



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
Bryan Johnson, 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

July 21, 2025
5:00 PM

- **City residents desiring to speak about items NOT on the agenda must register no later than noon, on Saturday, July 19, 2025, by using the form found at cityofcape.org/council, by emailing cityclerk@cityofcape.org, or by calling 573-339-6320.**

Invocation

Rev. Benjamin W Rhodes of Lynwood Christian Academy in Cape Girardeau

Pledge of Allegiance

Study Session

Presentations

- Recognition of Rick Schmidt for retirement from the Police Department

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

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.

1. Approval of the July 7, 2025, Regular Session City Council Minutes.
2. BILL NO. 25-77, an Ordinance approving the record plat of Park West Hospitality Center No. 4 Subdivision. Second and Third Readings
3. BILL NO. 25-78, an Ordinance approving the record plat of Park West Hospitality Center No. 5 Subdivision. Second and Third Readings.
4. BILL NO. 25-79, an Ordinance authorizing the issuance of Special Tax Bills for various properties located in the City and County of Cape Girardeau, Missouri. Second and Third Readings.
5. BILL NO. 25-80, an Ordinance vacating the City's interest in Rights Of Way in the Henze's Addition of Out Lot 36, in the City of Cape Girardeau, Missouri. Second and Third Readings.
6. BILL NO. 25-81, an Ordinance authorizing sale of certain real property along South Sprigg Street, in the City of Cape Girardeau, Missouri and authorizing the Mayor to execute a Special Warranty Deed to Cape Girardeau School District NO. 63. Second and Third Readings.
7. BILL NO. 25-82, a Resolution authorizing the City Manager to execute a License and Indemnity Agreement with Flock Group Inc, to place certain improvements upon public right-of-way. Reading and Passage.
8. BILL NO. 25-83, a Resolution authorizing the Mayor to execute an Agreement for Services with Southeast Missouri Regional Economic Development, Inc., a/k/a Semo REDI. Reading and Passage.
9. Accept sanitary sewer main improvements to serve 3320, 3324, 3328, & 3332 Campster Drive.

Items Removed from Consent Agenda

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.

Appointments

10. Appointment to the Advisory Board of the Convention and Visitors Bureau

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 Downtown Cape Girardeau Community Improvement District Board of Directors.
- Compensation for City Council Members.

Advisory Board Minutes

- Advisory Board Minutes

Staff: Gayle L. Conrad, MPCC/CMC,
Director of Citizen Services/City
Clerk
Agenda: July 21, 2025

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

Approval of the June 16, 2025, Regular Session City Council Minutes.

EXECUTIVE SUMMARY

BACKGROUND/DISCUSSION

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 2025.07.07_Council_Minutes_DRAFT.pdf	Council Regular Session Minutes 07-07-2021

Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session July 7, 2025 MM-177

STUDY SESSION – July 7, 2025

NO ACTION TAKEN DURING THE STUDY SESSION

The Cape Girardeau City Council held a study session at the Cape Girardeau City Hall on Monday, July 7, 2025, at 5:02 p.m. with Mayor Stacy Kinder presiding and Council Members Mark Bliss, David J. Cantrell, Bryan Johnson, Dan Presson, and Nate Thomas present. Tameka Randle was absent.

REGULAR SESSION – July 7, 2025

CALL TO ORDER

The Cape Girardeau City Council convened in regular session at the Cape Girardeau City Hall on Monday, July 7, 2025, at 5:14 p.m. with Mayor Stacy Kinder presiding and Council Members Mark Bliss, David J. Cantrell, Bryan Johnson, Dan Presson, and Nate Thomas present. Tameka Randle was absent.

ADOPTION OF THE AGENDA

A Motion was made by David J. Cantrell, Seconded by Dan Presson, to approve and adopt the agenda.

Motion passed. 6-0. Ayes: Bliss, Cantrell, Johnson, Kinder, Presson, Thomas. Absent: Randle

PUBLIC HEARINGS

A Public Hearing to consider vacating the City's interest in all Henze's Addition Rights of Way not previously vacated.

Mayor Stacy Kinder opened the Public Hearing.

There being no appearances, the public hearing was closed.

CONSENT AGENDA

Approval of the June 16, 2025, Regular Session City Council Minutes.

BILL NO. 25-69, an Ordinance granting a special use permit to Big River Communications/ Circle Fiber for the purposes of placing, using, and maintaining a shipping container on property located at 24 South Minnesota Avenue, in the City of Cape Girardeau, Missouri. Second and Third Readings.

BILL NO. 25-70, an Ordinance approving the record plat of Steven Roberts 2nd Subdivision. Second and Third Readings.

BILL NO. 25-71, an Ordinance authorizing the issuance of a Special Tax Bill for property located at 1226 South Ranney Avenue for the demolition of a dangerous building. Second and Third Readings.

BILL NO. 25-72, an Ordinance amending Sections of Chapter 2 of the Code of Ordinances of the City of Cape Girardeau, Missouri relating to the Convention and Visitors Bureau. Second and

Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session July 7, 2025 MM-178

Third Readings.

BILL NO. 25-73, a Resolution Authorizing the City Manager to execute a Performance Guarantee Agreement with Meyr Properties L.P., for public sidewalk improvements for Baldwin Creek Subdivision, in the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 25-74, a Resolution Authorizing the City Manager to execute a Performance Guarantee Agreement with Meyr Properties L.P., for public sidewalk improvements for Rock Gardens Subdivision, in the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 25-75, a Resolution Authorizing the City Manager to execute a Performance Guarantee Agreement with Meyr Properties L.P., for public sidewalk improvements for Touchdown Ridge Subdivision, in the City of Cape Girardeau, Missouri. Reading and Passage.

BILL NO. 25-76, a Resolution Authorizing the City Manager to execute a Performance Guarantee Agreement with Meyr Properties L.P., for public sidewalk and turnaround improvements for Touchdown Ridge 2, in the City of Cape Girardeau, Missouri. Reading and Passage.

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

BILL NO. 25-69 will be Ordinance NO. 5851; BILL NO. 25-70 will be Ordinance NO. 5852; BILL NO. 25-71 will be Ordinance NO. 5853; BILL NO. 25-72 will be Ordinance NO. 5854; BILL NO. 25-73 will be Resolution NO. 3668; BILL NO. 25-74 will be Resolution NO. 3669; BILL NO. 25-75 will be Resolution NO. 3670, and BILL NO. 25-76 will be RESOLUTION NO. 3671.

NEW ORDINANCES

BILL NO. 25-77, an Ordinance approving the record plat of Park West Hospitality Center No. 4 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, Cantrell, Johnson, Kinder, Presson, Thomas. Absent: Randle

BILL NO. 25-78, an Ordinance approving the record plat of Park West Hospitality Center No. 5 Subdivision. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

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

BILL NO. 25-79, an Ordinance authorizing the issuance of Special Tax Bills for various properties located in the City and County of Cape Girardeau, Missouri. First Reading. Mayor Kinder called for public appearances regarding this Bill.

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

Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session July 7, 2025 MM-179

BILL NO. 25-80, an Ordinance vacating the city's interest in rights of way in the Henze's Addition of Out Lot 36, in the City of Cape Girardeau, Missouri. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

Chris Martin, General Counsel for Southeast Missouri State University, appeared in support of the request, which has been approved by the University Board of Governors.

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

BILL NO. 25-81, an Ordinance authorizing the sale of certain real property along South Sprigg Street, in the City of Cape Girardeau, Missouri, and authorizing the Mayor to execute a Special Warranty Deed to Cape Girardeau School District No. 63. 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, Cantrell, Johnson, Kinder, Presson, Thomas. Absent: Randle

ADVISORY BOARD APPOINTMENT

Appointment to the Airport Advisory Board

A Motion was made by Mark Bliss, Seconded by Nate Thomas, to appoint Matthew Gadberry to the Airport Advisory Board for a term expiring April 30, 2028.
Motion passed. 6-0. Ayes: Bliss, Cantrell, Johnson, Kinder, Presson, Thomas. Absent: Randle

MEETING ADJOURNMENT

A Motion was made to adjourn by Dan Presson, Seconded by David J. Cantrell.
Motion passed. 6-0. Ayes: Bliss, Cantrell, Johnson, Kinder, Presson, Thomas. Absent: Randle

The regular session ended at 5:24 p.m.

Stacy Kinder, Mayor

Gayle L. Conrad, City Clerk



Staff: Ryan Shrimplin, AICP - City Planner
Agenda: July 21, 2025

AGENDA REPORT Cape Girardeau City Council	
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SUBJECT

An Ordinance approving the record plat of Park West Hospitality Center No. 4 Subdivision.

EXECUTIVE SUMMARY

The attached ordinance approves a record plat for a three-lot subdivision at 3265 William Street.

BACKGROUND/DISCUSSION

A record plat has been submitted for Park West Hospitality Center No. 4 Subdivision, located at 3265 William Street. The proposed subdivision is zoned C-2 (Highway Commercial). The plat divides a lot to create three new lots.

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

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 June 11, 2025 meeting, recommended approval of the record plat with a vote of 5 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
▣ 25-77_RP_Park_West_Hospitality_Center_No._4.doc	Ordinance
▣ Staff_Review-Referral-Action_Form.pdf	Park West Hospitality Center No. 4 Subdivision - Staff RRA Form
▣ Map_-_Park_West_Hospitality_Center_No._4.pdf	Park West Hospitality Center No. 4 Subdivision - Map
▣ Application_-_Park_West_Hosp_No_4_Plat.pdf	Park West Hospitality Center No. 4 Subdivision - Application
▣ 39439_Park_West_Hosp_No.4_Subdivision.pdf	Park West Hospitality Center No. 4 Subdivision - Record Plat

BILL NO. 25-77

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECORD PLAT OF
PARK WEST HOSPITALITY CENTER NO. 4 SUBDIVISION

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

ARTICLE 1. The record plat of Park West Hospitality Center No. 4 Subdivision, being all of Lot Two (2) of Park West Hospitality Center No. 2, as recorded in Plat Book 17 at Page 28 in the County Land Records, located in Section 2, Township 30 North, Range 13 East of the Fifth Principal Meridian, in the City and County of Cape Girardeau, State of Missouri, submitted by Midamerica Hotels Corporation, a Missouri Corporation, bearing the certification of Christopher L. Koehler, a Registered Land Surveyor, dated the 23rd day of June, 2025, 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 _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



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

FILE: **Park West Hospitality Center No. 4 Subdivision**

LOCATION: 3265 William Street

STAFF REVIEW & COMMENTS:

A record plat has been submitted to subdivide one parcel into three new lots at 3265 William Street. SEE STAFF REPORT FOR MORE DETAILS.



City Planner

6/2/25

Date

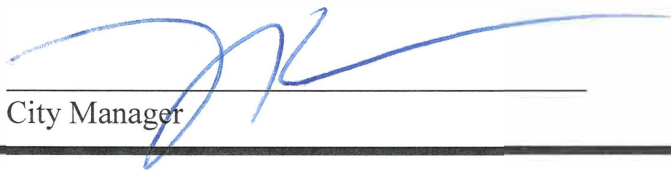


City Attorney

6/3/25

Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:



City Manager

6/3/2025

Date

Planning & Zoning Commission

RECOMMENDED ACTION:

	Favor	Oppose	Abstain		Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gerry Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris Martin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robbie Guard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Emily McElreath	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

VOTE COUNT: 5 Favor 0 Oppose 0 Abstain

COMMENTS:

Subject to staff's comments being successfully addressed.

CITIZENS COMMENTING AT MEETING:



Scott Blank
Planning & Zoning Commission Chairman

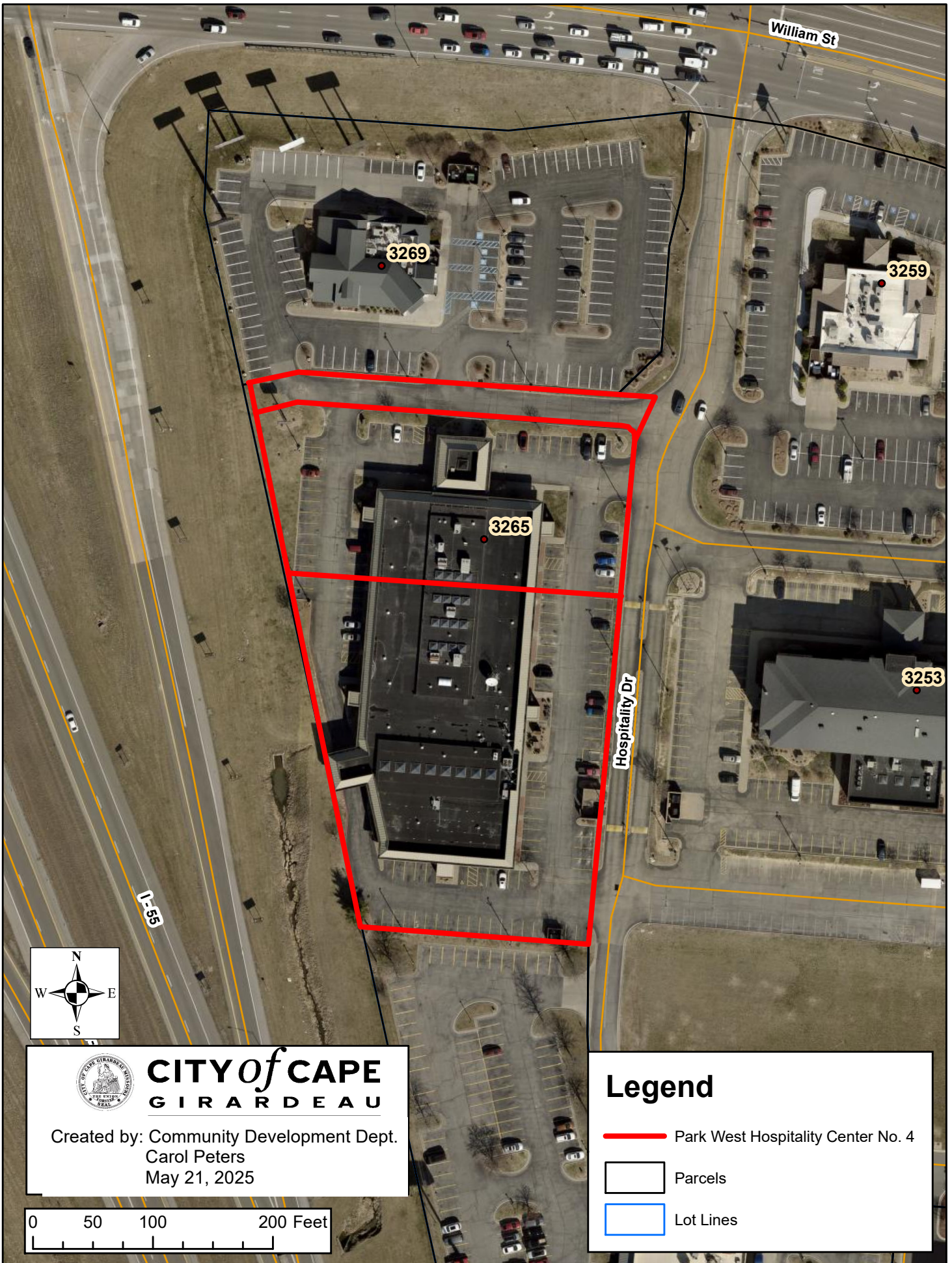
City Council Action

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

ORDINANCE # _____

Effective Date: _____

Park West Hospitality Center No. 4 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 Park West Hospitality Center No. 4		Type of Plat <input checked="" type="checkbox"/> Record <input type="checkbox"/> Preliminary <input type="checkbox"/> Boundary Adjustment	
Applicant MidAmerica Hotels Corp		Property Owner of Record <input checked="" type="checkbox"/> Same as Applicant	
Mailing Address 4072 State Highway K	City, State, Zip Cape Gir., MO 63701	Mailing Address	City, State, Zip
Telephone 573.334.0546	Email mcantrell@midamcorp.com	Telephone	Email
Contact Person (if Applicant is a Business or Organization) Melanie Cantrell		<i>(Attach additional owners information, if necessary)</i>	
Professional Engineer/Surveyor (if other than Applicant) Koehler Engineering and Land Surveying		Developer (if other than Applicant)	
Mailing Address 194 Coker Lane	City, State, Zip Cape Gir., MO 63701	Mailing Address	City, State, Zip
Telephone 573.335.3026	Email sdodds@koehlerengineering.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) \$22.00 per lot (**\$220.00 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

\$220.00
\$ 71.00
\$ 291.00

(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.

Susan Dodds Susan Dodds

Applicant Signature and Printed Name

5/14/2025

Date

OFFICE USE ONLY

Date Received & By 5-14-25 File # _____ MUNIS Application # 16658 MUNIS Permit # _____

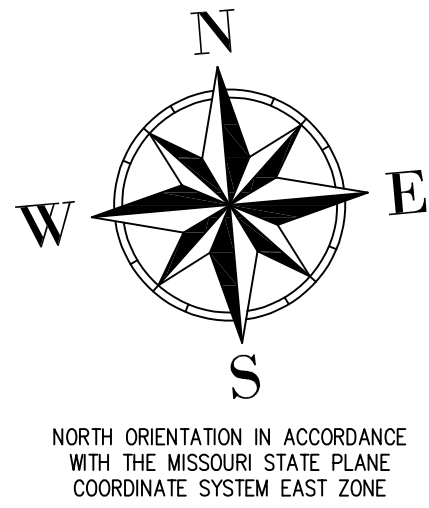
Review Fee Received \$ 220.- Recording Fee Received \$ 71.- ☒ Check # 73474 ☐ Credit Card ☐ Cash

Preliminary and Record Plats:

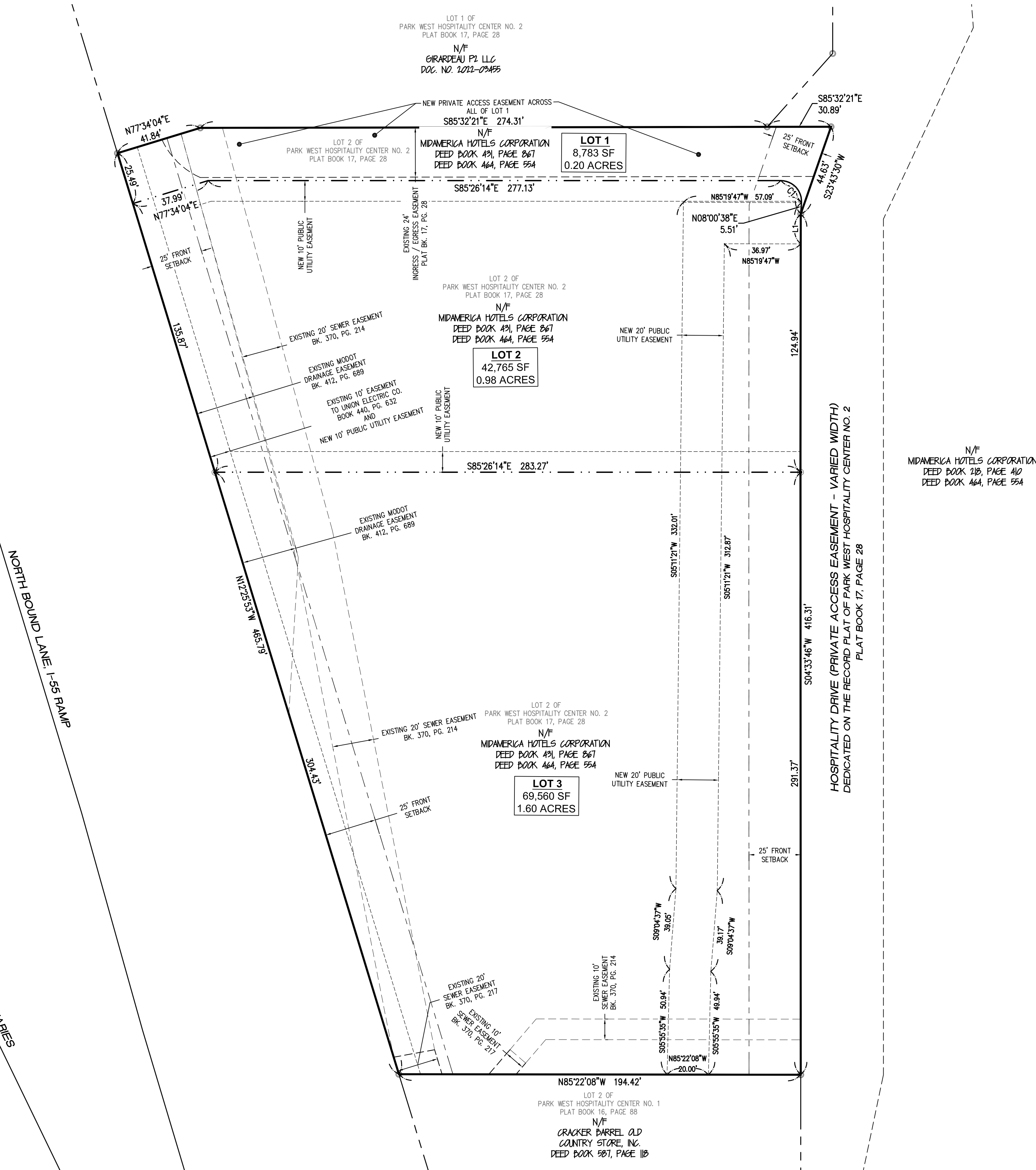
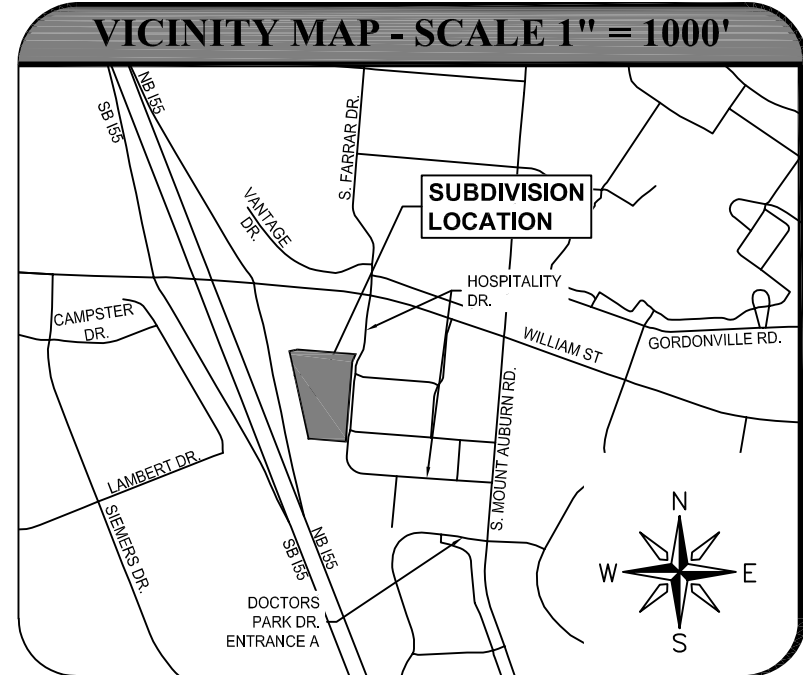
Planning & Zoning Commission Recommendation _____ Date _____ City Council Final Action _____ Date _____

RECORD PLAT FOR PARK WEST HOSPITALITY CENTER NO. 4 SUBDIVISION

ALL OF LOT TWO (2) OF PARK WEST HOSPITALITY CENTER NO. 2, AS RECORDED IN PLAT BOOK 17 AT PAGE 28 IN THE COUNTY LAND RECORDS, LOCATED IN SECTION 2, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI.



LEGEND	
	= FOUND 1/2" IRON ROD
	= SET 1/2" IRON ROD
	= SUBDIVISION BOUNDARY LINE
	= NEW LOT LINE
	= NEW EASEMENT LINE
	= EXISTING EASEMENT LINE
	= BUILDING SETBACK LINE
	= RIGHT-OF-WAY LINE



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	16.31'	10.00'	93°26'52"	N38°42'48"W	14.56'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S4°33'46"W	14.50'

SUBDIVISION DEDICATION

THE UNDERSIGNED, MIDAMERICA HOTELS CORPORATION, A MISSOURI CORPORATION, OWNER OF ALL OF LOT TWO (2) OF PARK WEST HOSPITALITY CENTER NO. 2, AS RECORDED IN PLAT BOOK 17 AT PAGE 28 IN THE COUNTY LAND RECORDS, LOCATED IN SECTION 2, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, CONTAINING 121,108 SQUARE FEET (2.78 ACRES), MORE OR LESS, DOES HEREBY CAUSE SAID LAND TO BE SUBDIVIDED INTO THREE LOTS AS SHOWN HEREON, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED "PARK WEST HOSPITALITY CENTER NO. 4 SUBDIVISION". A PRIVATE ACCESS EASEMENT IS HEREBY ESTABLISHED ACROSS ALL OF LOT 1 FOR THE USE AND BENEFIT OF THE CURRENT AND FUTURE OWNERS OF THE ADJOINING LOTS, AND THEIR RESPECTIVE TENANTS AND INVITEES, FOR THE SOLE PURPOSE OF PROVIDING INGRESS AND EGRESS BETWEEN THE ADJOINING LOTS AND ALSO BETWEEN SAID LOTS AND HOSPITALITY DRIVE. SAID PRIVATE ACCESS EASEMENT IS PERPETUAL AND NON-EXCLUSIVE. THE PUBLIC 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 THE CITY OF CAPE GIRARDEAU, MISSOURI 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. SAID SUBDIVISION IS SUBJECT TO PRIVATE RESTRICTIONS AND COVENANTS AS SET OUT IN A SEPARATE INSTRUMENT ON FILE IN THE LAND RECORDS OF SAID COUNTY.

DANIEL M. DRURY, PRESIDENT OF
MIDAMERICA HOTELS CORPORATION

STATE OF MISSOURI)
COUNTY OF CAPE GIRARDEAU) SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DANIEL M. DRURY, PRESIDENT OF MIDAMERICA HOTELS CORPORATION, A MISSOURI CORPORATION, WHO, BEING BY ME DULY SWORN, DID STATE THAT HE IS THE PERSON DESCRIBED HEREIN, AND THAT HE EXECUTED THE FOREGOING INSTRUMENT AS THE FREE ACT AND DEED OF SAID CORPORATION.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND AFFIX MY OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID, THE DATE FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

I, _____, CITY CLERK OF THE CITY OF CAPE GIRARDEAU, MISSOURI, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE CITY OF CAPE GIRARDEAU, MISSOURI.

BY ORDINANCE NO. _____, PASSED AND
APPROVED THIS _____ DAY OF _____, A.D., 20____.

CITY CLERK, CITY OF CAPE GIRARDEAU, MISSOURI

STATE OF MISSOURI)
COUNTY OF CAPE GIRARDEAU)

FILED FOR RECORD THIS _____ DAY OF _____, A.D., 20____.

IN DOCUMENT NUMBER _____.

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

SUBDIVISION NOTES

RECORD OWNER

MIDAMERICA HOTELS CORPORATION
DEED BOOK 431, PAGE 867
DEED BOOK 464, PAGE 554
DEED BOOK 358, PAGE 344

ZONING REGULATIONS

ZONING: C2 - HIGHWAY COMMERCIAL DISTRICT
SETBACKS: FRONT: TWENTY-FIVE (25) FEET.
REAR: NONE, EXCEPT TWENTY (20) FEET WHEN ADJACENT TO A RESIDENTIAL USE OR DISTRICT, OR TEN (10) FEET WHEN ADJACENT TO AN AGRICULTURAL USE OR DISTRICT.
SIDE: NONE, EXCEPT TWENTY (20) FEET WHEN ADJACENT TO A RESIDENTIAL USE OR DISTRICT, OR TEN (10) FEET WHEN ADJACENT TO AN AGRICULTURAL USE OR DISTRICT.

MAXIMUM HEIGHT: SIXTY (60) FEET, NOT TO EXCEED FIVE STORIES.

MINIMUM LOT AREA: NONE.

MINIMUM LOT WIDTH: NONE.

MINIMUM OPEN SPACE: FIFTEEN (15) PERCENT OF THE LOT AREA.

PLAT REFERENCES

MIDAMERICA HOTELS CORPORATION
DEED BOOK 218, PAGE 410
DEED BOOK 431, PAGE 867
DEED BOOK 464, PAGE 554

GIRARDEAU P2, LLC
DOC. NO. 2022-03455

CRACKER BARREL OLD COUNTRY STORE, INC.
DEED BOOK 587, PAGE 118

PARK WEST HOSPITALITY CENTER NO. 1
PLAT BOOK 16, PAGE 88

PARK WEST HOSPITALITY CENTER NO. 2
PLAT BOOK 17, PAGE 28

LOT INFORMATION

TOTAL NUMBER OF LOTS: 3 LOTS
LARGEST LOT AREA: 69,560 SF (1.60 ACRES)
SMALLEST LOT AREA: 8,783 SF (0.20 ACRES)
TOTAL SUBDIVISION AREA: 121,108 SF (2.78 ACRES)

STORMWATER MANAGEMENT NOTE

THE OWNER OF EACH LOT WITHIN THE SUBDIVISION IS JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL COMPONENTS OF THE STORMWATER MANAGEMENT SYSTEM NOT LOCATED IN A PUBLIC RIGHT-OF-WAY OR PUBLIC DRAINAGE EASEMENT AS REQUIRED BY CHAPTER 23 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI. THIS PROVISION HEREBY CONSTITUTES A DEED RESTRICTION IN SATISFACTION OF CHAPTER 25 OF SAID CODE OF ORDINANCES. SAID DEED RESTRICTION IS PERPETUAL AND SHALL RUN WITH THE LAND.

FLOODPLAIN NOTE

NO PORTION OF THE SUBJECT PROPERTY FALLS WITHIN THE 100 YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD INSURANCE RATE MAP NUMBER 29031C0262E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.

PLAT PREPARED BY & SURVEYING SERVICES PROVIDED BY:

KOEHLER ENGINEERING AND LAND SURVEYING, INC.
194 COKER LANE, CAPE GIRARDEAU, MO 63701
(573) 335-3026

THIS SURVEY OF A TRACT OF URBAN PROPERTY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT STANDARDS FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF MISSOURI AS MADE EFFECTIVE JULY 31, 2022

KOEHLER

Professional Engineers & Land Surveyors

194 Coker Lane
Cape Girardeau, Missouri 63701
Ph: (573) 335 - 3026 Fax: (573) 335 - 3049
MO PLS Corp. Certificate #000262

DRAWN BY:	SUSAN DODDS	REV DATE	DESCRIPTION	INITIALS
CHECKED BY:	CHRISTOPHER KOEHLER	06/05/25	ADDRESS CITY REVIEW COMMENTS	SD
SURVEY DATE:	MAY 2025	06/18/25	ADDRESS CITY REVIEW COMMENTS	SD
DRAWING DATE:	5/14/2025			
DRAWING NO:	39439			

Staff: Ryan Shrimplin, AICP - City Planner

Agenda: July 21, 2025

AGENDA REPORT Cape Girardeau City Council	
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SUBJECT

An Ordinance approving the record plat of Park West Hospitality Center No. 5 Subdivision.

EXECUTIVE SUMMARY

The attached ordinance approves a record plat for a four-lot subdivision at the southwest corner of William Street and South Mount Auburn Road.

BACKGROUND/DISCUSSION

A record plat has been submitted for Park West Hospitality Center No. 5 Subdivision, located at the southwest corner of William Street and South Mount Auburn Road. The proposed subdivision is zoned C-2 (Highway Commercial). The plat divides a tract to create four new lots. The plat shows an exception for the omission of the required 10-foot utility easement along the rear lot lines of all lots. Staff supports the exception because the plat shows a new private access and public utility easement that will serve in place of the required easement.

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

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 June 11, 2025 meeting, recommended approval of the record plat with a vote of 5 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
▢ 25-78_RP_Park_West_Hospitality_Center_No._5.doc	Ordinance
▢ Staff_Review-Referral-Action_Form.pdf	Park West Hospitality Center No. 5 Subdivision - Staff RRA Form
▢ Map_-_Park_West_Hospitality_Center_No_5.pdf	Park West Hospitality Center No. 5 Subdivision - Map
▢ Application.pdf	Park West Hospitality Center No. 5 Subdivision - Application
▢ 39439_Park_West_Hosp_No.5_Subdivision.pdf	Park West Hospitality Center No. 5 Subdivision - Record Plat

BILL NO. 25-78

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECORD PLAT OF
PARK WEST HOSPITALITY CENTER NO. 5 SUBDIVISION

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

ARTICLE 1. The record plat of Park West Hospitality Center No. 5 Subdivision, being that part of U.S.P. Survey 3090 and that part of Outlot 84 in U.S.P. Survey 2199, all in Section 2, Township 30 North, Range 13 East of the Fifth Principal Meridian, in the City and County of Cape Girardeau, State of Missouri, submitted by Midamerica Hotels Corporation, a Missouri Corporation, bearing the certification of Christopher L. Koehler, a Registered Land Surveyor, dated the 23rd day of June, 2025, 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 _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk

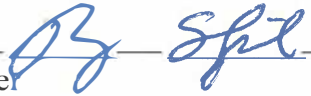


CITY OF CAPE GIRARDEAU, MISSOURI
City Staff Review, Referral and Action - Subdivision Application

FILE: **Park West Hospitality Center No. 5 Subdivision** LOCATION: SW Corner of William Street &
South Mt. Auburn Road

STAFF REVIEW & COMMENTS:

A record plat has been submitted to subdivide one parcel into four new lots at the Southwest corner of William Street and South Mt. Auburn Road. SEE STAFF REPORT FOR MORE DETAILS.

City Planner 

6/4/25
Date

City Attorney 

6/4/25
Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:

City Manager 

6/4/2025
Date

Planning & Zoning Commission

RECOMMENDED ACTION:

	Favor	Oppose	Abstain		Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gerry Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris Martin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robbie Guard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Emily McElreath	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

VOTE COUNT: 5 Favor 0 Oppose 0 Abstain

COMMENTS:

CITIZENS COMMENTING AT MEETING:


Scott Blank
Planning & Zoning Commission Chairman

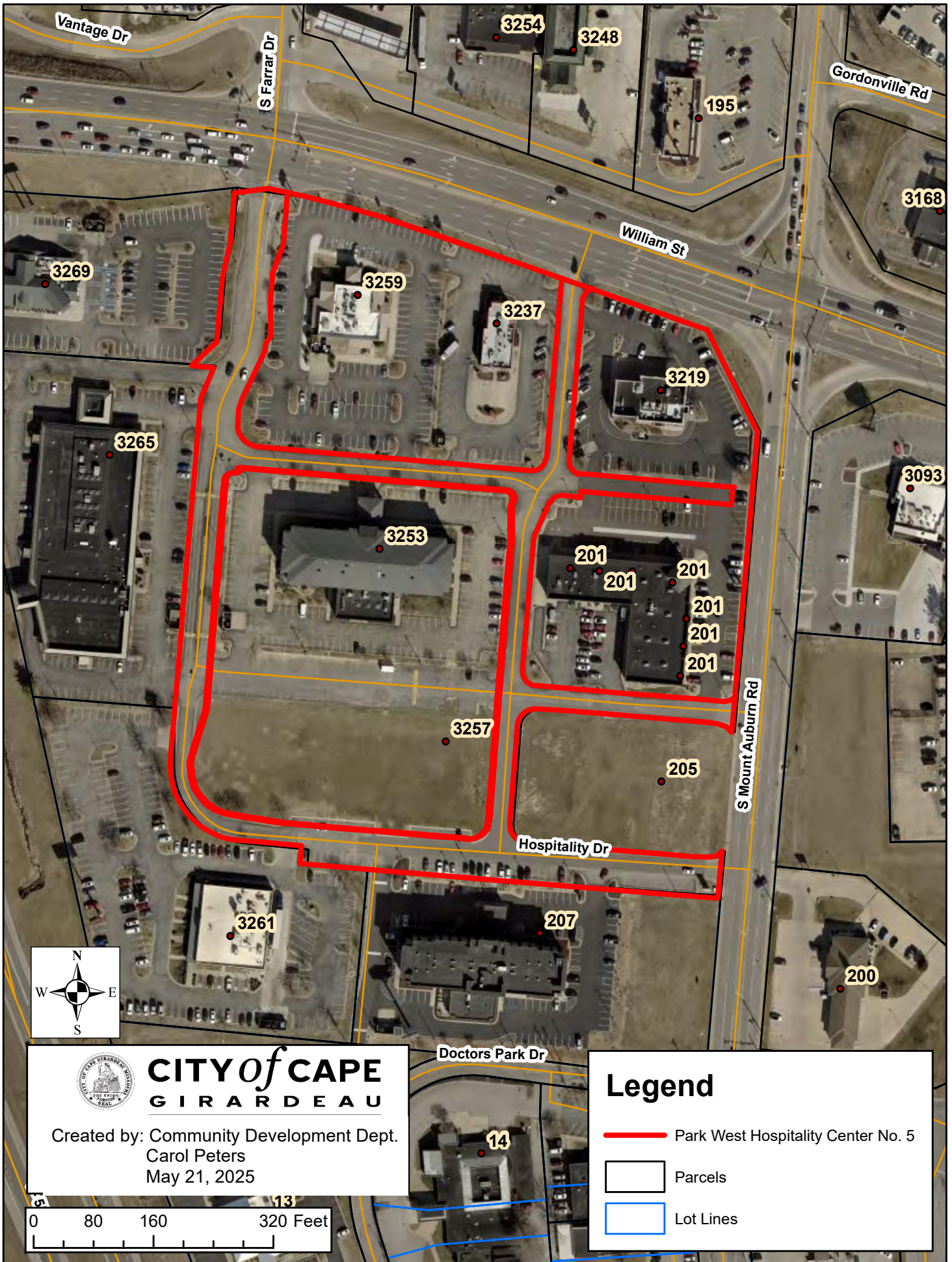
City Council Action

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

ORDINANCE # _____

Effective Date: _____

Park West Hospitality Center No. 5 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 Park West Hospitality Center No. 5 Subdivision		Type of Plat <input checked="" type="checkbox"/> Record <input type="checkbox"/> Preliminary <input type="checkbox"/> Boundary Adjustment	
Applicant MidAmerica Hotels Corp		Property Owner of Record <input checked="" type="checkbox"/> Same as Applicant	
Mailing Address 4072 State Highway K		City, State, Zip Cape Gir., MO 63701	
Telephone 573.334.0546		Email mcantrell@midamcorp.com	
Contact Person (if Applicant is a Business or Organization) Melanie Cantrell		(Attach additional owners information, if necessary)	
Professional Engineer/Surveyor (if other than Applicant) Koehler Engineering and Land Surveying		Developer (if other than Applicant)	
Mailing Address 194 Coker Lane		City, State, Zip Cape Gir., MO 63701	
Telephone 573.335.3026		Email sdodds@koehlerengineering.com	

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) \$22.00 per lot (\$220.00 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

\$220.00
\$ 69.00
289.00

(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.

