seconded by Mr. Robertson. The motion passed unanimously.

2. A public hearing was held on the request of Sandra Rhodes for a variance from Zoning Code Section 30-59(e)(3), maximum density, for property located at 1712 Woodlawn Avenue, located in the R-3 (High Density Single-Family Residential) zoning district. Ms. Sandra Rhodes presented the request. She stated that this is the second of the two variances she requested in order to allow both homes to be occupied again.

A staff report was submitted to the Board, which contained the following findings of fact:

Criterion #1: The variance request arises from a condition which is unique to the property in question and which is not ordinarily found, and is not created by an action or actions of the property owner or the applicant.

Finding: The subject property is a lot containing two vacant single-family detached dwellings (one at the front of the lot and one at the rear). Both dwellings were constructed many years ago. The property was nonconforming with respect to the number of single-family detached dwellings and with respect to the density. However, the nonconforming status has expired due to the length of vacancy. The Nonconforming Structures and Uses section of the Zoning Code, Section 30-110, states: "Any nonconforming use which is discontinued, or its normal operation stopped, for a period of 274 consecutive days shall not be resumed, but the use of the property shall thereafter conform to the uses permitted in the district in which it is located." At least one of the dwellings has been vacant for more than 274 consecutive days. This is not unusual, as there are several properties in the city that have lost their nonconforming status as a result of the use being stopped for more than 274 consecutive days.

Criterion #2: Approval of the variance request will not adversely affect the rights of adjacent property owners or tenants.

Finding: Approval of the variance request will infringe on the rights of adjacent property owners and tenants because use of the property is required to conform to the R-3 district regulations. In the absence of a case of unnecessary hardship (see next finding), there is no justification for allowing the use to deviate from the regulations.

Criterion #3: The strict application of the provisions of the Zoning Code from which the variance is requested will constitute unnecessary hardship upon the utilization of the property.

Finding: In order to demonstrate that denial of the variance would constitute unnecessary hardship upon the utilization of the property, the applicant would need to provide evidence that strict enforcement of the Code would deprive them of all beneficial use of the property under any of the permitted uses. The applicant has not provided such evidence.

Criterion #4: Approval of the variance request will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

Finding: In the absence of a case of unnecessary hardship, approval of the variance request will adversely affect the public because it will confer upon the applicant a special privilege that is not justified under the variance criteria.

Criterion #5: Approval of the variance request is consistent with the general spirit and intent of the Zoning Code.

Finding: Approval of the variance request is not consistent with the general spirit and intent of the Zoning Code because the applicant has failed to demonstrate that strict enforcement of the Code would constitute unnecessary hardship upon the utilization of the property.

Based on the above findings, staff recommended denial of the variance request.

Chairman Smallwood opened the public hearing. Seeing no appearances to speak, he closed the public hearing.

Mr. Shrimplin noted that Ms. Rhodes needed approval of both variances in order to do move forward with her plans for the property. A motion was made by Mr. Hill and seconded by Mr. Swan to approve the variance request. The motion failed with a roll call vote of 0 in favor, 5 in opposition, and 0 abstaining (*Nay: Hill, Hinton, Robertson, Smallwood, Swan*). Chairman Smallwood called for a motion to adopt the staff report as the Board's Findings of Fact and Conclusions of Law. Mr. Hinton made a motion to adopt, which was seconded by Mr. Swan. The motion passed unanimously.

OTHER ITEMS AND COMMUNICATION

Board Appointment Recommendation

Chairman Smallwood informed the Board that Mr. Tim Kelley's term on the board expired on March 6, 2024 and he was not eligible for reappointment due to term limits. The Board reviewed the Advisory Board and Commission applications on file for those who expressed an interest in serving on the Board of Adjustment. A motion was made by Mr. Swan and seconded by Mr. Hinton to recommend that the City Council appoint Mr. Larry Dowdy as a regular member of the Board. The motion passed unanimously.

Election of Officers

The Board held its annual election of officers. A motion was made by Mr. Swan and seconded by Mr. Hinton to elect Mr. Smallwood as Chairman, Mr. Robertson as Vice Chairman, and Mr. Hill as Secretary. The motion passed unanimously.

Board Communication

None of the Board members had any communication items.

Staff Communication

Staff had no communication items.

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Adjournment

There being no further business, the Board voted unanimously to adjourn the meeting at 7:45 p.m. upon a motion made by Mr. Swan and seconded by Mr. Hinton.

Respectfully submitted by:

Ron Robertson, Secretary

MINUTES

VisitCape Executive Board

FRIDAY, May 3 2024

1:30 P.M.

Cape Girardeau Convention and Visitors Bureau
220 North Fountain Street

Kenneth Haskin – Not Present
Trevor Pulley – Attended Meeting
John Echimovich - Not Present
Randy Kluge – Present
Rob Gilligan – Present
Nate Saverino – Not Present
Carl Ritter – Not Present
Josh Thompson – Present
Joshua Robison - Present
Brenda Newbern – Present

The meeting was called to order by Brenda Newbern at 1:30 pm. Brenda welcomed the board, and thanked Trevor Pulley for attending in the absence of Kenneth Haskins. Those that weren't in attendance had sent notification of their conflicts with the meeting. Since we didn't have a quorum, nothing was approved.

Joshua Robison shared the Sports ETA State of the Industry information that shows sports tourism spending impact was \$52.2 billion dollars and the importance that it has on full and part time jobs. He also shared his appointment activity and the potential opportunity to bring USSSA games to the area. We will need to review the rfps to see what the most important thing is. As discussion was had by the group, we know that we need turf fields, score boards and spectator seating. Those are things that the refs and all promoters are looking for when they look at the fields. We need to keep an eye on those developments around us but focus on taking care of our venues to eliminate negative impactors. The summary of the economic impact of meetings that he currently has in April. He also reviewed the cancelled groups and they have stated that they are going to rebook in 2025. The motorcoach groups are finding it difficult to fill the coach and this is something that is being discussed by industry partners.