Susan K. Dodds Susan
Dodds
Applicant Signature and Printed Name

5/14/2025
Date

OFFICE USE ONLY

Date Received & By 5-14-25 File # _____ MUNIS Application # 16664 MUNIS Permit # _____

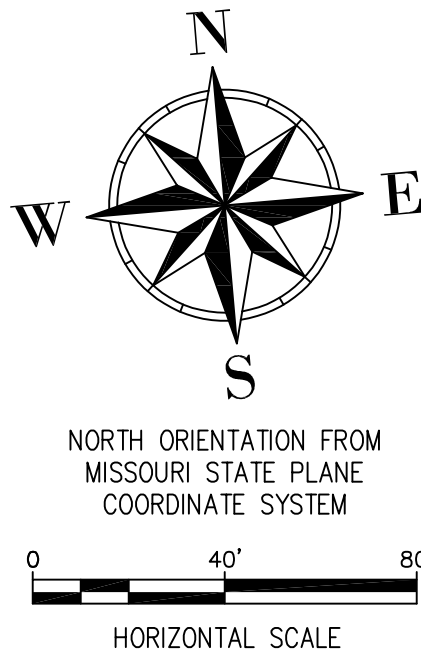
Review Fee Received \$ 220.- Recording Fee Received \$ 69- ☒ Check # 73475 ☐ Credit Card ☐ Cash

Preliminary and Record Plats:

Planning & Zoning Commission Recommendation _____ Date _____ City Council Final Action _____ Date _____

RECORD PLAT FOR PARK WEST HOSPITALITY CENTER NO. 5 SUBDIVISION

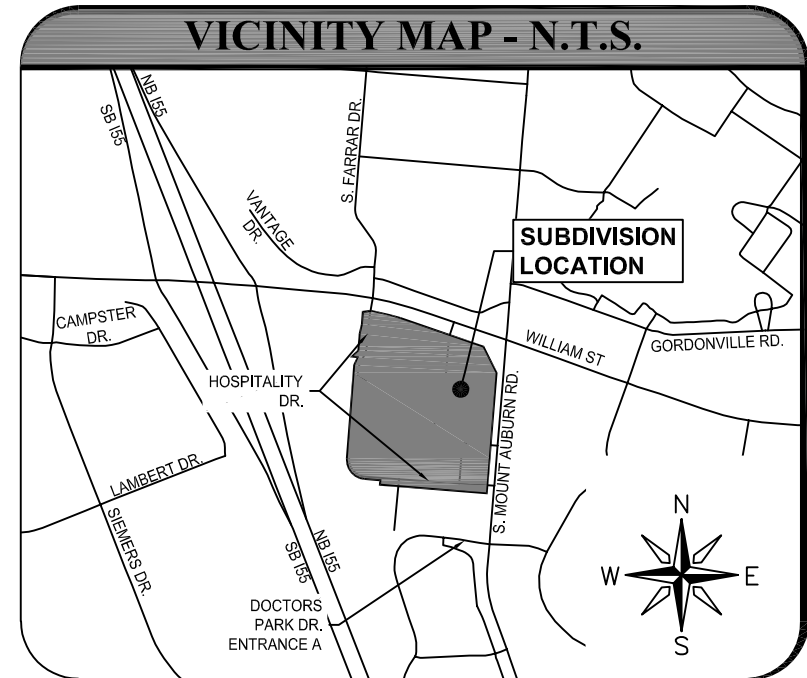
THAT PART OF U.S.P. SURVEY 3090 AND THAT PART OF OUTLOT 84 IN U.S.P. SURVEY 2199, ALL IN SECTION 2, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF
CAPE GIRARDEAU, STATE OF MISSOURI.











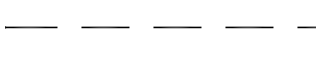


LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	(S)N85°04'57"W(E)	46.75'
L2	(N)S88°31'04"E(W)	23.50'
L3	(S)N52°25'7"E(W)	24.00'
L4	(S)N23°43'30"E(W)	44.63'
L5	(S)N85°32'21"W(E)	30.89'
L6	(S)N4°30'15"E(W)	15.32'
L7	(S)N29°43'33"E(W)	13.22'
L8	(S)N4°06'04"E(W)	7.96'
L9	(S)N4°33'46"E(W)	17.65'
L10	(S)N4°39'39"E(W)	6.55'
L11	(N)S17°53'10"W(E)	8.94'
L12	(N)S85°24'09"E(W)	20.00'
L13	(N)S21°3'40"E(W)	20.00'
L14	(N)S4°09'50"W(E)	20.00'

CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C1	41.37'	1567.28'	(N)S78°14'09"E(W)	41.37'
C2	22.70'	25.00'	(S)N59°04'21"W(E)	21.93'
C3	39.34'	25.00'	(N)S49°25'38"W(E)	35.41'
C4	39.24'	25.00'	(N)S40°37'03"E(W)	35.33'
C5	18.71'	17.07'	(S)N60°05'27"E(W)	17.79'
C6	10.56'	30.00'	(S)N14°38'39"E(W)	10.50'
C7	47.07'	30.00'	(S)N40°23'17"W(E)	42.39'
C8	31.43'	20.00'	(N)S49°38'38"W(E)	28.29'
C9	6.05'	25.92'	(N)S16°39'37"E(W)	6.04'
C10	17.64'	25.46'	(S)N42°21'00"E(W)	17.29'
C11	19.76'	16.00'	(S)N59°19'55"E(W)	18.53'
C12	3.36'	10.00'	(S)N14°19'56"E(W)	3.34'
C13	29.91'	19.00'	(S)N40°23'26"W(E)	26.92'
C14	18.59'	22.00'	(N)S70°18'00"W(E)	18.04'
C15	19.57'	20.01'	(S)N66°38'48"E(W)	18.80'
C16	18.02'	10.00'	(N)S33°43'35"E(W)	15.68'
C17	38.57'	24.50'	(N)S49°28'33"W(E)	34.71'
C18	62.79'	65.00'	(S)N53°26'53"W(E)	60.37'
C19	36.40'	75.00'	(S)N9°20'30"W(E)	36.05'
C20	23.82'	1567.28'	(S)N78°33'24"W(E)	23.82'
C21	17.54'	1567.28'	(S)N77°48'02"W(E)	17.54'

THIS SURVEY OF A TRACT OF URBAN PROPERTY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT STANDARDS FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF MISSOURI AS MADE EFFECTIVE JULY 31, 2022.



LEGEND	
	= FOUND 1/2" IRON ROD
	= SET 1/2" IRON ROD
N.T.S.	= NOT TO SCALE
	= SUBDIVISION BOUNDARY LINE
	= NEW LOT LINE
	= EXISTING EASEMENT LINE
	= NEW EASEMENT LINE
	= BUILDING SETBACK LINE
	= EXTERNAL PROPERTY LINE
	= RIGHT-OF-WAY LINE
	= CENTERLINE
	= NEW PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT

SUBDIVISION NOTES

RECORD OWNER

MIDAMERICA HOTELS CORPORATION
DEED BOOK 218, PAGE 419
DEED BOOK 282, PAGE 174
DEED BOOK 316, PAGE 319
DEED BOOK 359, PAGE 273
DEED BOOK 340, PAGE 410
DEED BOOK 359, PAGE 344
DEED BOOK 431, PAGE 867
DEED BOOK 454, PAGE 554
DOC. NO. 2003-20299

ZONING REGULATIONS

ZONING: C2 - HIGHWAY COMMERCIAL DISTRICT
SETBACKS: FRONT: TWENTY-FIVE (25) FEET;
REAR: NONE, EXCEPT TWENTY (20) FEET WHEN ADJACENT TO A RESIDENTIAL USE OR DISTRICT, OR TEN (10) FEET WHEN ADJACENT TO AN AGRICULTURAL USE OR DISTRICT.
SIDE: NONE, EXCEPT TWENTY (20) FEET WHEN ADJACENT TO A RESIDENTIAL USE OR DISTRICT, OR TEN (10) FEET WHEN ADJACENT TO AN AGRICULTURAL USE OR DISTRICT.
MAXIMUM HEIGHT: SIXTY (60) FEET, NOT TO EXCEED FIVE STORIES.
MINIMUM LOT AREA: NONE.
MINIMUM LOT WIDTH: NONE.
MINIMUM OPEN SPACE: FIFTEEN (15) PERCENT OF THE LOT AREA.

PLAT REFERENCES

MIDAMERICA HOTELS CORPORATION - SEE RECORD OWNER ABOVE
GIRARDEAU P2, LLC - DOC. NO. 2022-03455
CRACKER BARREL OLD COUNTRY STORE, INC. - DEED BOOK 587, PAGE 118
PARK WEST HOSPITALITY CENTER NO. 1 - PLAT BOOK 16, PAGE 88
PARK WEST HOSPITALITY CENTER NO. 2 - PLAT BOOK 17, PAGE 28
PARK WEST HOSPITALITY CENTER NO. 3 SUBDIVISION - DOC. NO. 2024-08827

LOT INFORMATION

TOTAL NUMBER OF LOTS: 4 LOTS
LARGEST LOT AREA: 119,490 SF (2.74 ACRES)
SMALLEST LOT AREA: 119,490 SF (2.74 ACRES)
TOTAL SUBDIVISION AREA: 551,315 SF (12.66 ACRES)

FLOODPLAIN NOTE

NO PORTION OF THE SUBJECT PROPERTY FALLS WITHIN THE 100 YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD INSURANCE RATE MAP NUMBER 280100262E WITH AN EFFECTIVE DATE OF SEPTEMBER 28, 2011.

EXCEPTION NOTE

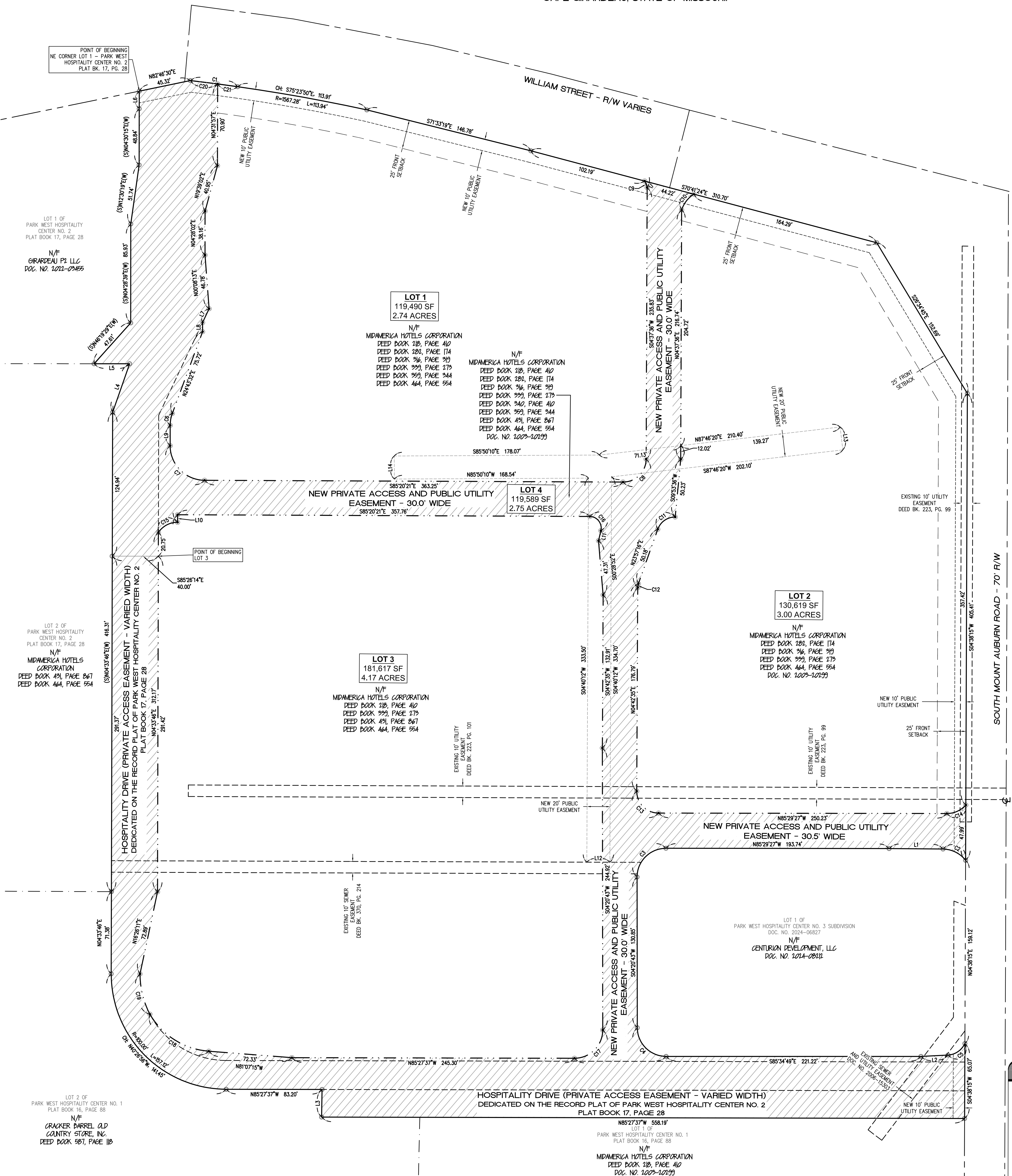
AN EXCEPTION IS SHOWN FOR THE OMISSION OF THE REQUIRED 10-FOOT UTILITY EASEMENT ALONG THE REAR LOT LINES OF ALL LOTS.

STORMWATER MANAGEMENT NOTE

THE OWNER OF EACH LOT WITHIN THE SUBDIVISION IS JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL COMPONENTS OF THE STORMWATER MANAGEMENT SYSTEM NOT LOCATED IN A PUBLIC RIGHT-OF-WAY OR PUBLIC DRAINAGE EASEMENT AS REQUIRED BY CHAPTER 25 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI. THIS PROVISION HEREBY CONSTITUTES A DEED RESTRICTION IN SATISFACTION OF CHAPTER 25 OF SAID CODE OF ORDINANCES, SAID DEED RESTRICTION IS PERPETUAL AND SHALL RUN WITH THE LAND.

PLAT PREPARED BY & SURVEYING SERVICES PROVIDED BY:

KOEHLER ENGINEERING AND LAND SURVEYING, INC.
194 COKER LANE, CAPE GIRARDEAU, MO 63701
(573) 335-3026



SUBDIVISION DEDICATION

THE UNDERSIGNED, MIDAMERICA HOTELS CORPORATION, A MISSOURI CORPORATION, OWNER OF THAT PART OF U.S.P. SURVEY 3090 AND THAT PART OF OUTLOT 84 IN U.S.P. SURVEY 2199, ALL IN SECTION 2, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, CONTAINING 551,315 SQUARE FEET (12.66 ACRES), MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF PARK WEST HOSPITALITY CENTER NO. 2, AS RECORDED IN PLAT BOOK 17 AT PAGE 28 IN THE COUNTY LAND RECORDS, AND THE POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF WILLIAM STREET, THENCE NORTH 82°46'30" EAST, 45.32 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE ALONG A CURVE DEFLECTING TO THE RIGHT HAVING A RADIUS OF 1567.28 FEET, AN ARC LENGTH OF 41.37 FEET, AND A CHORD COURSE OF SOUTH 78°14'09" EAST, 41.37 FEET; THENCE ALONG A CURVE DEFLECTING TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 22.70 FEET, AND A CHORD COURSE OF NORTH 59°04'21" WEST, 21.93 FEET; THENCE NORTH 85°04'57" WEST, 46.75 FEET; THENCE NORTH 85°22'27" WEST, 24.00 FEET; THENCE ALONG A CURVE DEFLECTING TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.34 FEET, AND A CHORD COURSE OF SOUTH 49°25'38" WEST, 35.41 FEET; THENCE SOUTH 40°37'03" WEST, 35.33 FEET; THENCE ALONG A CURVE DEFLECTING TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.24 FEET, AND A CHORD COURSE OF SOUTH 40°39'39" WEST, 6.55 FEET; THENCE SOUTH 85°30'15" EAST, 22.22 FEET; THENCE SOUTH 85°31'04" EAST, 23.50 FEET; THENCE ALONG A CURVE DEFLECTING TO THE LEFT HAVING A RADIUS OF 17.07 FEET, AN ARC LENGTH OF 18.71 FEET, AND A CHORD COURSE OF NORTH 60°05'27" EAST, 17.79 FEET; THENCE SOUTH 14°38'39" WEST, 10.50 FEET; THENCE NORTH 85°24'09" WEST, 20.00 FEET; THENCE NORTH 85°27'37" WEST, 83.20 FEET; THENCE ALONG A CURVE DEFLECTING TO THE LEFT HAVING A RADIUS OF 100.00 FEET, AN ARC LENGTH OF 157.12 FEET, AND A CHORD COURSE OF NORTH 40°29'56" WEST, 147.45 FEET; THENCE NORTH 04°33'46" EAST, 71.36 FEET; THENCE NORTH 04°39'39" EAST, 15.32 FEET; THENCE NORTH 04°30'15" EAST, 15.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 12.66 ACRES MORE OR LESS.

HEREBY SUBDIVIDES SAID TRACT INTO 4 LOTS AS SHOWN HEREON, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED "PARK WEST HOSPITALITY CENTER NO. 5 SUBDIVISION". A PRIVATE ACCESS EASEMENT IS HEREBY ESTABLISHED ACROSS ALL OF LOT 4 FOR THE USE AND BENEFIT OF THE CURRENT AND FUTURE OWNERS OF THE ADJOINING LOTS, AND THEIR RESPECTIVE TENANTS AND INVITEES, FOR THE SOLE PURPOSE OF PROVIDING INGRESS AND EGRESS BETWEEN SAID LOTS AND ALSO BETWEEN SAID LOTS AND WILLIAM STREET AND SOUTH MOUNT AUBURN ROAD. SAID PRIVATE ACCESS EASEMENT IS PERPETUAL AND NON-EXCLUSIVE. THE PUBLIC 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 THE CITY OF CAPE GIRARDEAU, MISSOURI 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. SAID SUBDIVISION IS SUBJECT TO PRIVATE RESTRICTIONS AND COVENANTS AS SET OUT IN A SEPARATE INSTRUMENT ON FILE IN THE LAND RECORDS OF SAID COUNTY.

DANIEL M. DRURY, PRESIDENT OF
MIDAMERICA HOTELS CORPORATION

STATE OF MISSOURI)
COUNTY OF CAPE GIRARDEAU) SS

ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DANIEL M. DRURY, PRESIDENT OF MIDAMERICA HOTELS CORPORATION, A MISSOURI CORPORATION, WHO, BEING BY ME DULY SWORN, DID STATE THAT HE IS THE PERSON DESCRIBED HEREIN, AND THAT HE EXECUTED THE FOREGOING INSTRUMENT AS THE FREE ACT AND DEED OF SAID CORPORATION.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND AFFIX MY OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID, THE DATE FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

I, _____, CITY CLERK OF THE CITY OF CAPE GIRARDEAU, MISSOURI, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE CITY OF CAPE GIRARDEAU, MISSOURI.

BY ORDINANCE NO. _____, PASSED AND APPROVED THIS _____ DAY OF _____, A.D., 20____.

CITY CLERK, CITY OF CAPE GIRARDEAU, MISSOURI

STATE OF MISSOURI)
COUNTY OF CAPE GIRARDEAU) SS

FILED FOR RECORD THIS _____ DAY OF _____, A.D., 20____.

IN DOCUMENT NUMBER _____

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

SEAL

RECORD PLAT FOR PARK WEST HOSPITALITY CENTER NO. 5 SUBDIVISION

MIDAMERICA HOTELS CORPORATION
4072 STATE HIGHWAY K, CAPE GIRARDEAU, MISSOURI, 63701
PH: 573.334.0546

CHRISTOPHER L. KOEHLER, P.E.
NUMBER LS-670
THIS DRAWING IS NOT TO BE REPRODUCED WITHOUT THE
PERMISSION OF KOEHLER ENGINEERING, NOT VALID FOR
UNPROFESSIONAL PURPOSES UNLESS SIGNED AND SEALED

REV	DATE	DESCRIPTION
1	06.09.25	ADDRESS CITY REVIEW COMMENTS
2	06.10.25	ADDRESS CITY REVIEW COMMENTS
3	06.23.25	ADDRESS CITY REVIEW COMMENTS

KELS PICT NO. _____ OWN'R PICT NO. _____
DESIGNED BY _____
DRAWN BY _____ SHEET NO. _____
CHECKED BY _____ SD _____
DATE _____ CK _____
05-14-2025

KOEHLER
ENGINEERING AND
LAND SURVEYING, INC.

MO LS COA: LS 000262 - MO ENGINEERING COA: 2003019634
Civil Engineering and Surveying Services - 194 Coker Lane - Cape Girardeau, MO 63701
Phone: 573.335.3026 - www.koehlerengineering.com

Staff: Ryan Shrimplin, AICP - City Planner
Agenda: July 21, 2025

AGENDA REPORT Cape Girardeau City Council	
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SUBJECT

An Ordinance authorizing the issuance of Special Tax Bills for various properties for the demolition of dangerous buildings, 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 at 1024 Jefferson Avenue, 107 South Hanover Street, 915 Hickory Street, 301 Mill Street, and 1424 William Street.

BACKGROUND/DISCUSSION

Certain buildings at 1024 Jefferson Avenue, 107 South Hanover Street, 915 Hickory Street, 301 Mill Street, and 1424 William 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 contractors to demolish the buildings. Prior to hiring the contractors, the City procured asbestos survey/testing reports for each of the buildings. Pursuant to orders issued by the Building Supervisor, special tax bills have been prepared to recover these costs. In addition, the City incurred costs in abating nuisances on the properties located at 915 Hickory Street and 301 Mill Street. 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 the invoices, are attached.

FINANCIAL IMPACT

The amounts for the special tax bills are as follows:

1024 Jefferson Avenue = \$6,300.00
107 South Hanover Street = \$6,150.00
915 Hickory Street = \$10,643.63
301 Mill Street = \$8,767.98
1424 William Street = \$16,350.00

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

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
25- 79_Ord_Special_Tax_Bills_1024_Jefferson_107__S_Hanover_915_Hickory_301__1424_William_.doc	Ordinance
Tax_Bill_Demolition_-_1024_Jefferson.doc	Special Tax Bill - 1024 Jefferson
Tax_Bill_Demolition_-_107_S_Hanover.doc	Special Tax Bill - 107 S. Hanover
Tax_Bill_Demolition_-_915_Hickory.doc	Special Tax Bill - 915 Hickory
Tax_Bill_Demolition_-_301_Mill.doc	Special Tax Bill - 301 Mill
Tax_Bill_Demolition_-_1424_William.doc	Special Tax Bill - 1424 William
Order_Causing_Tax_Bill_-_1052_-_1024_Jefferson_Avenue.pdf	Order for Tax Bill - 1024 Jefferson Avenue
Order_Causing_Tax_Bill_-_1057_-_107_South_Hanover_Street.pdf	Order for Tax Bill - 107 South Hanover Street
Order_Causing_Tax_Bill_-_1067_-_915_Hickory_Street.pdf	Order for Tax Bill - 915 Hickory Street
Order_Causing_Tax_Bill_-_1074_-_301_Mill_Street.pdf	Order for Tax Bill - 301 Mill Street
Order_Causing_Tax_Bill_-_1089_-_1424_William_Street.pdf	Order for Tax Bill - 1424 William Street

BILL NO. 25-79

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF
SPECIAL TAX BILLS FOR VARIOUS PROPERTIES
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, Missouri did cause said buildings to be demolished in accordance with the Orders, thereby incurring certain expenses; and

WHEREAS, the City of Cape Girardeau, Missouri 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, authorizes 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 Orders 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:

1024 Jefferson Avenue - \$6,300.00

All of the West One Third of Lot Eighty-seven (87) and part of Lot Eighty-six (86) in Range "I" in the City and County of Cape Girardeau, Missouri, described as follows: Beginning at the Southwest corner of said Lot Eighty-seven; thence North One Hundred Twenty (120)

feet; thence East Forty-five (45) feet; thence South One Hundred Twenty (120) feet; thence West Forty-five (45) feet to the place of beginning.

107 South Hanover Street - \$6,150.00

Part of Lot One (1) in Block Fourteen (14) of West End Place Addition, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 8 described as follows: Begin at the Northeast corner of Lot One (1) in Block Fourteen (14), which is the point of intersection of the South line of Merriwether Street with the West line of Hanover Street; thence proceed South along the East line of said Lot One (1), 32 feet for a point of beginning; thence proceed South along the East line of said Lot One (1), 36.2 feet to the Southeast corner of Said Lot One (1); thence proceed West along the South line of said Lot One (1), a distance of 59 feet for a corner; thence North parallel with the East line of Lot One (1), a distance of 21.2 feet for a corner; thence East parallel with the South line of said Lot One (1), a distance of 11 feet for a corner; thence North parallel with the East line of Lot One (1), 15 feet for a corner; thence East parallel with the South line of Lot One (1), 48 feet to the point of beginning.

915 Hickory Street- \$10,643.63

All of the West One Hundred and Six (106) feet of Lots Fifteen (15) and Sixteen (16) in Block Twelve (12) of Giboney Houck's Fourth Subdivision in the City of Cape Girardeau, Missouri.

301 Mill Street - \$8,767.98

Lots Thirteen (13) and Fourteen (14) in Range "M" of Ingrams Addition in the City and County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 1 at Page 6.

1424 William Street - \$16,350.00

Lot Eighteen (18) in Block Eleven (11) of West End Place Second Addition, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 13, in the land records of Cape Girardeau, County, Missouri. LESS AND EXCEPT conveyance to the State Highway Commission recorded in Book 306 at Page 722 in the land records of Cape Girardeau County, Missouri.

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 _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



No. 320-0002

Amount \$ 6,300.00

**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:

**Justin M. Warren
926 CO HWY 506
Benton, MO 63736**

for the following property:

1024 Jefferson Avenue, Cape Girardeau, MO

All of the West One Third of Lot Eighty-seven (87) and part of Lot Eighty-six (86) in Range "I" in the City and County of Cape Girardeau, Missouri, described as follows: Beginning at the Southwest corner of said Lot Eighty-seven; thence North One Hundred Twenty (120) feet; thence East Forty-five (45) feet; thence South One Hundred Twenty (120) feet; thence West Forty-five (45) feet to the place of beginning.

Parcel No. 211100015021000000

in the City of Cape Girardeau, Missouri; said building has been demolished in accordance with the Order of the Building Supervisor dated June 29, 2023, and the cost incurred for said demolition was Six Thousand, Three Hundred dollars (\$6,300.00).

I, Gayle L. Conrad, City Clerk of the City of Cape Girardeau, Missouri, do hereby certify that the demolition work was done as reported to the City Building Supervisor under the provisions of Chapter 7-353(6), said report dated June 18, 2025.

I also certify that the costs and expenses incurred by the City for said demolition were Six Thousand, Three Hundred dollars (\$6,300.00), which amount the City Council has ordered assessed as a special tax against the following described property, to-wit:

1024 Jefferson Avenue, Cape Girardeau, MO

All of the West One Third of Lot Eighty-seven (87) and part of Lot Eighty-six (86) in Range "I" in the City and County of Cape Girardeau, Missouri, described as follows: Beginning at the Southwest corner of said Lot Eighty-seven; thence North One Hundred Twenty (120) feet; thence East Forty-five (45) feet; thence South One Hundred Twenty (120) feet; thence West Forty-five (45) feet to the place of beginning.

Parcel No. 211100015021000000

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 July 21, 2025.

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 _____, 2025.

Gayle L. Conrad, City Clerk



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

On this _____ day of _____, 2025, before me appeared Gayle L. Conrad, to me personally known, who, being by me duly sworn, did say that she is the City Clerk of the City of Cape Girardeau, 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 seal,
at my office in Cape Girardeau, Missouri, the day and year first
above written.

Notary Public

My commission expires:

No. 320-0003

Amount \$ 6,150.00

**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:

**Compass Homes, LLC
108 Chad Wayne Drive
Murray, KY 42071**

for the following property:

107 South Hanover Street, Cape Girardeau, MO

Part of Lot One (1) in Block Fourteen (14) of West End Place Addition, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 8 described as follows: Begin at the Northeast corner of Lot One (1) in Block Fourteen (14), which is the point of intersection of the South line of Merriwether Street with the West line of Hanover Street; thence proceed South along the East line of said Lot One (1), 32 feet for a point of beginning; thence proceed South along the East line of said Lot One (1), 36.2 feet to the Southeast corner of Said Lot One (1); thence proceed West along the South line of said Lot One (1), a distance of 59 feet for a corner; thence North parallel with the East line of Lot One (1), a distance of 21.2 feet for a corner; thence East parallel with the South line of said Lot One (1), a distance of 11 feet for a corner; thence North parallel with the East line of Lot One (1), 15 feet for a corner; thence East parallel with the South line of Lot One (1), 48 feet to the point of beginning.

Parcel No. 211060036002000000

in the City of Cape Girardeau, Missouri; said building has been demolished in accordance with the Order of the Building Supervisor dated December 11, 2023, and the cost incurred for

said demolition was Six Thousand, One Hundred, Fifty dollars (\$6,150.00).

I, Gayle L. Conrad, City Clerk of the City of Cape Girardeau, Missouri, do hereby certify that the demolition work was done as reported to the City Building Supervisor under the provisions of Chapter 7-353(6), said report dated June 18, 2025.

I also certify that the costs and expenses incurred by the City for said demolition were Six Thousand, One Hundred, Fifty dollars (\$6,150.00), which amount the City Council has ordered assessed as a special tax against the following described property, to-wit:

107 South Hanover Street, Cape Girardeau, MO

Part of Lot One (1) in Block Fourteen (14) of West End Place Addition, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 8 described as follows: Begin at the Northeast corner of Lot One (1) in Block Fourteen (14), which is the point of intersection of the South line of Merriwether Street with the West line of Hanover Street; thence proceed South along the East line of said Lot One (1), 32 feet for a point of beginning; thence proceed South along the East line of said Lot One (1), 36.2 feet to the Southeast corner of Said Lot One (1); thence proceed West along the South line of said Lot One (1), a distance of 59 feet for a corner; thence North parallel with the East line of Lot One (1), a distance of 21.2 feet for a corner; thence East parallel with the South line of said Lot One (1), a distance of 11 feet for a corner; thence North parallel with the East line of Lot One (1), 15 feet for a corner; thence East parallel with the South line of Lot One (1), 48 feet to the point of beginning.

Parcel No. 211060036002000000

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.

No. 320-0004

Amount \$10,643.63

**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:

**Eugene S. & Mary L. Criddle
915 Hickory Street
Cape Girardeau, MO 63703**

for the following property:

915 Hickory Street, Cape Girardeau, MO

All of the West One Hundred and Six (106) feet of Lots Fifteen (15) and Sixteen (16) in Block Twelve (12) of Giboney Houck's Fourth Subdivision in the City of Cape Girardeau, Missouri.

Parcel No. 211140024013000000

in the City of Cape Girardeau, Missouri; said building has been demolished in accordance with the Order of the Building Supervisor dated May 1, 2024, and the cost incurred for said demolition was Seven Thousand, Nine Hundred, Seventy-five dollars (\$7,975.00).

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 Two Thousand, Five Hundred, Eighteen Dollars and Sixty-three Cents (\$2,518.63), 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 the demolition work was done as reported to the City Building Supervisor under the

provisions of Chapter 7-353(6), said report dated June 18, 2025, 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 Ten Thousand, Six Hundred, Forty-three Dollars and Sixty-three Cents (\$10,643.63) which amount the City Council has ordered assessed as a special tax against the following-described property, to wit:

915 Hickory Street, Cape Girardeau, MO

All of the West One Hundred and Six (106) feet of Lots Fifteen (15) and Sixteen (16) in Block Twelve (12) of Giboney Houck's Fourth Subdivision in the City of Cape Girardeau, Missouri.

Parcel No. 211140024013000000

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 July 21, 2025.

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 _____, 2025.

Gayle L. Conrad, City Clerk



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

On this _____ day of _____, 2025, before me appeared Gayle L. Conrad, to me personally known, who, being by me duly sworn, did say that she is the City Clerk of the City of Cape Girardeau, 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 seal,
at my office in Cape Girardeau, Missouri, the day and year first
above written.

Notary Public

My commission expires:

No. 320-0005

Amount \$ 8,767.98

**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:

**Jack Myrand Young
6370 Stoneridge Mall Road Apt. 1104
Pleasanton, CA 94588-8061**

for the following property:

301 Mill Street, Cape Girardeau, MO

**Lots Thirteen (13) and Fourteen (14) in Range "M" of
Ingrams Addition in the City and County of Cape Girardeau,
Missouri, as shown by plat filed in Plat Book 1 at Page 6.**

Parcel No. 167190026001000000

in the City of Cape Girardeau, Missouri; said building has been demolished in accordance with the Order of the Building Supervisor dated June 10, 2024, and the cost incurred for said demolition was Seven Thousand Nine Hundred Fifty Dollars (\$7,950.00).

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 Six Hundred Sixty-seven Dollars and Ninety-eight Cents (\$667.98), 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 the demolition work was done as reported to the City Building Supervisor under the provisions of Chapter 7-353(6), said report dated June 18, 2025,

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 Eight Thousand Seven Hundred Sixty-seven Dollars and Ninety-eight Cents (\$8,767.98) which amount the City Council has ordered assessed as a special tax against the following-described property, to wit:

301 Mill Street, Cape Girardeau, MO

Lots Thirteen (13) and Fourteen (14) in Range "M" of Ingrams Addition in the City and County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 1 at Page 6.

Parcel No. 167190026001000000

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 July 21, 2025.

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 _____, 2025.

Gayle L. Conrad, City Clerk



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

On this _____ day of _____, 2025, before me appeared Gayle L. Conrad, to me personally known, who, being by me duly sworn, did say that she is the City Clerk of the City of Cape Girardeau, 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 seal,
at my office in Cape Girardeau, Missouri, the day and year first
above written.

Notary Public

My commission expires:

No. 320-0006

Amount \$16,350.00

**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:

**Compass Homes, LLC
108 Chad Wayne Drive
Murray, KY 42071**

for the following property:

1424 William Street, Cape Girardeau, MO

Lot Eighteen (18) in Block Eleven (11) of West End Place Second Addition, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 13, in the land records of Cape Girardeau, County, Missouri. LESS AND EXCEPT conveyance to the State Highway Commission recorded in Book 306 at Page 722 in the land records of Cape Girardeau County, Missouri.

Parcel No. 211050017013000000

in the City of Cape Girardeau, Missouri; said building has been demolished in accordance with the Order of the Building Supervisor dated March 19, 2025, and the cost incurred for said demolition was Sixteen Thousand, Three Hundred, Fifty dollars (\$16,350.00).

I, Gayle L. Conrad, City Clerk of the City of Cape Girardeau, Missouri, do hereby certify that the demolition work was done as reported to the City Building Supervisor under the provisions of Chapter 7-353(6), said report dated June 18, 2025.

I also certify that the costs and expenses incurred by the City for said demolition were Sixteen Thousand, Three Hundred, Fifty dollars (\$16,350.00), which amount the City Council has ordered assessed as a special tax against the following described property, to-wit:

1424 William Street, Cape Girardeau, MO

Lot Eighteen (18) in Block Eleven (11) of West End Place Second Addition, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 13, in the land records of Cape Girardeau, County, Missouri. LESS AND EXCEPT conveyance to the State Highway Commission recorded in Book 306 at Page 722 in the land records of Cape Girardeau County, Missouri.

Parcel No. 211050017013000000

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 July 21, 2025.

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 _____, 2025.

Gayle L. Conrad, City Clerk



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

On this _____ day of _____, 2025, before me appeared Gayle L. Conrad, to me personally known, who, being by me duly sworn, did say that she is the City Clerk of the City of Cape Girardeau, 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 seal,
at my office in Cape Girardeau, Missouri, the day and year first
above written.

Notary Public

My commission expires:

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 18th day of June, 2025, and hereby finds the following:

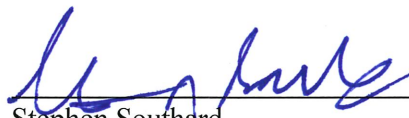
1. That the building on the property described as follows:

1024 Jefferson Avenue, Cape Girardeau, MO
All the West 1/3 of Lot Eighty-seven (87) and part of Lot Eighty-six (86) in Range "I"
in the City and County of Cape Girardeau, Missouri.

has been demolished in accordance with the Order of the Building Supervisor dated the 29th day of June, 2023.

2. That the costs incurred for the asbestos inspection and demolition of this building were six thousand three hundred dollars (\$6,300.00), true and accurate copies 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 six thousand three hundred dollars (\$6,300.00), for the costs incurred in said asbestos inspection and demolition.



Stephen Southard
Building Supervisor



Midwest Environmental Studies

P.O.Box 737
Cape Girardeau, MO 63702

Phone 5732704029

Invoice

Date	Invoice #
5/10/2024	5226

Bill To
City of Cape Girardeau 1 44 N. Lorimier Cape Girardeau, MO 63701

P.O. No.
242190

Item	Description	Qty	Rate	Amount
inspection	Asbestos inspection at 416 N. Frederick		375.00	375.00
inspection	Asbestos inspection at 1108 William		325.00	325.00
inspection	Asbestos inspection at 36/38 N. Henderson		400.00	400.00
inspection	Asbestos inspection at 1024 Jefferson		300.00	300.00
inspection	Asbestos inspection at 139 S. Pacific		375.00	375.00
			Total	\$1,775.00
			Balance Due	\$1,775.00

*Steve`s Hauling and Excavating LLC
789 County Road 416
Oak Ridge , MO 63769
573-579-6612*

DATE
6/11/25

	DESCRIPTION	Cost
	Completion of demolition of houses	
	301 Mill Street	\$7,700.00
	915 Hickory Street	\$7,700.00
	107 South Hanover Street	\$5,900.00
	1024 Jefferson Avenue	\$6,000.00
	Total Due -	<u>\$27,300.00</u>

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 18th day of June, 2025, and hereby finds the following:

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


107 South Hanover Street, Cape Girardeau, MO

Part of Lot One (1) in Block Fourteen (14) of West End Place Addition, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 8 described as follows: Begin at the northeast corner of Lot One (1) in Block Fourteen (14), which is the point of intersection of the south line of Merriwether Street with the west line of Hanover Street, thence proceed South along the east line of said Lot One (1), 32 feet for a point of beginning, thence proceed South along the east line of said Lot One (1), 36.2 feet to the southeast corner of said Lot One (1), thence proceed West along the south line of said Lot One (1), a distance of 59 feet for a corner, thence North parallel with the east line of Lot One (1), a distance of 21.2 feet for a corner, thence East parallel with the south line of said Lot One (1), a distance of 11 feet for a corner, thence North parallel with the east line of Lot One (1), 15 feet for a corner, thence East parallel with the south line of Lot One (1), 48 feet to the point of beginning.

has been demolished in accordance with the Order of the Building Supervisor dated the 11th day of December, 2023.

2. That the costs incurred for the asbestos inspection and demolition of this building were six thousand one hundred fifty dollars (\$6,150.00), true and accurate copies 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 six thousand one hundred fifty dollars (\$6,150.00), for the costs incurred in said asbestos inspection and demolition.