Some discussion about the loss of MSHSAA and the plan is to reach out to them after their first year at the new location and see if we may have the opportunity to get them back. Joshua discussed bringing in some other sports like pickleball. We discussed the theatre shows and how to impact more people coming to town for those events.

Josh gave a review of the eclipse. He shared a review that was posted to our website about the event thanking us for hosting and how it impacted them to be there and have such a wonderful experience. We believe there were at least 3,000- 4,000 people at the sportsplex, Fort D reported 800. Trevor stated that downtown on the river front and terrace were a couple hundred people and yet we had no issues at all. Josh also share the increase in walk ins was 78. It was a very good month for visitors and calls about the eclipse but, would lead to other discussions.

Brenda shared the March 2024 High Five of the analytics for the campaign that are being run on facebook, google search and google display. The results are all doing well and often time exceeding industry standards by 8% and experiencing a decrease in cost. We are targeting both small and large markets and reviewing our local market of Cape and Jackson. The amount of budget we use on each of these accounts is under \$500 each and well worth the data that we are receiving. The results direct the marketing areas and the demographics.

Brenda shared the article on the sports complex being built in Marion and there was complete agreement by the group that we can't let ourselves get behind. That will be direct competition for our sporting events.

We discussed the board retreat, and it will be held on **June 21st from 8 am – 5 pm** and the location is to be determined. A couple of locations were discussed but Brenda will search for the location and confirm it. We will request speakers from various organizations to share information on their efforts that will help guide our discussions on the direction of the strategy for the tourism bureau and areas that we are able to impact.

Next meeting will be Friday, June 1, 2024

Meeting adjourned at 2:35 pm

Everything is either an opportunity to grow or an obstacle to keep you from growing. You get to choose!



Cape Girardeau Convention & Visitors Bureau
Visitcape.com 573.335.1631

220 N. Fountain Street
Cape Girardeau, MO 63701-5636

GOLF COURSE ADVISORY BOARD

Minutes

February 22, 2024

Present:

Cindy Gannon, Chairperson
Brad Wittenborn, Vice Chairperson
Claire Kneer, Board Member
Nate Saverino, Board Member
Dale Pingel, Board Member
Lindsey Pippins, Board Member

Absent:

Josh Parham, Board Member
Eric Craiglow, Jaycee Member/Liaison
Janet Esicar, Secretary

Staff Present:

Kaed Horrell, Parks Division Manager
Penny Williams, Recreation Division Manager
Doug Gannon, Parks and Recreation Director
Dianne Lawrence, Asst. Recreation Division Mgr
Mitchell Kramer, Golf Manager
Russell Golightly, Golf Course Supervisor
Hunter Briscoe, Recreation Specialist
Natalie Beasley, Administrative Coordinator

OPENING

Cindy Gannon, Chairperson, called the meeting to order at 12:12 pm

MINUTES

A motion to approve the December 7, 2023 meeting minutes as written was made by Brad Wittenborn and seconded by Dale Pingel.

NEW BUSINESS

- A. Hitting nets (2) will be ordered and installed with signage directing the way. The Parks & Recreation Foundation will pay for this.
- B. Daniels Roofing will replace the roof on the Pro Shop at no cost to us in exchange for advertising signage on the building.
- C. Drone work regarding course will be done by Andrew Chronister.
- D. Membership raffle will run from March 1 – 31 @ \$20 per ticket.
- E. Junior Golf Class starts in April will be on Wednesdays at 5:30 pm or 6:30 pm. Class fee is \$63 per person ages 6 & up.

OLD BUSINESS

- A. Kaed presented information on new golf cart purchase versus leasing option. Reason to purchase over lease; we will use the equity from the sale of the old carts to off set the purchase price. Currently the estimated value is \$3,000 per cart @ 45 carts would give us approximately \$135,000.

Recommendation is to raise cart fees from \$9 to \$12 for 9 holes; from \$18 to \$22 for 18 holes. This increase would raise the funds to replace half of the carts in March 2026. The public will be informed of our plan to replace the carts thus the fee increase needed.

B. Tee Marker availability at #1 hole.

C. Tournament schedule update; there are 32 booked as of now. SEMO Golf Association website membership is \$50 per year we could post our tournament schedule here and start of our men's and women's leagues.

OTHER BUSINESS

A. New computer system for irrigation controls was purchased for \$18,000.

B. Friends of the Park Day will be April 20, 2024.

ADJOURNMENT

Motion to adjourn meeting made by Claire Kneer, second by Dale Pingel, meeting adjourned at 1:05 pm.

*Minutes recorded by
Natalie Beasley
Administrative Coordinator
Osage Centre*

HISTORIC PRESERVATION COMMISSION

MEETING MINUTES

February 21, 2024

City Hall – Council Chambers
44 North Lorimier Street

Commission Members Present: David Atkins, Brian Balsmann, Kirstin Glaser, Denise Lincoln, Phyllis Sides, Mary Kay Smith, Meghan Tyson

Commission Members Absent: Ryan Lane, Aaron Modrow

Staff Present: Carol Peters, Ryan Shrimplin

Others Present: Dr. Steven Hoffman, Southeast Missouri State University Historic Preservation Program Coordinator (Advisor to the Commission)

Call to Order

Vice Chairwoman Glaser called the meeting to order at 7:00 p.m.

Approval of Minutes

The draft minutes of the January 17, 2024 meeting were corrected to reflect that Dr. Hoffman was not in attendance. A motion was made by Mr. Balsmann and seconded by Ms. Smith to approve the minutes of the January 17, 2024 meeting, as corrected. The motion passed by a unanimous vote.