Stephen Southard
Building Supervisor



Midwest Environmental Studies

P.O.Box 737
Cape Girardeau, MO 63702

Phone 5732704029

Invoice

Date	Invoice #
5/10/2024	5226

Bill To
City of Cape Girardeau 1 44 N. Lorimier Cape Girardeau, MO 63701

P.O. No.
242190

Item	Description	Qty	Rate	Amount
inspection	Asbestos inspection at 416 N. Frederick		375.00	375.00
inspection	Asbestos inspection at 1108 William		325.00	325.00
inspection	Asbestos inspection at 36/38 N. Henderson		400.00	400.00
inspection	Asbestos inspection at 1024 Jefferson		300.00	300.00
inspection	Asbestos inspection at 139 S. Pacific		375.00	375.00
			Total	\$1,775.00
			Balance Due	\$1,775.00

Steve`s Hauling and Excavating LLC
789 County Road 416
Oak Ridge , MO 63769
573-579-6612

DATE
6/11/25

	DESCRIPTION	Cost
	Completion of demolition of houses	
	301 Mill Street	\$7,700.00
	915 Hickory Street	\$7,700.00
	107 South Hanover Street	\$5,900.00
	1024 Jefferson Avenue	\$6,000.00
	Total Due -	<u>\$27,300.00</u>

**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 18th day of June, 2025, and hereby finds the following:

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

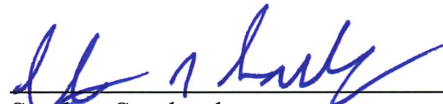
915 Hickory Street, Cape Girardeau, MO

All of the West 106 feet of Lots 15 and 16 in Block 12 of Giboney Houck's Fourth Subdivision in the City of Cape Girardeau, Missouri, as shown by Plat recorded in Plat Book 3 at Page 12, land records of Cape Girardeau County, Missouri.

has been demolished in accordance with the Order of the Building Supervisor dated the 1st day of May, 2024.

2. That the costs incurred for the asbestos inspection and demolition of this building were seven thousand nine hundred seventy-five dollars (\$7,975.00), true and accurate copies 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 seven thousand nine hundred seventy-five dollars (\$7,975.00), for the costs incurred in said asbestos inspection and demolition plus outstanding nuisance charges for trash cleanup in the amount of two thousand five hundred eighteen dollars and sixty-three cents (\$2,518.63), and administrative costs in the amount of one hundred fifty dollars (\$150.00) for a total tax bill in the amount of ten thousand six hundred forty-three dollars and sixty-three cents (\$10,643.63).



Stephen Southard
Building Supervisor



Midwest Environmental Studies

P.O.Box 737
Cape Girardeau, MO 63702

Phone 5732704029

Invoice

Date	Invoice #
12/6/2024	5329

Bill To
City of Cape Girardeau 1 44 N. Lorimier Cape Girardeau, MO 63701

P.O. No.
251380

Item	Description	Qty	Rate	Amount
inspection	Asbestos inspection and lab analysis at 27 S. Benton in Cape Girardeau		250.00	250.00
inspection	32 N. Ellis		275.00	275.00
inspection	107 S. Hanover		250.00	250.00
inspection	301 Mill St.		250.00	250.00
inspection	915 Hickory		275.00	275.00
inspection	1226 Ranney		250.00	250.00
inspection	1231 S. Pacific		225.00	225.00
			Total	\$1,775.00
			Balance Due	\$1,775.00

Steve`s Hauling and Excavating LLC
789 County Road 416
Oak Ridge , MO 63769
573-579-6612

DATE
6/11/25

	DESCRIPTION	Cost
	Completion of demolition of houses	
	301 Mill Street	\$7,700.00
	915 Hickory Street	\$7,700.00
	107 South Hanover Street	\$5,900.00
	1024 Jefferson Avenue	\$6,000.00
	Total Due -	<u>\$27,300.00</u>

**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 18th day of June, 2025, and hereby finds the following:

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

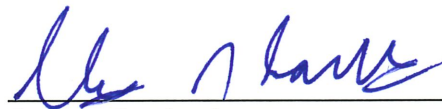
301 Mill Street, Cape Girardeau, MO

Lots Thirteen (13) and Fourteen (14) in Range "M" of Ingrams Addition in the City and County of Cape Girardeau, Missouri, as shown by plat filed in Plat Book 1 at Page 6.

has been demolished in accordance with the Order of the Building Supervisor dated the 10th day of June, 2024.

2. That the costs incurred for the asbestos inspection and demolition of this building were seven thousand nine hundred fifty dollars (\$7,950.00), true and accurate copies 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 seven thousand nine hundred fifty dollars (\$7,950.00), for the costs incurred in said asbestos inspection and demolition plus outstanding nuisance changes for trash and weed cleanup in the amount of six hundred sixty-seven dollars and ninety-eight cents (\$667.98), and administrative costs in the amount of one hundred fifty dollars (\$150.00) for a total tax bill in the amount of eight thousand seven hundred sixty-seven dollars and ninety-eight cents (\$8,767.98).



Stephen Southard
Building Supervisor



Midwest Environmental Studies

P.O.Box 737
Cape Girardeau, MO 63702

Phone 5732704029

Invoice

Date	Invoice #
12/6/2024	5329

Bill To
City of Cape Girardeau 1 44 N. Lorimier Cape Girardeau, MO 63701

P.O. No.
251380

Item	Description	Qty	Rate	Amount
inspection	Asbestos inspection and lab analysis at 27 S. Benton in Cape Girardeau		250.00	250.00
inspection	32 N. Ellis		275.00	275.00
inspection	107 S. Hanover		250.00	250.00
inspection	301 Mill St.		250.00	250.00
inspection	915 Hickory		275.00	275.00
inspection	1226 Ranney		250.00	250.00
inspection	1231 S. Pacific		225.00	225.00
			Total	\$1,775.00
			Balance Due	\$1,775.00

Steve`s Hauling and Excavating LLC
789 County Road 416
Oak Ridge , MO 63769
573-579-6612

DATE
6/11/25

	DESCRIPTION	Cost
	Completion of demolition of houses	
	301 Mill Street	\$7,700.00
	915 Hickory Street	\$7,700.00
	107 South Hanover Street	\$5,900.00
	1024 Jefferson Avenue	\$6,000.00
	Total Due -	<u>\$27,300.00</u>

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 18th day of June, 2025, and hereby finds the following:

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

1424 William Street, Cape Girardeau, MO

Lot Eighteen (18) in Block Eleven (11) of West End Place Second Addition, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 13, in the land records of Cape Girardeau, County, Missouri. LESS AND EXCEPT conveyance to the State Highway Commission recorded in Book 306 at Page 722 in the land records of Cape Girardeau County, Missouri.

has been demolished in accordance with the Order of the Building Supervisor dated the 19th day of March, 2025.

2. That the costs incurred for the asbestos inspection and demolition of this building were sixteen thousand three hundred fifty dollars (\$16,350.00), true and accurate copies 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 sixteen thousand three hundred fifty dollars (\$16,350.00), for the costs incurred in said asbestos inspection and demolition.



Stephen Southard
Building Supervisor



Exhibit A Invoice

Strack Excavating LLC
2907 Boutin Dr.
Cape Girardeau, MO 63701
573-579-7724

Date	Invoice #
6/12/2025	4730

Bill To
City of Cape Girardeau 44 N. Lorimier St Cape Girardeau, MO 63703

P.O. No.	Terms	Due Date
252612	Due on receipt	

Date	Ticket	Item	Description	Quantity	Rate	Amount
		Demolition	demolition of house at 1424 William St, Cape Girardeau, MO		16,000.00	16,000.00
			Sales Tax		5.725%	0.00
				Total		
				\$16,000.00		

E-mail
bonniestrack@gmail.com

EXHIBIT A

Invoice

Midwest Environmental Studies
P.O.Box 737
Cape Girardeau, MO 63702

Phone 5732704029

Date	Invoice #
3/20/2025	5379

Bill To
City of Cape Girardeau 1 44 N. Lorimier Cape Girardeau, MO 63701

P.O. No.

Item	Description	Qty	Rate	Amount
inspection	Asbestos inspection at 1424 William St. in Cape Girardeau		350.00	350.00
			Total	\$350.00
			Balance Due	\$350.00

Staff: Trevor Pulley Assistant City
Manager/Community Development
Director

Agenda: July 21, 2025

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

An Ordinance vacating the City's interest in Right of Way from Henze's Addition survey plat in Out Lot 36 in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The City received a request from Geiser Trust and SEMO University to vacate the City's interest in all remaining Right of Way previously not vacated from an unrecorded Survey Plat named Henze's or Hendze's Addition drawn in 1866.

BACKGROUND/DISCUSSION

Henze's Addition (A.K.A Hendze's Addition) is an unrecorded survey plat of Out Lot 36 in the City of Cape Girardeau. All of the street and alley right of way's shown on this survey plat are unimproved with no prospects of ever being improved. Additionally, multiple City Ordinances in the past have vacated different parts of both street and alley rights of way shown on Henze's Addition. The named street rights of way shown on this survey plat are Pearl Street, Ellis Street and Pacific Street, as well as six alley rights of way shown to exist by Henze's Addition between these main thoroughfares.

To clean up deed title clouds for abutting landowners of Henze's Addition, the City has been petitioned by both The Geiser Trust and Southeast Missouri State University. Both entities have petitioned the City of Cape to vacate any and all remaining unimproved and as-to-yet unvacated Rights of Way shown on Henze's Addition.

Previous City Vacation Ordinances include:

1. Commission Form Ordinance No. 363 from 08-28-1925. This ordinance vacated multiple areas of rights of way that R.B. Oliver wished to replat into Oliver Heights Subdivision.
2. Commission Form Ordinance No. 611 from 04-06-1931. This vacation was for 180 feet of Pearl Street from N. Sprigg Street west to the Oliver Heights Subdivision.
3. Commission Form Ordinance No. 693 from 04-30-1935. This ordinance reiterates the street and alley vacation areas of Henze's Addition that had been replatted and were included in the recorded Oliver Heights Subdivision plat.
4. Ordinance No. 4545 from 02-17-2014. Vacated an unimproved alley right of way off Henze's Addition that was north of vacated Pearl Street and between N. Sprigg and N. Ellis Streets for the abutting property owners of the alley named Carlos and Emmagene Ratliff and Jody and William Geiser. After these vacation ordinances, the remaining rights of way that still exist that need to be vacated are as follows:

1. N. Ellis Street - 60 foot wide by 270 feet in length of N. Ellis St. north of the vacated Pearl Street.

2. Alley between N. Ellis St. and N. Pacific St - approx. 16.50 foot wide by 270 feet in length of an alley right of way north of the vacated Pearl Street and being between the platted Ellis and Pacific Streets
3. N. Pacific Street - 60 foot wide by 270 feet in length of N. Pacific St. north of the vacated Pearl Street.
4. Alley between N. Pacific St. and the western edge of Out Lot 36 - approx. 16.50 foot wide by 270 feet in length of an alley right of way north of the platted Pearl Street (yet un-vacated) and west of Pacific Street/east of the western side of Out Lot 36.
5. Pearl Street - 60 foot wide by approximately 417.50 feet in length of Pearl Street (yet un-vacated) that is west of the west line of Pacific Street stretching to the western side of Out Lot 36.
6. Alley between N. Pacific St. and the western edge of Out Lot 36 - approx. 16.50 foot wide by 132 feet in length of an alley right of way south of the platted Pearl Street (yet un-vacated) and west of Pacific Street/east of the western side of Out Lot 36.

FINANCIAL IMPACT

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

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

Staff recommends approval of the attached Ordinance vacating all remaining unimproved street and alley rights of way from the 1866 survey plat of Henze's Addition not previously vacated.

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

An advertisement for a Public Hearing appeared in the Southeast Missourian on June 24, 2025. A Public Hearing was held on July 7, 2025.

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> 25-80_Vacation_Henze_s_Add_ROWs.docx	Ordinance
<input type="checkbox"/> Exhibit_HenzeAdd_Vacation_w_plat_in_background.pdf	EXHIBIT Henze Vacation w/ Plat in Background
<input type="checkbox"/> Exhibit_HenzeAdd_Vacation_w_only_aerial.pdf	EXHIBIT Henze Vacation Aerial
<input type="checkbox"/> unrecorded_map_of_Henze_s_Addition_aka_Henze_s__drawn_in_1866.pdf	EXHIBIT Unrecorded Map of Henze's Addition
<input type="checkbox"/> Vacation_Petition_-_FULLY_EXECUTED__Geiser__SEMO____Request_to_Vacate_2025_02_11.pdf	EXECUTED Vacation Petition Geiser & SEMO Henze Add
<input type="checkbox"/> Publisher_s_Affidavit_Henze_Add_Vacation.pdf	Publisher's Affidavit

BILL NO. 25-80

ORDINANCE NO. _____

AN ORDINANCE VACATING THE CITY'S INTEREST IN
RIGHTS OF WAY IN THE HENZE'S ADDITION OF OUT
LOT 36, IN THE CITY OF CAPE GIRARDEAU,
MISSOURI

WHEREAS, the City Council may hold a hearing to consider vacating the City's interest in any real estate; and

WHEREAS, a public hearing was held on July 7, 2025, at which time all interested parties were afforded the opportunity to speak in favor of or in opposition to the proposed vacation; and

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

WHEREAS, the City Council has determined that said parts of various street and alley rights of way are not necessary or needed for any of the purposes for which they were dedicated and established; and

WHEREAS, the City Council has determined that it is in the public interest that said parts of various street and alley rights 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 said remaining parts of various street and alley rights of way, not previously vacated, in the Henze's Addition be vacated.

ARTICLE 2. The City hereby vacates its interest in the following described parts of various street and alley rights of way:

All that part of Henze's Addition of Out Lot 36 (A.K.A Hendze's Addition), an unrecorded survey plat created by the Deputy County Surveyor August Von Cloedt in 1866, and being a platted division of Out Lot 36 of U.S.P.S. 2199, in Township 31 North, Range 14 East in the City and County of Cape Girardeau, Missouri.

Vacation of all that part of Street and Alley Rights of Way of Henze's Addition being more particularly described as follows:

1. N Ellis Street - 60 foot wide by 270 feet in length of N Ellis St north of the vacated Pearl Street.
2. Alley between N Ellis St & N Pacific St - approx. 16.50 foot wide by 270 feet in length of an Alley Right of way north of the vacated Pearl Street and being between the platted Ellis and Pacific Streets
3. N Pacific Street - 60 foot wide by 270 feet in length of N Pacific St north of the vacated Pearl Street.
4. Alley between N Pacific St & the western edge of Out Lot 36 - approx. 16.50 foot wide by 270 feet in length of an Alley Right of way north of the platted Pearl Street (yet un-vacated) and west of Pacific Street/east of the western side of Out Lot 36.
5. Pearl Street - 60 foot wide by approximately 417.50 feet in length of Pearl Street (yet un-vacated) that is west of the west line of Pacific Street stretching to the western side of Out Lot 36.
6. Alley between N Pacific St & the western edge of Out Lot 36 - approx. 16.50 foot wide by 132 feet in length of an Alley Right of way south of the platted Pearl Street (yet un-vacated) and west of Pacific Street/east of the western side of Out Lot 36.

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 _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



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

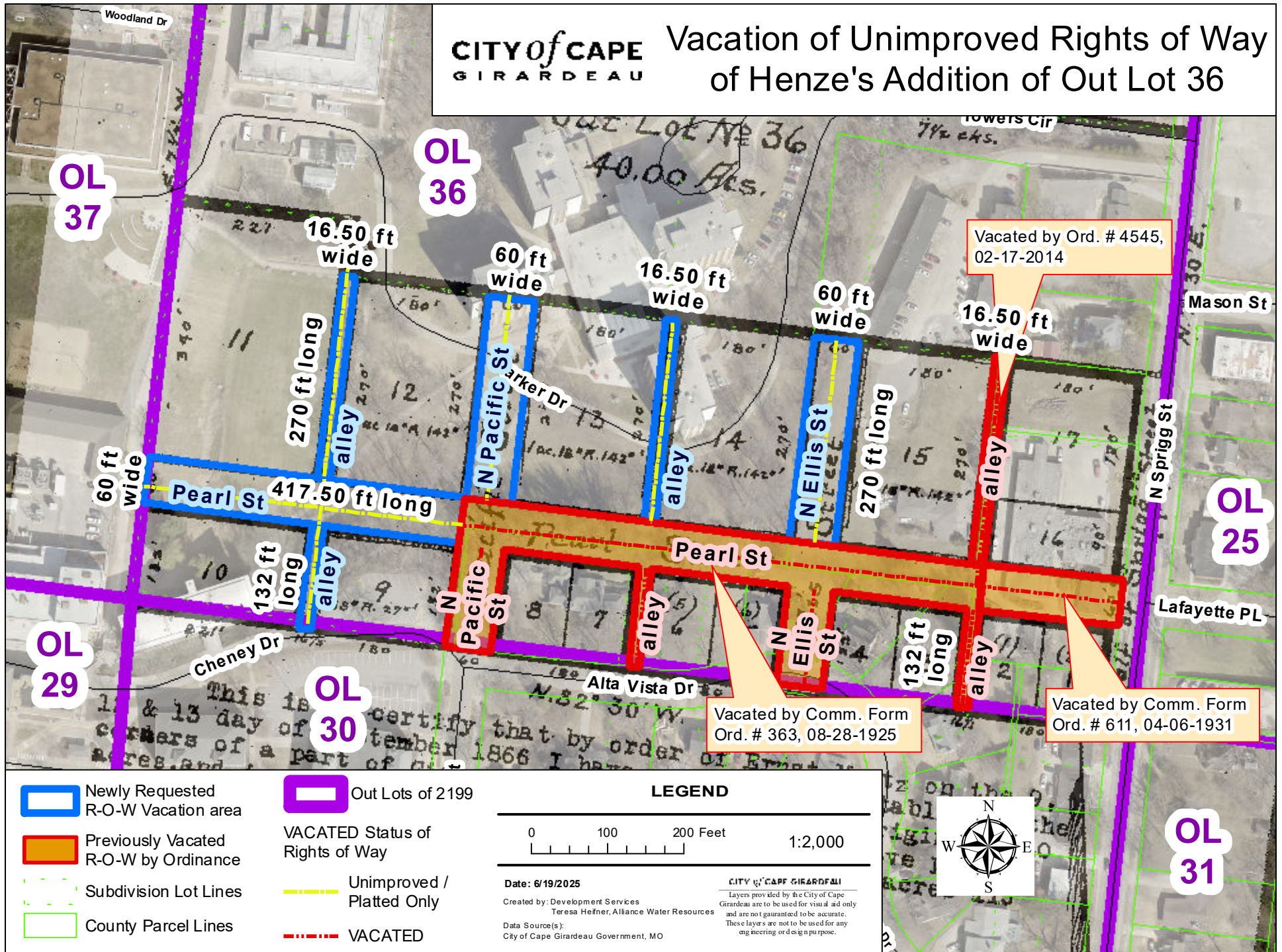
On this____day of_____,2025, before me appeared Stacy Kinder, to me personally known, who, being by me duly sworn, did say that she is the Mayor of the City of Cape Girardeau, Missouri, a Municipal Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the seal of said City and that the said instrument was signed and sealed in 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.

Notary Public

My Commission Expires:

Vacation of Unimproved Rights of Way of Henze's Addition of Out Lot 36



- Newly Requested R-O-W Vacation area
- Previously Vacated R-O-W by Ordinance
- Subdivision Lot Lines
- County Parcel Lines

- Out Lots of 2199
- VACATED Status of Rights of Way**
- Unimproved / Platted Only
- VACATED

LEGEND

0 100 200 Feet 1:2,000

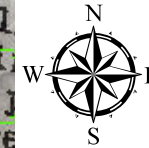
Date: 6/19/2025

Created by: Development Services
Teresa Hefner, Alliance Water Resources

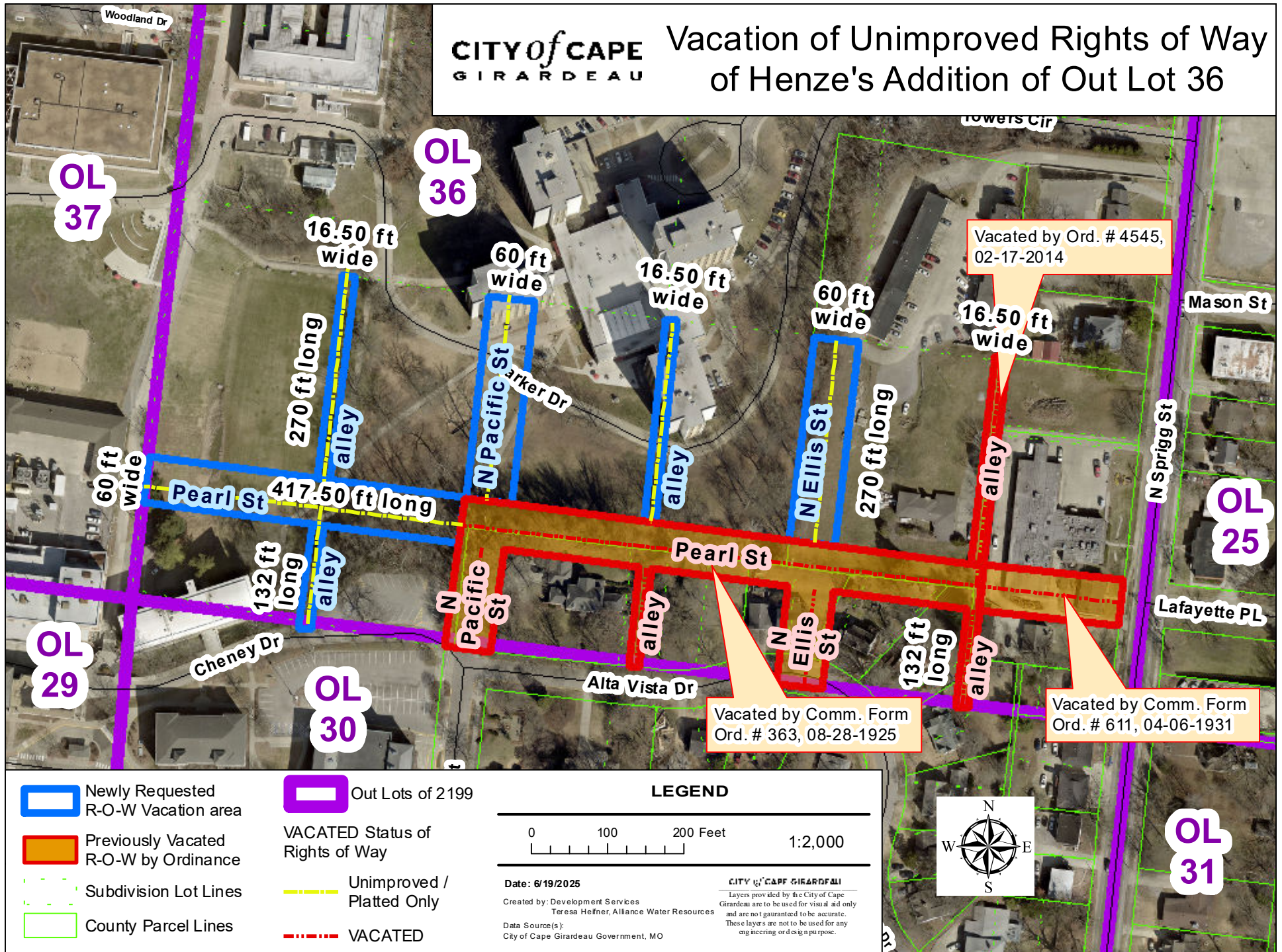
Data Source(s):
City of Cape Girardeau Government, MO

CITY of CAPE GIRARDEAU

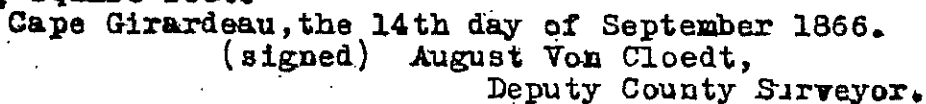
Layers provided by the City of Cape Girardeau are to be used for visual purposes only and are not guaranteed to be accurate. These layers are not to be used for any engineering or design purpose.



Vacation of Unimproved Rights of Way of Henze's Addition of Out Lot 36



Henze's or Hendze's Addition of Out Lot 36





REQUEST TO VACATE ALLEY, STREET RIGHT-OF-WAY, OR EASEMENT PETITION

CITY of CAPE GIRARDEAU

COMMUNITY DEVELOPMENT, 44 N LORIMIER ST. CAPE GIRARDEAU, MO 63701 (573) 339-6327

Address of Property Requesting the Vacation

807 N. Sprigg St., a/k/a Collegewood Apartments, Cape Girardeau, MO 63701

Contact Person's Name* Mr. Jeffrey J. Koch, Attorney		Property Owner or Business Name Jody R. Geiser Revocable Trust U/A/D July 28, 2021	
Mailing Address PO Box 1150	City, State, Zip Cape Girardeau MO 63701	Mailing Address C/o G. Magnus, 510 Phoenix Trl	City, State, Zip Jackson, MO 63755
Telephone 573-335-3316	Email jkoch@limbaughlaw.com	Telephone 573-382-1711	Email gene@capemoenterprises.com

***Contact Person is responsible for all correspondence and payment of application fee.**

Provide a complete description of the proposed area to be vacated, including cross streets and limits of the area. Include the reasons for the vacation request. Attach maps, photos, sketches, etc., if necessary.

The plat of Henze's (a/k/a Hendze's) Addition (hereafter the "Addition") has been referenced in deeds, the City of Cape Girardeau Plat Book and the Cape Girardeau County Tax Maps; however, there is no recorded copy of this plat. Historically, the Addition has shown a dedication of a 60 ft right-of-way running generally north-to-south along the western boundary of Lot 15 of the Addition and continuing to the property owned by Board of Regents for the Southeast Missouri State College (now known as the Board of Governors of Southeast Missouri State University), with said right-of-way being for a portion of Ellis Street north of Pearl Street. That relevant portion of Pearl Street was vacated by the City of Cape Girardeau in Ordinances 363/693. Likewise, the Addition has shown a dedication of a 16 ft alleyway running generally east-to-west along the northern border of Lot 15. Neither this Ellis Street north of Pearl Street nor the alleyway have been used by adjoining property owners for ingress or egress. The reason for the request is to clear title to the property as it has historically been used (without such right-of-way or alleyway). A copy of best known copy of the Addition is attached as Exhibit A. A copy of the previously vacated property is also attached as Exhibit B. Attached as Exhibit C is a sketch showing the proposed areas to be vacated in red circles.

CERTIFICATION

I certify that I am the property owner or authorized by the above property owner or business to file this request form on their behalf.



Contact Person's Signature

2-11-25

Date

OFFICE USE ONLY

Date Received _____	By _____	File Number _____
City Staff Action _____	Date _____	
City Council Final Action _____	Date _____	



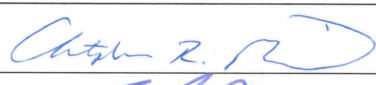
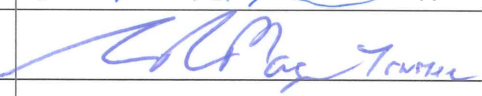
REQUEST TO VACATE ALLEY, STREET RIGHT-OF-WAY, OR EASEMENT PETITION

CITY of CAPE GIRARDEAU

COMMUNITY DEVELOPMENT, 44 N LORIMIER ST, CAPE GIRARDEAU, MO 63701 (573) 339-6327

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI:

We, the undersigned property owners, or the befitted property (contact person) request the necessary steps be taken, and agree to pay the application and recording fees associated with the following vacation:

Printed Name	Printed Address	Signature
The Board of Governors for Southeast Missouri State University	One University Plaza, Cape Girardeau, Mo 63701	 BOG Secretary
Jody R. Geiser Revocable Trust U/A/D July 28, 2021	C/o Gene Magnus, Successor Trustee, 510 Phoenix Trl., Jackson, MO 63755	

CHECK HERE ☒ if additional sheets are attached.

Petition is to be signed by all property owners abutting the property in which the City's interest is sought to be vacated.

Primary Contact Name*: Mr. Jeffrey J. Koch, Attorney Phone #: 573-335-3316

*Primary Contact is the party responsible for all correspondence and payment of application fee.

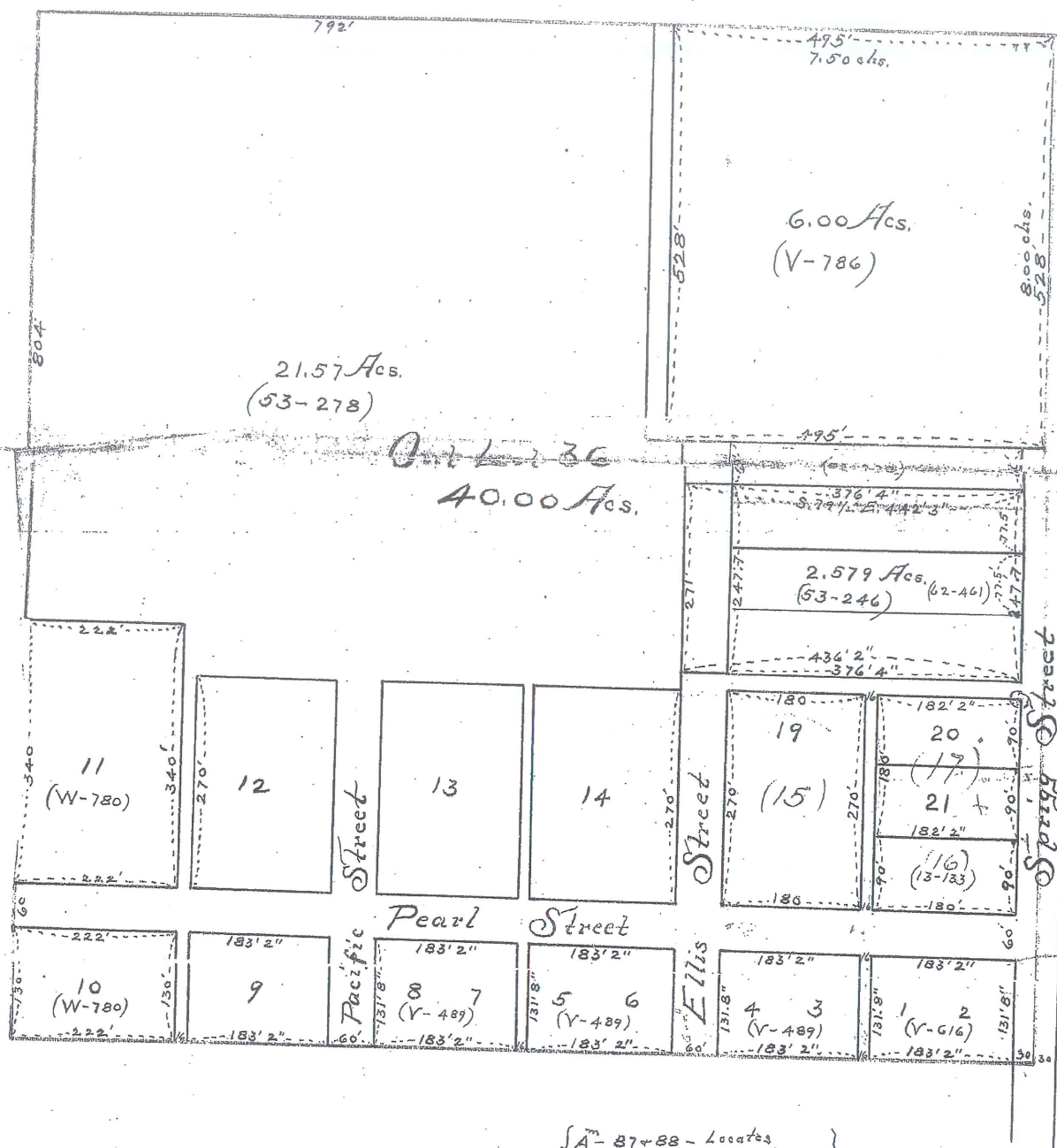
OFFICE USE ONLY		
Date Received _____	By _____	File Number _____
City Staff Action _____	Date _____	
City Council Final Action _____	Date _____	

CITY OF CAPE GIRARDEAU
REQUEST TO VACATE ALLEY, STREET RIGHT-OF-
WAY, OR EASEMENT PETITION

1. Submit the completed Vacate Alley, Street Right-of-way or Easement Request Application and Petition along with the application fee and associated transaction fee to Community Development located at City Hall, 44 N Lorimier St, Cape Girardeau, MO 63701. **Application Fee: \$ 165.00 Recording Fee: Varies***
2. The request application and petition will be reviewed by City staff to determine if the proposed vacation is in the public's interest and all the adjoining property owners are represented on the petition.
3. Utilities will be contacted to determine if they have a utility interest in the area of the request. If there are utilities located within the requested vacation area, the adjacent property owners will be required to grant an easement for the utility in order to move forward with the vacation request.
4. If all adjoining property owners are not represented on the petition or if the petition is not valid, the City will not be able to proceed with the vacation request.
5. Once the petition has been verified and utilities checked and if necessary, easements retained, the City will hold a public hearing to consider vacating the requested area. At least ten (10) days notice of the time and place of such hearing (the public hearing will take place at the regularly scheduled City Council meeting) will be published in a local newspaper.
6. Second and third readings will be given to the ordinance at the subsequent City Council meeting.
7. The City Council, by resolution, will either approve or deny the ordinance. If approved, the ordinance goes into effect ten (10) days after its approval.
8. The document is then sent to the County Recorder's Office to be recorded.
 *Recording fees are based on total pages recorded. Applicable fees to be paid by applicant prior to document being recorded by City Staff.
9. After the Vacation is recorded, the City will release the recorded Vacation to the contact person.

HENZE'S ADDITION TO THE CITY OF CAPE GIRARDEAU,
MISSOURI - OUT LOT 36.

CAPTION PLAT



Scale: 200 feet to one inch.

C.C. Hawley
City Engin. in 1907
per Sewer Map

Note: The C. C. Hawley Map of the City of Cape Girardeau, Mo., made in 1910, shows the property abstracted to be lots 15 + 17 of Henze's addition. The assessments made by the City & Co. assessors have assessed the property according to the Hawley Map.



**CITY OF CAPE
GIRARDEAU**

Collegewood Area



City Vacated ROW



Cape City Addresses



Parcel

LEGEND



0 60 120 Feet 1:1,000

Created by: Development Services
Teresa Hefner, Alliance Water Resources

Date Source(s)
City of Cape Girardeau Government, M.O.
Cape Girardeau County Imagery, Feb. 2021

Date: 1/24/2025

Coordinate System: NAD 1983 StatePlane Missouri East FIPS 2401 Feet

CITY OF CAPE GIRARDEAU

Layers provided by the City of Cape Girardeau can be used for informational purposes only and are not guaranteed to be accurate. These layers are not to be used for any engineering or legal purposes.

C



Publisher's Affidavit

STATE OF MISSOURI} SS

COUNTY OF CAPE GIRARDEAU}

Before me, the undersigned, a Notary Public, this day personally came **Sherry Cole**

who, being first duly sworn, according to law upon his/her oath, says that he/she is **Bookkeeper** of the Southeast Missourian, a newspaper published in the city of Cape Girardeau, in Cape Girardeau County and State of Missouri, and that the publication, of which the annexed is a true copy, was published in said paper on the following dates:

6/24/2025

(appearing once a day on the same day of each week) and further says that said Newspaper is a daily newspaper printed and published in the City of Cape Girardeau and State of Missouri and has a general circulation in the City of Cape Girardeau and State of Missouri and has a general circulation in the City and County of Cape Girardeau and State of Missouri, and has held such general circulation in said county continuously, regularly and consecutively for a period of more than ten years next before the date of the first publication mentioned above, and has been likewise continuously, regularly and consecutively published up to the time of the making of this affidavit for a period of more than ten years next before the date of the jurat to this publisher's affidavit or proof of publication, and that the rate charged therefore is not in excess of the rate allowed by laws of the State of Missouri. and that said Southeast Missourian has been admitted to the United States Post Office as second class matter in the City of Cape Girardeau, Missouri; and that said newspapers has a list of bona fide subscribers voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that said newspaper and its publishers have complied with each and every provision of the laws of Missouri and particularly with the provisions of Section 13775 of the Revised Statutes of Missouri, 1929, as amended, and approved on May 14, 1931, as appears in the Laws of Missouri, 1931 at page 303.

Sherry Cole

Subscribed and sworn to me this 24 Jun 2025

Tonja Hemphill
Notary Public, State of Missouri

Qualified and commissioned for a term expiring

October 12, 2025

Publication Fee: \$54.43

Cape Girardeau, MO
Southeast Missourian

TONJA HEMPHILL
Notary Public - Notary Seal
State of Missouri
Commissioned for Cape Girardeau County
My Commission Expires: October 12, 2025
Commission Number: 13881343

**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 July 7, 2025 at 5:00 p.m., in the City Hall Council Chambers, at City Hall, 44 N. Lorimier St., Cape Girardeau, Missouri, to consider vacating remaining rights of way (being parts of Pearl St, N Ellis St & N Pacific St) from Henze's Addition subdivision not previously vacated.

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

(June 24, 2025)

Concord PUBLISHING HOUSE, INC.

SOUTHEAST MISSOURIAN • BANNER PRESS

Invoice No. CP26451
Campaign No. 12163
Campaign Desc. Public Hearing - July 7
Invoice Date 6/24/2025
Sales Rep(s) Layton Lipke - Classified

bill-to

City Of Cape Girardeau
ATTN: Accounts Payable
44 North Lorimier Street
P.O. Box 617
Cape Girardeau, MO 63701
Account No: 102961

advertiser

City Of Cape Girardeau
Account No: 102961

please remit payment to

Concord Publishing House, Inc.
PO Box 699
Cape Girardeau, MO 63702

For questions or payments, call us at 573.388.2728
Or email us at: billing@semissourian.com

payment due

Campaign Net Amount	54.43
Billing Installment	1 of 1
Invoice Net Amount	54.43
Payment Amount Due	\$ 54.43
Payment Due Date	6/30/2025

print lines

Product	Start	End	Description	Ad Size(s)	P.O. Number	Page #	Rate	Amount
Southeast Missourian	6/24/2025	6/24/2025	Legal Liner	2 Columns x 2.177 Inches			54.43	54.43

invoice no.

invoice date

sales rep(s)

CP26451

6/24/2025

Layton Lipke - Classified

bill-to

City Of Cape Girardeau
ATTN: Accounts Payable
44 North Lorimier Street
P.O. Box 617
Cape Girardeau, MO 63701
Account No: 102961

advertiser

City Of Cape Girardeau
Account No: 102961

PAYMENT REMITTANCE

SEND PAYMENT TO

Concord Publishing House, Inc.
PO Box 699
Cape Girardeau, MO 63702

PLEASE PAY THIS AMOUNT

\$ 54.43

**REMEMBER: DETACH AND RETURN THIS PORTION
WITH REMITTANCE FOR PROPER CREDIT**

Staff: Randy Morris Jr., Fire Chief
Agenda: July 21, 2025

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

An Ordinance authorizing sale of certain real property along South Sprigg Street and authorizing the Mayor to execute a Special Warranty Deed.

EXECUTIVE SUMMARY

The attached ordinance conveys interest in the land located within the Smelterville Subdivision along South Sprigg Street between La Cruz St and the Cape LaCroix Creek in the City of Cape Girardeau, Missouri to Cape Girardeau School District No. 63.