OTHER BUSINESS

2024 Historic Resource Survey

Dr. Hoffman presented a copy of the 2023 Historic Resource Survey to the Commission. He stated that copies of the survey are kept in the Special Collections and Archives division at Kent Library and in the Department of History and Anthropology, both on the Southeast Missouri State University campus, at the Missouri State Historic Preservation Office, and at City Hall. He then presented a map showing the proposed boundary of the 2024 survey area, which included the properties bounded by Park Avenue to the west, Merriwether Street to the north, Benton Street to the east, and William Street to the south. He mentioned that he discussed increasing the annual fee for the survey with Mr. Shrimplin. He explained that the fee has been \$500 for many years, and it is time to adjust this figure to reflect increasing costs. He and Mr. Shrimplin discussed increasing the fee by \$100 each year over the next five years. Therefore, the fee for the 2024 survey is \$600.

A motion was made by Ms. Lincoln and seconded by Mr. Balsmann to recommend that the City execute an agreement with Southeast Missouri State University for the 2024 Historic Resource Survey. The motion passed unanimously.

2024 Endangered Buildings List

Mr. Shrimplin presented a draft news release for the 2024 Endangered Buildings List Call for Nominations. He explained that the process will be the same as in recent years. The proposed deadline for submitting a nomination is March 8, 2024. Nominators will be invited to discuss their nomination with the Commission at the March 20, 2024 meeting. The Commission will finalize and adopt the list at the April 17, 2024 meeting.

2024 Historic Preservation Month Activities

Vice Chairwoman Glaser asked the other Commission members for ideas regarding the 2024 Historic Preservation Month Walking Tour and any other activities. Ms. Lincoln mentioned that Chairman Ryan Lane had suggested hosting a walking tour on the Southeast Missouri State University campus or at Old Lorimier Cemetery. She then offered her own suggestion: hosting a walking tour of Themis Street from North Water Street to Ivers Square. It was noted that the University has been celebrating its 150th anniversary, so it would be very appropriate to host a walking tour of the campus. The Commission decided to schedule the tour for May 1, 2024 at 5:30 p.m. Mr. Balsmann offered to contact Mr. Ben Traxel, the new owner of the Himmelberger House, to see if he would be willing to host refreshments in the historic house following the tour.

Education Subcommittee Update

None of the Education Subcommittee members had any communication items.

Outreach Subcommittee Update

Vice Chairwoman Glaser presented the new Original Treasures sign, produced by Horizon Screen Printing. She explained that the sign contains a QR code, which will be linked to a narrative about the property on the Historic Preservation Commission's webpage. She stated that the narrative for the first property, 605 Broadway, will be posted on the website next month.

Commission Communication

Mr. Atkins mentioned that he recently stopped by 716-718 Broadway and spoke with a bricklayer who was rebuilding portions of the west wall that were damaged when the stucco was removed. The bricklayer informed him that he was using replacement bricks taken from the Broadway Theater at 805 Broadway. The two buildings have the same owner.

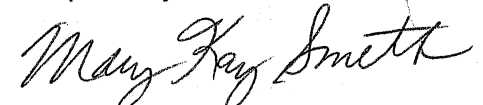
Staff Communication

Staff had no communication items.

Adjournment

There being no further business, the Commission voted unanimously to adjourn the meeting at 7:45 p.m. upon a motion made by Ms. Lincoln and seconded by Ms. Smith.

Respectfully submitted,



Mary Kay Smith
Secretary

HISTORIC PRESERVATION COMMISSION

MEETING MINUTES

March 20, 2024

City Hall – Council Chambers
44 North Lorimier Street

Commission Members Present: Brian Balsmann, Kirstin Glaser, Ryan Lane, Denise Lincoln, Aaron Modrow, Phyllis Sides, Mary Kay Smith, Meghan Tyson

Commission Members Absent: David Atkins

Staff Present: Carol Peters, Ryan Shrimplin

Others Present: Dr. Steven Hoffman, Southeast Missouri State University Historic Preservation Program Coordinator (Advisor to the Commission), Felix Kinsley (Honorary Member)

Call to Order

Chairman Lane called the meeting to order at 7:00 p.m.

Approval of Minutes

The minutes of the February 21, 2024 Historic Preservation Commission meeting were unanimously approved upon a motion made by Ms. Glaser and seconded by Ms. Smith.

APPEARANCES REGARDING ITEMS NOT ON THE AGENDA

Pastor Geneva Allen-Patterson and other representatives of St. James AME Church appeared before the Commission to thank them for their assistance in preparing and submitting the National Trust for Historic Preservation's Preserving Black Churches grant application. Pastor Allen-Patterson stated that although the application was not awarded, it was one of 76 finalists out of 542 applications submitted. The church leaders were very encouraged by this, so they decided to apply again this year. She asked the Commission for assistance with compiling more information to include in the next application. She also announced two of the church's upcoming events: a community Easter egg hunt on March 30 at Washington Park and a 165th anniversary celebration, to be held in September. She added that the church would be establishing a children's reading program soon.

Ms. Sides asked Pastor Allen-Patterson if the National Trust provided feedback regarding what was missing from the application, or how it could be improved. Pastor Allen-Patterson replied that she sent an email to the National Trust requesting feedback on the application; however, she has not received a response. Chairman Lane stated that he felt the application could have contained more details on the scope of work, along with a good cost estimate. Dr. Hoffman suggested including more photos of the church, especially the damaged areas. Chairman Lane thanked the church representatives for coming to the meeting. He stated that the grant application would be discussed at an upcoming Education Subcommittee meeting.