BACKGROUND/DISCUSSION

Fire Chief Randy Morris was approached by Cape Girardeau Career and Technology Center (CTC) with a request to purchase the fire training site grounds within the Smelterville Subdivision along South Sprigg Street between La Cruz St and the Cape LaCroix Creek. CTC would be using said ground to expand their Commercial Driver's License course and for miscellaneous needs. There is a signed Memorandum of Understanding for the price and terms of the usage of the site between CTC and the Fire Department allowing the Department the freedom to use the grounds as needed after the conveyance of interest in the property is completed. There are several Lots within the City owned lands of this area that are exempt from viable transfer of interest due to how they were acquired by the City via FEMA Flood Buyout Grant Funds. There are a number of lots that are viable to be sold that are not deed restricted by flood buyout monies. The City has vacated interest in several parts of Rights Of Way within the Smelterville Subdivision area prior to the sale of real property so as to be included in the available land to be sold. Approximately 5 acres, including these lots and vacated rights-of-way, would be available for transfer from the City (Grantor) to CTC (Grantee). Portions of the rights-of-way will be retained by the City to maintain access to flood buyout properties and existing underground infrastructure.

FINANCIAL IMPACT

All costs associated with the recordings of the documents associated with the conveyance of interest in this property will be the responsibility of the Grantee.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

Staff recommends approval of the ordinance authorizing the Mayor to execute a Special Warranty Deed to the Cape Girardeau School District No. 63 in the City of Cape Girardeau, Missouri.

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
📎 25-81_SWD_School_Dist.63_Fire_Training_Site.doc	Ordinance
📎 Agreement_and_Exhibits.pdf	Agreement
📎 2025.06.29.Deed.Cape.Schools.Fire.Training.Site_v2.pdf	DRAFT Special Warranty Deed

AN ORDINANCE AUTHORIZING SALE OF CERTAIN REAL PROPERTY ALONG SOUTH SPRIGG STREET, IN THE CITY OF CAPE GIRARDEAU, MISSOURI AND AUTHORIZING THE MAYOR TO EXECUTE A SPECIAL WARRANTY DEED TO CAPE GIRARDEAU SCHOOL DISTRICT NO. 63

WHEREAS, the City of Cape Girardeau has received and reviewed an offer to purchase real property owned by the City along South Sprigg Street, in the City of Cape Girardeau, Missouri("Property") in an Agreement for the Sale of Real Property between the City of Cape Girardeau as Seller and Cape Girardeau School District No. 63, as Buyer ("Buyer"); and,

WHEREAS, the Buyer, through its Career and Technology Center, has pledged to develop the site into a training center for emergency response as part of the consideration of the conveyance; and

WHEREAS, after negotiation, the City and Buyer have come to an agreement on terms for the sale and purchase of the Property which agreement is attached hereto and incorporated herein by reference (the "Agreement"), which specifically provides for a conditional right of reversion to the City; and

WHEREAS, the City Council desires to ratify and approve the Agreement and further desires to authorize performance of the Agreement by the City, subject to the terms and conditions thereof.

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

ARTICLE 1. The City Council hereby approves and ratifies the Agreement for the Sale of Real Property (attached hereto as **Exhibit 1** which document is hereby approved by the City Council and incorporated herein by reference) on the terms and conditions contained in the attached Agreement and further approves and ratifies the City Manager's execution of such Agreement on behalf of the City, with such changes or amendments as shall be approved by the officers of the City executing the same.

ARTICLE 2. Upon acceptance and execution of the Agreement by the Buyer, the City Council hereby further authorizes the

officers, agents, and employees of the City to take such other and further actions as any of such officials may deem necessary or appropriate to effectuate the terms of this Ordinance and the Agreement.

ARTICLE 3. The Mayor, for and on behalf of the City of Cape Girardeau, Missouri, upon satisfaction of the conditions specified in Article 2 of this Ordinance, is hereby authorized to execute a Special Warranty Deed to the District substantially in the form of the deed attached as **Exhibit 2** hereto, which document includes a right of reverter for the benefit of the City and is hereby approved by the City Council and incorporated herein by reference.

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

PASSED AND APPROVED THIS ____ DAY OF, _____ 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



EXHIBIT 1

AGREEMENT FOR THE SALE OF REAL PROPERTY

S. Sprigg and La Cruz St. Property
Cape Girardeau, Missouri

THIS AGREEMENT is entered into this ___ day of _____, 2025 by and between **THE CITY OF CAPE GIRARDEAU, MISSOURI**, a Municipal Corporation organized and existing under the laws of the State of Missouri, of the County of Cape Girardeau in the State of Missouri (hereinafter, “Seller” or “City”), and **CAPE GIRARDEAU SCHOOL DISTRICT NO 63, a public school district organized and existing under the laws of the State of Missouri**, of the County of Cape Girardeau in the State of Missouri (hereinafter, “Purchaser”).

IN CONSIDERATION of the mutual covenants and agreements of the parties, and intending to be legally bound, the parties hereby covenant and agree as follows:

1. **Covenants to Buy and Sell.** Seller agrees to sell and convey to Purchaser, and Purchaser agrees to purchase from Seller, FEE SIMPLE INTEREST subject to the Seller’s reversionary interest, in and to that certain parcel of unimproved land located in the City and County of Cape Girardeau, State of Missouri, bounded and described as set forth in **Exhibit A** attached hereto and made a part hereof, and shown on the plat drawing attached as **Exhibit B**, together with all rights, hereditaments, easements and appurtenances thereunto belonging (the “Property”).
2. **Purchase Price.** The purchase price for the Property shall be **\$25,000.00** to be paid by Purchaser to Seller at Closing (defined herein).
3. **Title.** Purchaser may, at Purchaser’s option and at Purchaser’s expense, obtain a commitment for an Owner’s Policy of Title Insurance from a title company of Purchaser’s choice (the “Title Company”).
4. **Closing.** The “Closing” shall mean the exchange of the deed for the Purchase Price. The Closing shall take place at City Hall no less than 10 days after the 2nd & 3rd reading of the Ordinance to accept the deed from the Seller. Purchaser shall bear the cost for recording the deed.
5. **Utility Easements.** At Closing, Purchaser shall convey to Seller utility easements at locations determined by the City. The descriptions for such easements are shown on the plat drawing attached as **Exhibit C**. Purchaser shall bear the cost for recording the easement document.
6. **License and Indemnity Agreement.** At Closing, Purchaser and Seller shall execute a license and indemnity agreement (the “L&I”) along the southern Right of Way line of La Cruz Street and no further East than the westernmost Right of Way line of Giboney Lane. A copy of the L&I is attached as **Exhibit D** and hereby incorporated into this Agreement and is made a part hereof. Purchaser shall bear the cost for recording the license and indemnity document.

7. **Memorandum of Understanding.** The Memorandum of Understanding (the “MOU”) between the Seller and Purchaser attached as **Exhibit E** is hereby incorporated into this Agreement and is made a part hereof, and both Seller and Purchaser hereby agree to be bound by the terms and conditions of the MOU.
8. **Representation.** Seller represents that no elected City official or City employee shall be admitted to or share any part of this Agreement, or to any benefits that may arise therefrom.
9. **Binding Effect.** The terms and conditions of this Agreement shall apply to and bind the parties hereto and their respective officers, managers, administrators, successors and assigns.
10. **Entire Agreement.** All terms and conditions with respect to this Agreement are expressly contained herein and Purchaser agrees that no representative or agent of the City has made any representation or promise with respect to this Agreement not expressly contained within.

This area intentionally left blank.

Signature Pages to follow

IN WITNESS WHEREOF, the undersigned has executed this agreement this _____ day
of _____, 2025.

CAPE GIRARDEAU SCHOOL DISTRICT NO 63

Signature

STATE OF _____)
) ss.
COUNTY OF _____)

BE IT REMEMBERED, that on this ____ day of _____, 2025 before
me, the undersigned notary public, personally appeared _____, who being by
me duly sworn, did state that they are the _____ for CAPE GIRARDEAU
SCHOOL DISTRICT NO 63, a public school district organized and existing under the laws of
the State of Missouri and that instrument were executed on behalf of said CAPE GIRARDEAU
SCHOOL DISTRICT NO 63, a public school district organized and existing under the laws of
the State of Missouri and acknowledged that he has executed the same for the purposes therein
contained.

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

Notary Public

My Commission Expires:

EXHIBIT A

Legal Description of the Property

All those parts of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, in the Cape Girardeau County Land Records, being part of Out Lot 63 of U.S.P.S. 2199, Section 7, Township 30 North, Range 14 East of the Fifth Principal Meridian, in the City and County of Cape Girardeau, Missouri, and being more particularly described as follows:

Tract 1: Vacated Alley, Block 1

All that part of a Vacated Alley Right of Way, as recorded in Document #2025-04176 in Block 1 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, both in the Cape Girardeau County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All that part of the platted 12 foot wide, East-West Alley of Block 1 of Smelterville beginning at the original Eastern Right of Way Line of Sprigg Street as shown on said plat and being the same location as a line stretching between the Southwest corner of Lot 3, Block 1 and the Northwest Corner of Lot 4, Block 1, as shown on said subdivision; thence stretching along the platted alley of Block 1 and terminating at a line that runs from the Southeast corner of Lot 16, Block 1 to the Northeast corner of Lot 15, Block 1 of said subdivision and being approximately 275 linear feet in length of said alley; 3,230.57 square feet in area, more or less.

Tract 2: Vacated Beech Street

All that part of Vacated Beech Street Right of Way, as recorded in Document # 2025-04176, falling between Blocks 1 and 2 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, both in the Cape Girardeau County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All that part of the platted 50 foot wide Beech Street Right of Way of Smelterville beginning at the original Eastern Right of Way Line of Sprigg Street as shown on said plat and being the same location as a line stretching between the Southwest corner of Lot 6, Block 1 and the Northwest Corner of Lot 1, Block 2, as shown on said subdivision; thence stretching along the platted

Beech Street and terminating at a line that runs from the Southeast corner of Lot 11, Block 1 to the Northeast corner of Lot 12, Block 2 of said subdivision and being approximately 205 linear feet in length of said right of way; 9,756.07 square feet in area, more or less.

Tract 3: Vacated Alley, Block 2

All that part of a Vacated Alley Right of Way, as recorded in Document # 2025-04176, in Block 2 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, both in the Cape Girardeau County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All that part of the platted 12 foot wide, East-West Alley of Block 2 of Smelterville beginning at the original Eastern Right of Way Line of Sprigg Street as shown on said plat and being the same location as a line stretching between the Southwest corner of Lot 3, Block 2 and the Northwest Corner of Lot 4, Block 2, as shown on said subdivision; thence stretching along the platted alley of Block 2 and terminating at a line that runs from the Southeast corner of Lot 13, Block 2 to the Northeast corner of Lot 14, Block 2 of said subdivision and being approximately 240 linear feet in length of said alley; 2,667 square feet in area, more or less.

Tract 4: Vacated Pine Street

All that part of Vacated Pine Street Right of Way, as recorded in Document # 2025-04176, falling between Blocks 2 and 3 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, both in the Cape Girardeau County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All that part of the platted 50 foot wide Pine Street Right of Way of Smelterville beginning at the original Eastern Right of Way Line of Sprigg Street as shown on said plat and being the same location as a line stretching between the Southwest corner of Lot 6, Block 2 and the Northwest Corner of Lot 1, Block 3, as shown on said subdivision; thence stretching along the platted Pine Street and terminating at a line that runs from the Southeast corner of Lot 14, Block 2 to the Northeast corner of Lot 13, Block 3 of said subdivision and being approximately 240 linear feet in length of said right of way; 11,540.15 square feet in area, more or less.

Tract 5: Vacated Alley, Block 3

All of a Vacated Alley Right of Way, as recorded in Document # 2025-04176, in Block 3 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, both in the Cape Girardeau County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All of the platted 12 foot wide, East-West Alley of Block 3 of Smelterville beginning at the original Eastern Right of Way Line of Sprigg Street as shown on said plat and being the same location as a line stretching between the Southwest corner of Lot 3, Block 3 and the Northwest Corner of Lot 4, Block 3, as shown on said subdivision; thence stretching along the entire length of the platted alley of Block 3 and terminating at the Western Right of Way Line of Giboney Lane as shown on said plat and being the same as a line that runs from the Southeast corner of Lot 20, Block 3 to the Northeast corner of Lot 19, Block 3 of said subdivision and being approximately 327 linear feet in length of said alley; 4,113.79 square feet in area, more or less.

Tract 6: Vacated Alley, Block 4

All of a Vacated Alley Right of Way, as recorded in Document # 2025-04176, in Block 4 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, both in the Cape Girardeau County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All of the platted 12 foot wide, East-West Alley of Block 4 of Smelterville beginning at the original Eastern Right of Way Line of Sprigg Street as shown on said plat and being the same location as a line stretching between the Southwest corner of Lot 3, Block 4 and the Northwest Corner of Lot 4, Block 4, as shown on said subdivision; thence stretching along the entire length of the platted alley of Block 4 and terminating at the Western Right of Way Line of Giboney Lane as shown on said plat and being the same as a line that runs from the Southeast corner of Lot 17, Block 4 to the Northeast corner of Lot 18, Block 4 of said subdivision and being approximately 317 linear feet in length of said alley; 3,926.62 square feet in area, more or less.

Tract 7: Lots in Block 1

All of Lots 1 through 13 (being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 & 13) and Lot 16 in Block 1 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42 in the City and County of Cape Girardeau, State of Missouri.

Tract 8: Lots in Block 2

All of Lots 1 through 12 (being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12) and Lot 14 in Block 2 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42 in the City and County of Cape Girardeau, State of Missouri.

Tract 9: Lots in Block 3

All of Lots 1 through 15 (being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15) and Lots 18 & 19 in Block 3 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42 in the City and County of Cape Girardeau, State of Missouri.

Tract 10: Lots in Block 4

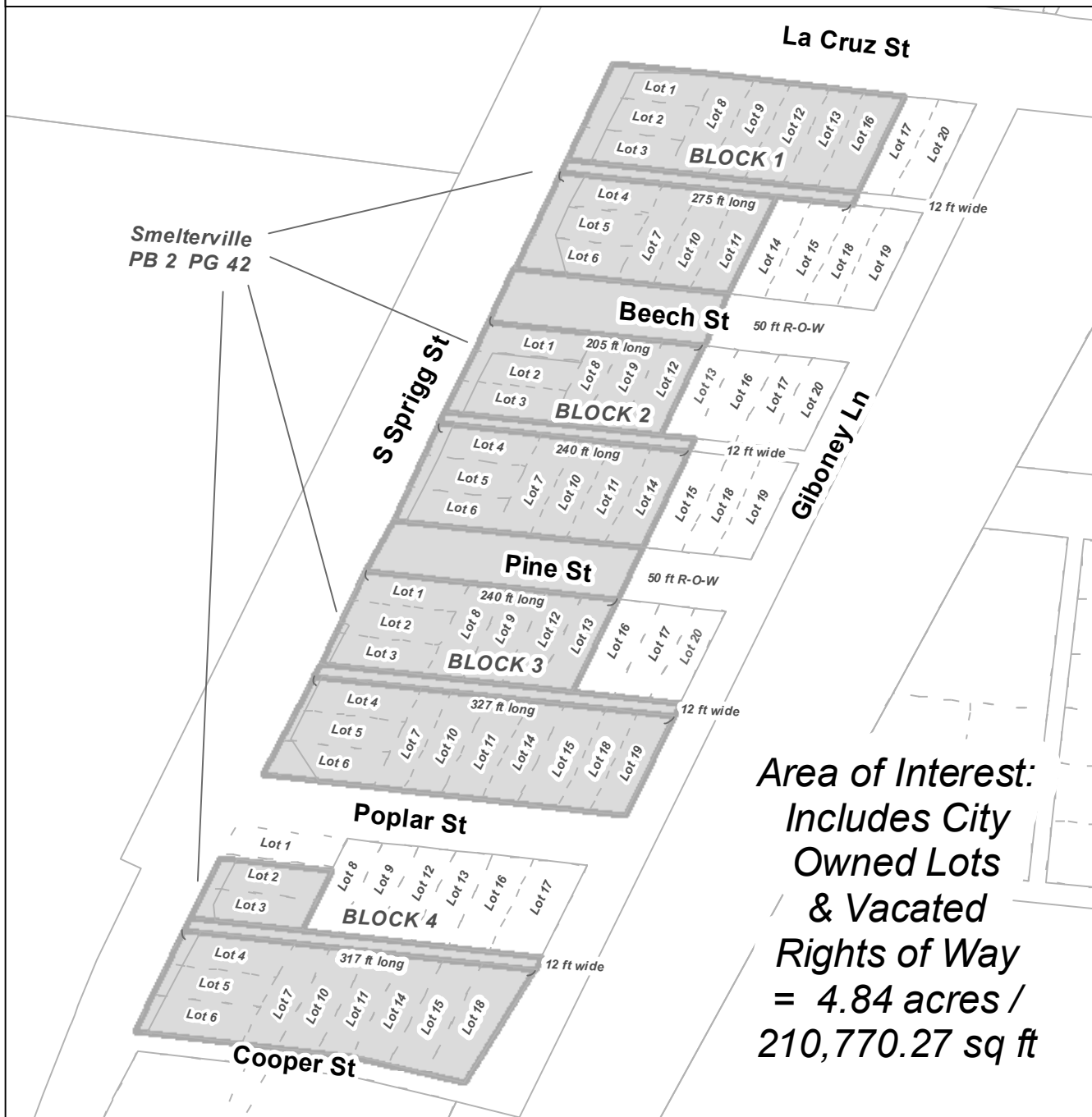
All of Lots 2 through 7 (being Lots 2, 3, 4, 5, 6 & 7) and Lots 10, 11, 14, 15 & 18 in Block 4 of Smelterville, a subdivision recorded in Plat Book 2 at Page 42 in the City and County of Cape Girardeau, State of Missouri.

EXHIBIT B



**CITY of CAPE
GIRARDEAU**

Lots & Vacated Rights of Way in Smelterville (PB 2 PG 42)



Area of Interest:
City Lots & Vacated ROW



Parcel



Lot Lines

LEGEND

0 100 200 Feet 1:1,750

Date: 1/9/2025

Created by: Development Services
Teresa Hefner, Alliance Water Resources

Data Source(s):
City of Cape Girardeau Government, MO

CITY of CAPE GIRARDEAU

Layers provided by the City of Cape Girardeau are to be used for visual aid only and are not guaranteed to be accurate. These layers are not to be used for any engineering or design purpose.