OTHER BUSINESS

2024 Endangered Buildings List

The Commission invited anyone who submitted a nomination for the 2024 Endangered Buildings List to present their nomination. Of the seven nominations received, two were presented. Mr. Rhett Ervin presented his nomination for 314 South Sprigg Street and Ms. Chloe Wahlstrom presented her nomination for 227 South Lorimier Street. The Commission then reviewed all of the nominations and received updates on the buildings from the 2023 Endangered Buildings List. Mr. Shrimplin noted that the Broadway Theatre and the houses at 802 William Street and 121 North West End Boulevard, which were on the 2023 list, were in the process of being rehabilitated. Chairman Lane stated that the Commission would make its final selections and adopt the 2024 list at its next meeting on April 17, 2024. He also stated that he would update the Google map of endangered and saved buildings.

2024 Historic Preservation Month Activities

Chairman Lane reported that he spoke with Ms. Madawn Traxel regarding hosting a reception at the Rockwood Inn, historically known as the Himmelberger House, following the walking tour. Ms. Traxel agreed to host the reception but noted that renovations would still be underway at that time due to the anticipated opening date being June 1. Dr. Hoffman stated that the Bollinger Center for Regional History would sponsor the reception by providing refreshments. Chairman Lane also reported that he notified the University's Marketing and Communications group of the tour. The group suggested having someone from the University's leadership team speak about future plans for the campus. Dr. Hoffman and Chairman Lane indicated that they would reach out to the leadership team.

Mr. Shrimplin stated that in past years, the Commission asked the Mayor to give a proclamation for Historic Preservation Month. Chairman Lane stated that he and Mr. Shrimplin would coordinate with the Mayor on the proclamation.

Education Subcommittee Update

Chairman Lane reported that the Subcommittee has been working on the Holy Family Catholic Church floor plan and gathering more information on the building's history. Ms. Lincoln stated that she and Ms. Smith have focused their research on the period during which the building was occupied by the New Bethel Missionary Baptist Church.

Outreach Subcommittee Update

Ms. Glaser reported that the Original Treasures sign has been posted in the front yard of 605 Broadway. The sign contains a QR code linked to an online narrative about the property. The next Original Treasures property will be announced in June 2024.

Commission Communication

Chairman Lane announced that the Downtown Commercial Property Open House will be held on May 2, 2024 from 5:00 to 7:00 p.m. Sponsored by Old Town Cape, the Open House is a self-guided tour of vacant commercial properties in the downtown area.

Ms. Sides announced that this year's Juneteenth celebration will be held on June 14, 2024. The committee is busy planning the event and will release more details soon.

Ms. Lincoln thanked the staff for forwarding information about the Backing Historic Small Restaurants Grant Program sponsored by American Express and the National Trust for Historic Preservation. The Commission discussed potential candidates, including Port Cape Girardeau Restaurant & Lounge and True-Que BBQ.

Staff Communication

Mr. Shrimplin announced that Area Properties Real Estate – River Region will host The Giving Tour on April 21, 2024. The event will feature five of Cape Girardeau's fabulous homes. Proceeds from the tour will benefit Graceful Opportunities, which provides employment and life opportunities for individuals with intellectual and developmental disabilities.

Dr. Hoffman announced that the Southeast Missouri State University Historic Preservation Association's Annual Banquet will be held on April 13, 2024. Don Wildman will be the guest speaker. There will also be a free Alumni Concert on the evening of April 12, 2024.

Adjournment

There being no further business, the Commission voted unanimously to adjourn the meeting at 8:25 p.m. upon a motion made by Ms. Glaser and seconded by Ms. Lincoln.

Respectfully submitted,



Mary Kay Smith
Secretary

HISTORIC PRESERVATION COMMISSION

MEETING MINUTES

April 17, 2024

City Hall – Council Chambers
44 North Lorimier Street

Commission Members Present: David Atkins, Kirstin Glaser, Ryan Lane, Denise Lincoln, Phyllis Sides, Mary Kay Smith, Meghan Tyson

Commission Members Absent: Brian Balsmann, Aaron Modrow

Staff Present: Carol Peters, Ryan Shrimplin

Others Present: Dr. Steven Hoffman, Southeast Missouri State University Historic Preservation Program Coordinator (Advisor to the Commission), Felix Kinsley (Honorary Member)

Call to Order

Chairman Lane called the meeting to order at 7:00 p.m.

Approval of Minutes

The minutes of the March 20, 2024 Historic Preservation Commission meeting were unanimously approved upon a motion made by Ms. Glaser and seconded by Ms. Smith.

Girardot Family Biography Presentation

Ms. Charlotte Slinkard appeared before the Commission to present a summary of the research she recently conducted regarding the Girardot family and the founding of the City of Cape Girardeau. She stated that the City's website, the now-damaged marker at Cape Rock Park, and the floodwall mural contain errors regarding the person who established the trading post and the date it was established. According to her research, the trading post was not established by Jean D. Girardot in 1733; rather, it was his son, Jean-Pierre Girardot, who established it in 1745 or later. She has written a manuscript on her research, which will be published by Southeast Missouri State University and available for purchase at the Cape Girardeau Heritage Museum. She acknowledged several people who assisted her with her research, including Dr. Alice Strange, Dr. Adam Criblez, and Dr. Frank Nickell as well as her husband, Bill Slinkard. She stated that she would like to see the information corrected to clear up confusion for visitors.

CERTIFICATE OF APPROPRIATENESS

1. The Commission reviewed the request of Cape Girardeau Heritage Museum for a Certificate of Appropriateness for sign changes at 538 Independence Street, a Local Historic Landmark. Mr. Jerry Ford, representing the Cape Girardeau Heritage Museum, presented the request. He explained that Cape River Heritage Museum recently changed its name to Cape Girardeau Heritage Museum, so the museum's signage needs to be changed to reflect the new name. The request is to replace the sign faces on the freestanding sign, change the text on the two wall signs, and change the text on the front door. The new freestanding sign faces will have a completely

different design; the other signs will maintain the current design. Chairman Lane noted that the sign sizes will not change.

A motion was made by Ms. Glaser and seconded by Ms. Tyson to approve the Certificate of Appropriateness request. The motion passed by a unanimous vote.

OTHER BUSINESS

2024 Endangered Buildings List

The Commission reviewed the nominations for the 2024 Endangered Buildings List along with the buildings from the 2023 Endangered Buildings List. The Commission then determined whether each building should be included in the Endangered List, included in the Watch List, or excluded entirely. A motion was made by Ms. Lincoln and seconded by Ms. Sides to adopt the 2024 Endangered Buildings List as discussed. The motion passed by a unanimous vote.

2024 Historic Preservation Month Activities

Chairman Lane reported that Dr. Hoffman has agreed to be the presenter/guide for the Historic Preservation Month Walking Tour, to be held on the main campus of Southeast Missouri State University on May 1, 2024. Mayor Stacy Kinder will give a proclamation for Historic Preservation Month at 5:30 p.m., after which the tour will begin at the southeast corner of North Henderson Avenue and Normal Avenue. The tour will feature buildings of various architectural styles at the south end of the campus. A reception will be held at the Rockwood Inn (a.k.a the Himmelberger House) immediately following the tour.

Education Subcommittee Reports and Assignments

The Education Subcommittee had no reports or assignments to discuss.

Outreach Subcommittee Reports and Assignments

The Outreach Subcommittee had no reports or assignments to discuss.

Commission Communication

Dr. Hoffman congratulated Chairman Lane on receiving the Civic and Global Leadership Award for his work in the community and on the Historic Preservation Commission.

Ms. Glaser volunteered to coordinate with Nicolette Brennan, the City's Public Information Manager, to get the City's website corrected per Ms. Slinkard's research.

Ms. Sides gave a reminder that the Juneteenth event will be held on June 14, 2024. More details will be released soon.

Ms. Glaser announced that the Red House Heritage Day event will be held on May 18, 2024 from 10:00 a.m. to 3:00 p.m.

Mr. Atkins stated that he learned of the plans to convert the former City Hall at 401 Independence Street to a museum. It will be operated by the Kellerman Foundation for Historic Preservation. Dr. Frank

Draft

Nickell will have an office there. The Foundation is seeking new investors to assist with the cost of the building renovations.

Staff Communication

Mr. Shrimplin gave a reminder that The Giving Tour event will be held on April 21, 2024 from 1:00 p.m. to 5:00 p.m. One of the homes featured on the tour is the Clark-Kellerman House (a.k.a. the George Boardman Clark House) at 6 South Fountain Street, next to the former City Hall.

Adjournment

There being no further business, the Commission voted unanimously to adjourn the meeting at 8:30 p.m. upon a motion made by Ms. Tyson and seconded by Ms. Sides.

Respectfully submitted,

Mary Kay Smith
Secretary

Parks and Recreation Department Advisory Board Meeting Minutes - Draft Monday, March 11, 2024

Board Members Present:

Percy Huston, Chairperson
Mark Stone, Vice Chairperson
Darrin Bruenderman
Tamara Buck
Jerry Dement
Anne Dohogne
Lewis Jackson Hill
Mary Ann Maloney
Philip Moore

Absent

Dr. Beverly Evans, Secretary
Nathan Thomas, Council Liaison

Parks and Recreation Department Staff Present

Doug Gannon, Director of Parks & Recreation
Scott Williams, Recreation Division Manager
Penny Williams, Recreation Division Manager
Kaed Horrell, Parks Division Manager
Kim Butler, Administrative Coordinator



Chairperson Percy Huston called the meeting to order at 5:33pm.

Penny Williams introduced Matt Huey, Aquatics/Recreation Coordinator.

Chairperson Huston asked if everyone had a chance to look at the minutes from the February 12, 2024 meeting and if there were any changes to be made. No changes were introduced and the minutes were approved without opposition.

Scott Williams shared the Youth Ballfield Complex requests for proposals are scheduled to go out in April. A committee comprised of Percy Huston, Parks and Recreation Advisory Board Chairperson; Danny Essner, Parks and Recreation Foundation Treasurer; and Parks and Recreation staff members Doug Gannon, Kaed Horrell, Scott Williams, & Josh Meyer will review and make recommendations on the proposals received. Kaed Horrell presented a Gant Chart indicating construction to begin fall 2024.

Doug Gannon announced upcoming ribbon cutting ceremonies for Cape Aquatic Center, Ranney Park, Capaha Park, & Capaha Park Garden. Dates to be announced at a later date.

Needing to fill the vacancy on the Advisory Board, Percy Huston ask board members to review the applications and be prepared to discuss and vote at the April 8th meeting.

Kaed Horrell showed photos of the progress at Walker Park which is 16 acres and Ranney Park. Renovations at Ranney Park will be complete when electric service is hooked up for the shelter, restroom, and lights.

Doug Gannon said the Cape Aquatic Center project is still on schedule for completion March 22nd. Opening date will be determined once the contractor turns the facility over to the City and all sub-contractors are complete. The April 8th board meeting will be held in the aquatic center's wet classroom.

Kaed Horrell reported work began March 7th on the Capaha Field restroom. Weather permitting, the restroom will be complete before the Cape Catfish home opener.

Capaha Field fence has been completed. Scott Williams is working to replace, repair, and install sponsorship signs.

The Tree Board evaluated several trees along Broadway and will be recommending 4-5 trees be removed and not replaced due to location.

The Foundation has purchased two new hitting nets for the golf course. Foundation Membership drive has been launched.

A partnership between Cape Parks and Recreation Foundation and PORCH Initiative has created a new event named "Swing into Spring". The first fundraising event will feature Curtis Granderson. Proceeds will be split 50/50 between the Parks and Recreation Foundation and PORCH Initiative. Scott would like to continue the program with other guests.

Friends of the Parks Day will be April 20th. Phil Moore and Jackson Hill will help with the hotdogs.

Next Board Meeting will be at 5:30pm, Monday, April 8, 2024 at Cape Aquatic Center Wet Classroom

A Motion was made by Tamara Buck, seconded by Philip Moore to convene in closed session, pursuant to RSMo.610.021(1), potential legal action or causes of action. Motion passed 9-0. Ayes: Percy Huston, Mark Stone, Darrin Bruenderman, Tamara Buck, Jerry Dement, Anne Dohogne, Lewis Jackson Hill, Mary Ann Maloney, and Philip Moore.

Regular session was adjourned at 6:22pm.

Minutes respectfully reported by Kim Butler, Administrative Coordinator.

The Park and Recreation Advisory Board of the City of Cape Girardeau, Missouri, may, as a part of the regular or special Park and Recreation 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 Park and Recreation 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).

Parks and Recreation Department Advisory Board Meeting Minutes - Draft Monday, April 8, 2024

Board Members Present:

Mark Stone, Vice Chairperson
Dr. Beverly Evans, Secretary
Darrin Bruenderman
Tamara Buck
Jerry Dement
Lewis Jackson Hill
Mary Ann Maloney
Philip Moore
Nathan Thomas, Council Liaison

Absent

Anne Dohogne
Percy Huston, Chairperson

Parks and Recreation Department Staff Present

Doug Gannon, Director of Parks & Recreation
Scott Williams, Recreation Division Manager
Penny Williams, Recreation Division Manager
Kaed Horrell, Parks Division Manager
Kim Butler, Administrative Coordinator



Vice Chairperson Mark Stone called the meeting to order at 5:48pm at the Cape Aquatic Center.

Vice-Chairperson Stone asked if everyone had a chance to look at the minutes from the March 11, 2024 meeting and if there were any changes to be made. No changes were introduced and the minutes were approved without opposition.

Doug Gannon invited everyone to the 1:30 pm ribbon cutting on April 30th at Capaha Pond and Cape Aquatic Center's ribbon cutting May 10th at 4:00 pm. The ribbon cutting for the Optimist Club Tot Lot will be April 18th at 6:00pm at Shelter #1 in Capaha Park.

Mark Stone opened the room for open discussion regarding the candidates that expressed interest in serving on the Parks and Recreation Advisory Board. A paper ballot vote was held to select a candidate for recommendation to the City Council to fill the vacant position. Thomas Drummond was selected from the nine candidates.

"Swing into Spring" with Curtis Granderson will be held April 27, 2024 at the SportsPlex. Tickets range from \$40 for the General Session to \$250 for the VIP experience.

City Council liaison Nate Thomas reported Dave Cantrell was elected to the City Council and the Property Tax Proposal to fund Public Safety salaries did not pass.

Jackson Hill reported a few trees are still available for the Missouri Department of Conservation's Pear Tree Buyback Program.

Next Board Meeting will be at 5:30pm, Monday May 13, 2024 at the Osage Centre, Room 1AB

After the meeting was adjourned at 6:22pm, Robert Shanahan and Penny Williams gave a guided tour of the new facility.

Minutes respectfully reported by Kim Butler, Administrative Coordinator.

The Park and Recreation Advisory Board of the City of Cape Girardeau, Missouri, may, as a part of the regular or special Park and Recreation 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 Park and Recreation 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).

PLANNING & ZONING COMMISSION

MEETING MINUTES

March 13, 2024

City Hall – Council Chambers
44 North Lorimier Street

Commission Members Present: Trae Bertrand, Scott Blank, Kevin Greaser, Derek Jackson, Gerry Jones, Chris Martin, Sommer McCauley-Perdue

Commission Members Absent: Nick Martin

Staff Present: Carol Peters, Trevor Pulley, Ryan Shrimplin

Call to Order

Chairman Blank called the meeting to order at 7:00 p.m.

Approval of Minutes

The minutes of the February 14, 2024 meeting were unanimously approved upon a motion made by Mr. Bertrand and seconded by Mr. Greaser.

SUBDIVISION PLATS

1. The record plat of Midamerica Crossings Third Subdivision was reviewed by the Commission. Ms. Susan Dodds, Koehler Engineering & Land Surveying, presented the plat. She explained that the plat subdivides a lot to create two (2) new lots at 2567 and 2649 Veterans Memorial Drive. A staff report was submitted to the Commission, which recommended approval of the record plat. A motion was made by Mr. Greaser and seconded by Mr. Jackson to recommend approval of the record plat. The motion passed with a roll call vote of 7 in favor, 0 in opposition, and 0 abstaining (*Aye: Bertrand, Blank, Greaser, Jackson, Jones, C. Martin, McCauley-Perdue*).
2. The record plat of Bailey Keller Subdivision was reviewed by the Commission. Mr. Robbie Byler, 420 Green Acres Drive, presented the plat. He explained that the plat combines two (2) lots to create one (1) new lot at 600 and 608 West Highland Drive. A staff report was submitted to the Commission, which recommended approval of the record plat. A motion was made by Mr. Chris Martin and seconded by Mr. Jackson to recommend approval of the record plat. The motion passed with a roll call vote of 7 in favor, 0 in opposition, and 0 abstaining (*Aye: Bertrand, Blank, Greaser, Jackson, Jones, C. Martin, McCauley-Perdue*).
3. The record plat of Themis Street Subdivision was reviewed by the Commission. Mr. Gene Magnus, G & RM Properties, LLC, presented the plat. He explained that the plat subdivides a lot to create two (2) new lots at 503 North Silver Springs Road. A staff report was submitted to the Commission, which recommended approval of the record plat. A motion was made by Mr. Bertrand and seconded by Mr. Greaser to recommend approval of the record plat. The motion passed with a roll call vote of 7 in favor, 0 in opposition, and 0 abstaining (*Aye: Bertrand, Blank, Greaser, Jackson, Jones, C. Martin, McCauley-Perdue*).

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PLANNING & ZONING COMMISSION

MEETING MINUTES

April 10, 2024

City Hall – Council Chambers
44 North Lorimier Street

Commission Members Present: Trae Bertrand, Scott Blank, Kevin Greaser, Derek Jackson, Gerry Jones, Chris Martin, Nick Martin

Commission Members Absent: Sommer McCauley-Perdue

Staff Present: Carol Peters, Trevor Pulley, Ryan Shrimplin

Call to Order

Chairman Blank called the meeting to order at 7:00 p.m.

Approval of Minutes

The minutes of the March 13, 2024 meeting were unanimously approved upon a motion made by Mr. Greaser and seconded by Mr. Nick Martin.

REZONINGS, SPECIAL USE PERMITS, AND EXCEPTIONS

1. A public hearing was held on the request of SEMO Cardinal Group LLC to rezone property located at 728 Good Hope Street from C-1 (General Commercial District) to R-3 (High Density Single-Family Residential District). Mr. Greaser abstained from the discussion and vote due to a financial conflict of interest. Mr. Charles Todt, SEMO Cardinal Group LLC, presented the request. Mr. Todt explained that the property contains a duplex, which is not a permitted use in the C-1 district. The request is rezone the property to a district that allows duplexes.

Chairman Blank opened the public hearing. Seeing no appearances to speak, he closed the public hearing. A staff report was submitted to the Commission, which recommended approval of the rezoning request. A motion was made by Mr. Bertrand and seconded by Mr. Jackson to recommend approval of the rezoning request. The motion passed with a roll call vote of 6 in favor, 0 in opposition, and 1 abstaining (*Aye: Bertrand, Blank, Jackson, Jones, C. Martin, N. Martin; Abstain: Greaser*).

SUBDIVISION PLATS

2. The record plat of McMillan's First Subdivision was reviewed by the Commission. Mr. Clyde McMillan presented the plat. He explained that he and his wife would like to buy a 12-foot strip of land from their neighbor on the north side in order to correct a drainage issue and install landscaping. The plat splits the 12-foot strip from the neighbor's lot and combines it with their existing lot. A staff report was submitted to the Commission, which recommended approval of the record plat, subject to staff's comments being successfully addressed. A motion was made by Mr. Jackson and seconded by Mr. Nick Martin to recommend approval of the record plat, subject to staff's comments being successfully addressed. The motion passed with a roll call vote of 7 in favor, 0 in opposition, and 0 abstaining (*Aye: Bertrand, Blank, Greaser, Jackson, Jones, C. Martin, N. Martin*).

3. The record plat of Latham's First Subdivision was reviewed by the Commission. Ms. Michelle Latham presented the plat. She explained that she and her husband own two adjacent lots at 2120 Kent Drive and 2135 Rampart Street. They would like to construct a detached garage behind the home. The Zoning Code requires the garage to be on the same lot as the home. The plat combines the two lots into one lot. She noted that the plat shows an exception to allow the lot to have driveway access to both Rampart Street and Kent Drive. A staff report was submitted to the Commission, which recommended approval of the record plat, subject to staff's comments being successfully addressed. A motion was made by Mr. Jackson and seconded by Mr. Greaser to recommend approval of the record plat, subject to staff's comments being successfully addressed. The motion passed with a roll call vote of 7 in favor, 0 in opposition, and 0 abstaining (*Aye: Bertrand, Blank, Greaser, Jackson, Jones, C. Martin, N. Martin*).
4. The record plat of Seyer Enterprises Subdivision was reviewed by the Commission. Mr. Chris Kelley, Bowen Engineering & Surveying, presented the plat. He explained that the plat subdivides a lot to create three new lots at 2020 and 2080 Rusmar Street. He noted that the owner would like to have the property separated in case he decides to sell part of it in the future. A staff report was submitted to the Commission, which recommended approval of the record plat, subject to staff's comments being successfully addressed. A motion was made by Mr. Bertrand and seconded by Mr. Chris Martin to recommend approval of the record plat, subject to staff's comments being successfully addressed. The motion passed with a roll call vote of 7 in favor, 0 in opposition, and 0 abstaining (*Aye: Bertrand, Blank, Greaser, Jackson, Jones, C. Martin, N. Martin*).

OTHER ITEMS AND COMMUNICATION

Commission Appointment Recommendation

Chairman Blank stated that at the last meeting, the Commission had tabled making a recommendation on an appointment to fill the seat vacated by Mr. Sid Whittington. The Commission then reviewed the Advisory Board and Commission applications on file for those who expressed an interest in serving on the Planning & Zoning Commission. A motion was made by Mr. Nick Martin and seconded by Mr. Jones to recommend that the City Council appoint Mr. Robbie Guard to the Commission. The motion passed with vote of six in favor, one in opposition, and zero abstaining (*Aye: Bertrand, Blank, Jackson, Jones, C. Martin, N. Martin; Nay: Greaser*). Mr. Greaser explained that the reason he voted against the motion was not that he was opposed to Mr. Guard; rather, he felt that some of the other candidates would help diversify the Commission.

Transportation Trust Fund 7 (TTF7) Committee Appointments

Chairman Blank stated that he had sent an email to each of the other Commission members asking them to contact him if they have an interest in serving on the Transportation Trust Fund 7 (TTF7) Committee. Mr. Shrimplin and Mr. Pulley explained the role of the Committee and the process for developing a recommended list of projects for consideration by the City Council. Chairman Blank asked the other Commission members to contact him if they are interested in serving on the Committee.

Staff Communication

Mr. Shrimplin gave the following updates:

1. Update on items from previous Commission meetings going on to City Council

The City Council approved the following on March 18, 2024:

Draft

- The Meadows of Whispering Oaks – Fourth Record Plat – 2nd & 3rd Readings
- Rhodes Town Plaza Subdivision Record Plat – 2nd & 3rd Readings
- 298 North West End Boulevard Rezoning – 2nd & 3rd Readings
- 2567 & 2649 Veterans Memorial Drive Special Use Permit – 2nd & 3rd Readings
- Bailey Keller Subdivision Record Plat – 1st Reading
- Midamerica Crossings Third Subdivision Record Plat – 1st Reading
- Themis Street Subdivision Record Plat – 1st Reading

The City Council approved the following on April 1, 2024:

- Bailey Keller Subdivision Record Plat – 2nd & 3rd Readings
- Midamerica Crossings Third Subdivision Record Plat – 2nd & 3rd Readings
- Themis Street Subdivision Record Plat – 2nd & 3rd Readings

Mr. Pulley informed the Commission that the Independence Street TTF5 project has been put on hold due to higher-than-expected acquisition costs. The funds budgeted for the project will be reallocated to overlaying North Sprigg Street from Normal Avenue to Bertling Street. If there are funds left over, then the portion of North Sprigg Street from Normal Avenue to Broadway will be overlaid as well. The engineering firm is working on the design, which should be completed by October.

Adjournment

There being no further business, the Commission voted unanimously to adjourn the meeting at 7:30 p.m. upon a motion made by Mr. Bertrand and seconded by Mr. Jones.

Respectfully submitted,

Chris Martin, Secretary

TREE ADVISORY BOARD

Minutes - DRAFT

Friday, April 5, 2024

11:00 a.m.

Osage Centre • Meeting Room 1A

Present:

Jennifer Benkhen, Chairman
Dr. Sven Svenson, Vice Chairman
Robert Harris, Board Member
Angela Wilson, Board Member
Jackson Hill, Board Member
Casey Brunke, Public Works Director
Brock Davis, Assistant Public Works Director

Parks and Recreation Staff Present:

Doug Gannon, Park & Recreation Director
Kaed Horrell, Parks Division Manager
Jackie Hamm, Parks Division Crew Leader
Kayla Otte, P&R Administrative Coordinator

Opening

- Jennifer Benkhen called the meeting to order at 11am on Friday, April 5, 2024 in the Osage Center meeting room 1A.

Introduction

- Angie Wilson will be replacing Laura Klipfel as our Ameren representative. She has been with Ameren for 1 year. Prior to that, she was with Southeast Missouri State for 15 years, retired from the university foundation as the Director of Development. Before that she was the Community Relations and Legislative liaison for MODot for 12 years.

Approval of Minutes: February 12, 2024

- Jennifer asked for everyone to have a look over the minutes. Jackson Hill motioned to approve the minutes, Sven Svenson seconded. All in favor. Minutes approved.

Old Business

- **Broadway Trees**
 - On March 11th, Jennifer, Kaed, Jack and City Engineer Jake Garrard met to evaluate the state of the trees on Broadway.
 - It was determined that five of the trees on Broadway would be recommended for removal and three on Independence Street.

New Business

- **Friends of the Parks Day – April 20**
 - The MO Department of Conservation will be doing their annual Bashin' Trash.
 - Robert Harris will be working on the Southside Garden with the help of the SEMO Horticulture Club.
 - Jennifer will be donating at least 150 tree seedlings to be given away that day.

- **Pear Buyback**
 - For every Callery Pear or Bradford Pear that you cut down, you can register for a free tree to replant.
 - Many areas in the state have sold out. Registration is open until April 15th and pickup is on April 20th.
- **Cemetery Tree**
 - There are several trees that are encroaching on the sidewalk and we are looking to take them out in the future.
 - Kaed is asking that the board take a look at them to get a consensus on whether or not they should come down.
- **Walker Park Tour**
 - We are in the process of developing a new park over by the water treatment plant.
 - There were two houses on the property, Parks Maintenance took down one of the houses and the Fire Department is burning one down in a training exercise.
 - Will be replacing the typical meeting date with a field trip to Walker Park.

Reports

- **Staff Briefs**
 - We're getting real close to finishing the new aquatic center. The ribbon cutting will be held on May 10th
 - Ranney Park renovations are finished. A permanent restroom was added as well as a new playground, updated and cleaned shelter, new sidewalk and parking.
 - At Capaha Ballfield, the Parks department is building a permanent restroom facility.
 - A proposal is being drafted for a new youth sports complex out at the Shawnee Sports Complex for 5 new baseball/softball fields. As part of the project we will be moving the football/soccer fields across the street near the Jefferson Aquatic Center
- **Public Works Report**
 - There will be a new project starting soon, the Cape Rock sidewalk program which will probably include the removal of around 31 trees.

Other Business

- **Next Board Meeting – Monday, June 3, 2024**

Adjournment

- Motion to adjourn by Brock Davis, seconded by Sven Svenson.

Transcribed by: Kayla Otte, Administrative Coordinator

The Tree Advisory Board of the City of Cape Girardeau, Missouri may, as a part of the regular or special Tree 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 Tree 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).