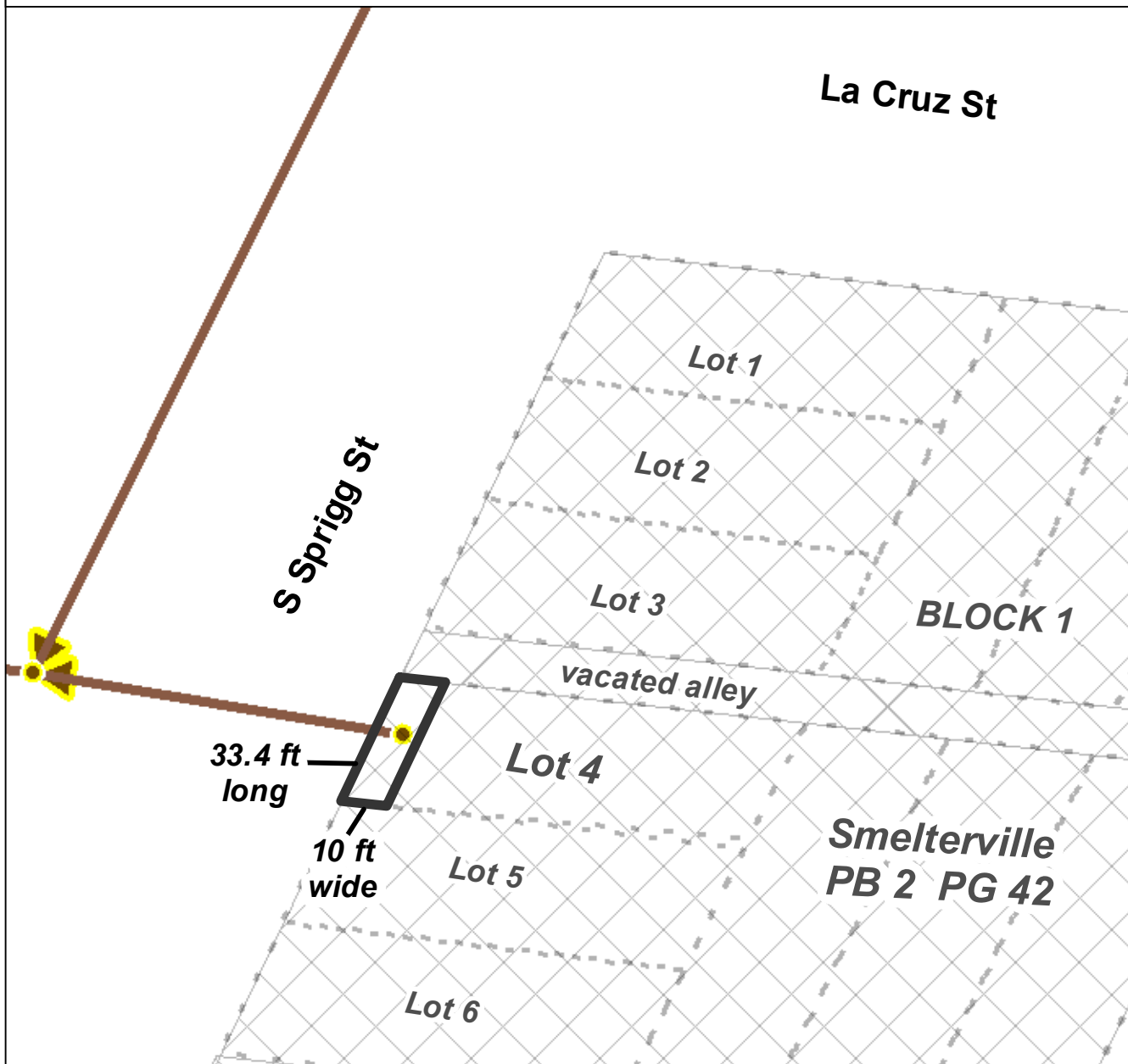


EXHIBIT C



**CITY of CAPE
GIRARDEAU**

Utility Easement in Lot 4, BLK 1, Smelterville



Easement



Property being Sold by City
(Lots & Vacated ROW)



Lot Lines



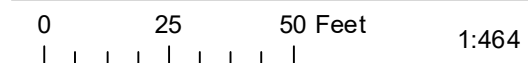
Sanitary Structures



Sanitary Sewer Lines



LEGEND



Date: 1/10/2025

Created by: Development Services
Teresa Hefner, Alliance Water Resources

Data Source(s):
City of Cape Girardeau Government, MO

CITY of CAPE GIRARDEAU

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Girardeau are to be used for visual aid only
and are not guaranteed to be accurate.
These layers are not to be used for any
engineering or design purpose.

Legal Description - Utility Easement in Smelterville

All that part of Lot 4, Block 1 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42 in the County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

The west 10 foot of Lot 4, Block 1, being 33.4 ft long along the Sprigg Street Right of Way by 10 feet deep and containing 334 square feet more or less.

EXHIBIT D

LICENSE AND INDEMNITY AGREEMENT

This License and Indemnity Agreement, hereinafter referred to as this "Agreement", is entered into by and between **CAPE GIRARDEAU SCHOOL DISTRICT NO 63, a public school district organized and existing under the laws of the State of Missouri**, of the County of Cape Girardeau in the State of Missouri, hereinafter referred to as the "Licensee", and the **CITY OF CAPE GIRARDEAU**, a Municipal Corporation organized and existing under the laws of the State of Missouri, hereinafter referred to as the "City". The Licensee and the City collectively are hereinafter referred to as the "Parties".

WHEREAS, the Licensee desires to place certain improvements and/or conduct certain activities in or on public right-of-way or other property owned or controlled by the City, hereinafter referred to as the "City Property"; and

WHEREAS, the City has prepared this Agreement for the purposes of granting permission to the Licensee to place said improvements and/or conduct said activities in or on the City Property, subject to certain conditions contained herein.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions contained herein, the Parties do hereby state, acknowledge, and agree as follows:

1. The City hereby grants the Licensee permission for the following improvements and/or activities: to install, operate, maintain or replace a Fence in the southern part of the La Cruz Street Right of Way as shown on Smelterville, a subdivision recorded in Plat Book 2 at Page 42 in the Cape Girardeau County land records. The permitted area where the fence can exist is more particularly described as: running parallel to the South line of La Cruz St. Right of Way and being not farther away from said southern line as 20 foot wide. The south line of La Cruz St right of way being the same line as the north line of Block 1 of Smelterville subdivision. The western side of the permitted Fence is to be no farther West than the Eastern line of the platted Sprigg St right of way of said subdivision; said line being the same line as a prolonged line to the north of the west line of Lot 1, Block 1 of said subdivision. The Eastern line of said permitted Fence is to be no farther East than a prolonged line if extended northward of the Eastern line of Lot 16, Block 1 of Smelterville into the La Cruz St right of way.
2. The Licensee hereby assumes all risk of personal injury or death and property damage or loss from whatever causes arising while any person approaches, enters, uses, or leaves the City Property, which may occur directly or indirectly as a result of the placement of said improvements and/or the conduct of such activities in or on the City Property.
3. The Licensee hereby releases the City, its officers, employees, agents, servants, and assigns from any liability resulting from the placement of said improvements and/or the conduct of such activities in or on the City Property.
4. The Licensee hereby indemnifies and holds harmless the City, its officers, employees, agents, servants, and assigns from all suits and actions of every name and description brought against the same, for or on account of any injuries or damages received or sustained by any party or parties or alleged to be received or sustained by any party or parties that may result directly or

indirectly from the placement of said improvements and/or the conduct of such activities in or on the City Property.

5. The Licensee hereby agrees to keep said improvements in a state of good repair and to cooperate with the City by making necessary repairs as requested by the City so as to protect and preserve the public health and safety.
6. The Licensee hereby agrees that it will not maintain in or on the City Property any hazardous or toxic waste or substances, as defined under all applicable federal, state, and local environmental laws, including, but not limited to: hazardous waste as defined in the Resource Conservation and Recovery Act of 1976, as amended (hereinafter referred to as "RCRA"), hazardous substances as defined in the Comprehensive Environmental Response Compensation and Liability Act, as amended (hereinafter referred to as "CERCLA"), and toxic substances as defined in the Toxic Substances Control Act, as amended (hereinafter referred to as "TSCA"). Any operations in or on the City Property shall not be in violation of any laws, regulations, ordinances, statutes, orders, or decrees of any governmental body, arbitration tribunal, or court, including, without limitation, RCRA, CERCLA, TSCA, and all regulations thereunder. There shall be no conduct of business in or on the City Property that constitutes a violation of environmental laws or any other laws, regulations, ordinances, statutes, order or decrees of any governmental body.
7. Neither this Agreement, nor any portion thereof, nor any actions of the City in granting permission to place said improvements and/or conduct said activities in or on the City Property, shall be construed to give the Licensee any irrevocable rights with respect thereto. The City reserves the right to terminate this Agreement and to order the removal of said improvements and/or the cessation of said activities, at the Licensee's cost, for any reason. In such event, the Licensee agrees to remove said improvements and/or cease said activities within a reasonable period of time as determined by the City. Should the Licensee fail to remove said improvements and/or cease said activities within said period of time, the City shall have the right to cause said improvements to be removed and/or said activities to be stopped, and any costs incurred by the City in doing so shall be paid by the Licensee. Should the Licensee fail to pay the City for said costs, the City shall have the right to issue a special tax bill, which shall be a lien against the Licensee's property referenced herein.
8. This Agreement shall be a continuing obligation running with the land, and shall bind the Licensee and any heirs, executors, administrators, successors, assigns, and legal representatives of the Licensee. This Agreement shall be recorded in the Office of the Recorder of Deeds of Cape Girardeau County, Missouri, and shall be of record.

(Remainder of this page intentionally left blank)

IN WITNESS WHEREOF, the Parties have executed this Agreement on this 20 day of March, 2025.

CAPE GIRARDEAU SCHOOL DISTRICT NO 63

Howard Benyon
Signature

STATE OF Missouri)
COUNTY OF Cape Girardeau) SS.

On this 20 day of March, 2025, before me personally appeared Howard Benyon who did state that he/she is the Superintendent of **CAPE GIRARDEAU SCHOOL DISTRICT NO 63, a public school district organized and existing under the laws of the State of Missouri**, of the County of Cape Girardeau in the State of Missouri, and that they have executed the foregoing instrument as a free act and deed for the said purposes therein stated.

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



Kristy L. Mehner
Notary Public Signature

Kristy L. Mehner
Notary Public Printed Name

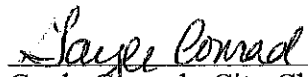
My Commission Expires: 11-24-2026

IN WITNESS WHEREOF, the Parties have executed this Agreement on this 21st day of March, 2025.

CITY OF CAPE GIRARDEAU


Dr. Kenneth Haskin, City Manager

ATTEST:


Gayle Conrad, City Clerk



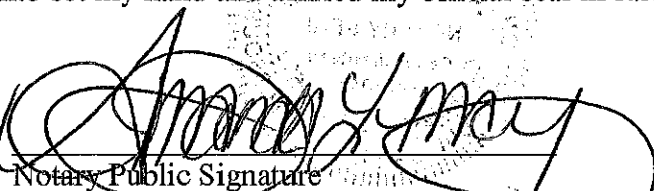
STATE OF MISSOURI)
) SS.
COUNTY OF CAPE GIRARDEAU)

On this 21st day of March, 2025 before me personally appeared Dr. Kenneth Haskin, City Manager of the City of Cape Girardeau, a Municipal Corporation organized and existing under the laws of the State of Missouri, known by me to be the person described in and who executed the foregoing instrument, and acknowledged that the foregoing instrument was signed and sealed on behalf of said City by authority of its City Council, and acknowledged that he executed the same as the free act and deed of said City.

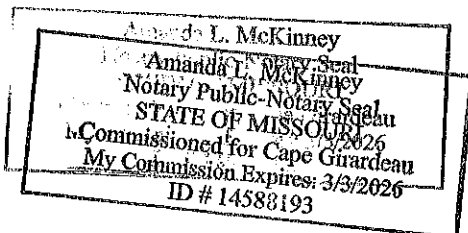
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in said State and County, the date first above written.

My Commission Expires:

3/3/2026


Notary Public Signature

Amanda L. McKinney
Notary Public Printed Name



Legal Description - L & I for La Cruz St ROW in Smelterville Area

A part of La Cruz Street Right of Way of Smelterville, a subdivision recorded in Plat Book 2, at Page 42 in the County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All that part, adjacent to and along the southern line and being 20 foot wide, of LaCruz Street Right of Way of the aforementioned Smelterville stretching from the Northwest corner of Lot 1, Block 1 of said subdivision for a length of 275 feet, more or less, to the Northeast corner of Lot 16, Block 1 of said subdivision and there terminating.



CITY of CAPE
GIRARDEAU

License & Indemnity Agreement for La Cruz St Right of Way



L & I Agreement
Area of Interest



Parcel



Lot Lines



LEGEND

0 50 100 Feet 1:822

Date: 6/28/2025

Created by: Development Services
Teresa Hefner, Alliance Water Resources

Data Source(s):
City of Cape Girardeau Government, MO

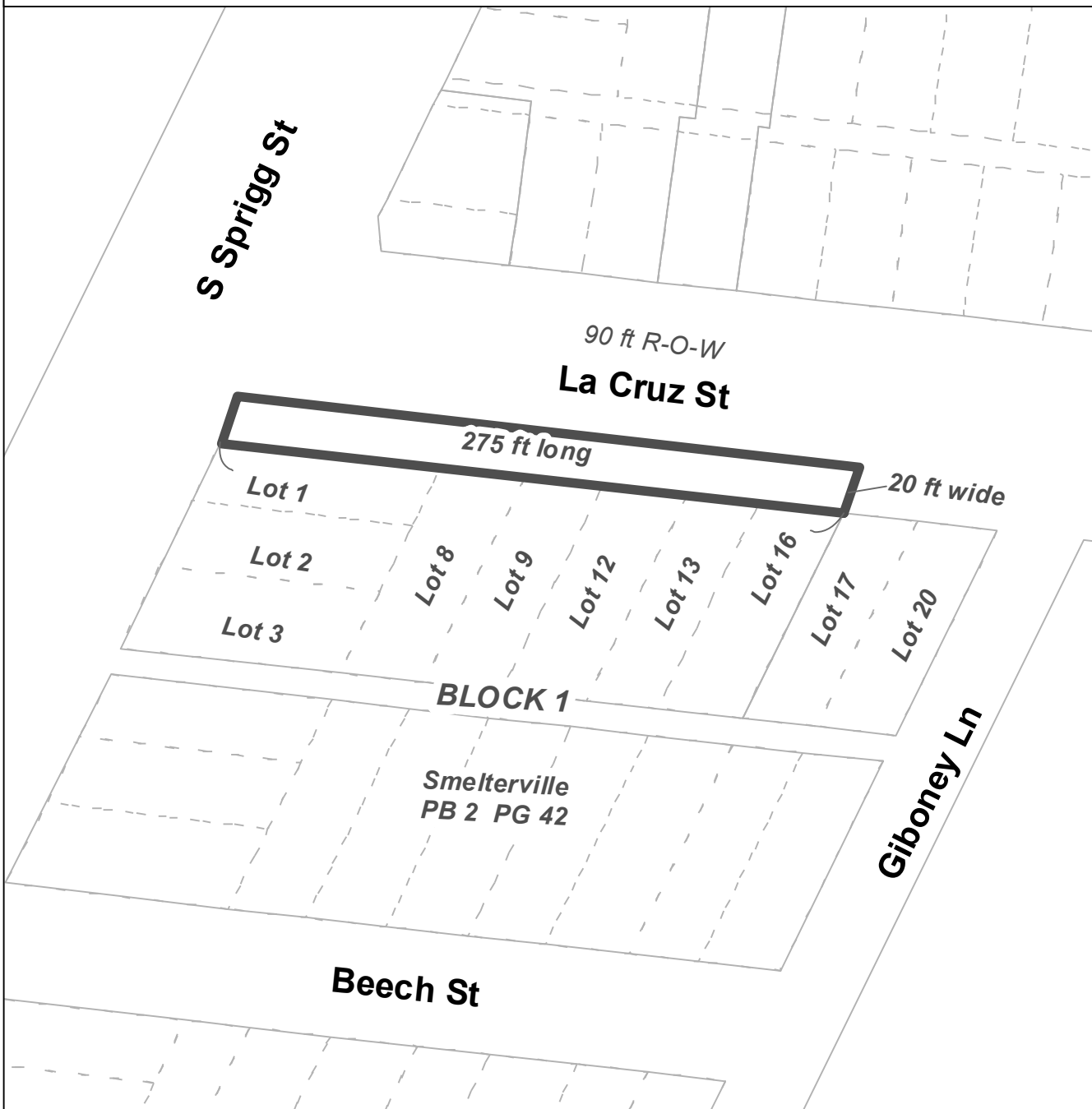
CITY of CAPE GIRARDEAU

Layers provided by the City of Cape Girardeau are to be used for visual aid only and are not guaranteed to be accurate. These layers are not to be used for any engineering or design purpose.



CITY of CAPE
GIRARDEAU

License & Indemnity Agreement for La Cruz St Right of Way



L & I Agreement
Area of Interest



Parcel



Lot Lines



LEGEND

0 50 100 Feet 1:822

Date: 6/28/2025

Created by: Development Services
Teresa Hefner, Alliance Water Resources

Data Source(s):
City of Cape Girardeau Government, MO

CITY of CAPE GIRARDEAU

Layers provided by the City of Cape
Girardeau are to be used for visual aid only
and are not guaranteed to be accurate.
These layers are not to be used for any
engineering or design purpose.

EXHIBIT E

MEMORANDUM OF UNDERSTANDING

CAPE CAREER AND TECHNOLOGY CENTER, A DIVISION OF CAPE GIRARDEAU PUBLIC SCHOOL DISTRICT #63 AND THE CITY OF CAPE GIRARDEAU MISSOURI

RECITALS

WHEREAS, the Cape Career and Technology Center, a division of Cape Girardeau Public School District #63 ("CTC") and the City of Cape Girardeau, Missouri ("City of Cape") (referred to collectively as "The Parties") wish to enter a collaborative agreement for the development of a state of the art training center for emergency response and readiness programs.

WHEREAS, the City Council has determined that the implementation of this MOU and the fulfillment generally of the purposes stated herein are in the best interests of the residents of City of Cape, and the health, safety, and welfare of its residents, and in accord with the public purposes specified in this MOU.

WHEREAS, The Parties execute this Memorandum of Understanding ("MOU"), effective upon the signature of the respective designees herein.

NOW, THEREFORE, in consideration of the foregoing premises and the mutual promises set forth in this MOU, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

ARTICLE I

REAL PROPERTY SUBJECT TO THIS MOU

The City of Cape represents and acknowledges that it is the current holder in fee simple title to approximately 9.33 acres of land located at South Sprigg Street and Lacruz Street in the City of Cape Girardeau, County of Cape Girardeau, State of Missouri ("Sprigg Street Property").

The City of Cape acknowledges that the Sprigg Street Property was professionally appraised by the Dockins Valuation Company, an independent appraisal firm, in December of 2023. Pursuant to that appraisal, it was determined that the property has a fair market value of One Hundred Fifty Thousand Dollars and 00/100 (\$150,000.00).

ARTICLE II

OBLIGATIONS AND RESPONSIBILITIES

A. RESPONSIBILITIES OF THE CITY OF CAPE GIRARDEAU, MISSOURI

1. City of Cape agrees to sell and convey the Sprigg Street Property to the CTC for a purchase price of Twenty-Five Thousand Dollars and 00/100 (\$25,000.00). The remaining value of the property is given by City of Cape as consideration for the efforts of CTC in developing the Sprigg Street Property.

2. City of Cape agrees to execute a Special Warranty Deed in favor of the Cape Girardeau Public School District #63 for the Sprigg Street Property.

B. RESPONSIBILITIES OF CTC

1. Remit Twenty-Five Thousand Dollars and 00/100 (\$25,000.00) to City of Cape as part of the purchase price of the Sprigg Street Property within thirty (30) days of the execution of this MOU.

2. Build and develop (in conjunction and cooperation with the Cape Girardeau Fire Department and the City of Cape) all necessary fixtures and appurtenances to create a state of the art training center for emergency response and readiness programs. CTC shall be responsible for all costs associated with constructing, maintaining, and insuring the training center and the Sprigg Street Property other than those installation costs specified in Section C of this Article. CTC shall bear all liability for the Sprigg Street Property.

3. Provide priority access to the training center for the Cape Girardeau Fire Department at no cost to the City of Cape, behind only that of the CTC and its programs.

C. SHARED RESPONSIBILITIES OF THE CTC AND THE CITY OF CAPE

1. At the discretion and option of the City of Cape, the City of Cape may install electric lines and outdoor lights at the Sprigg Street Property. The installation costs shall be paid equally by the City of Cape and the CTC. Nothing in this section shall prohibit the CTC from installing further electric lines or any other improvements.

2. The City of Cape shall install water and sewer service line(s) necessary for the development of the Training Center or intended utilization of the Sprigg Street Property. The installation costs for which shall be paid equally by the City of Cape and the CTC.

ARTICLE III

PROPERTY RIGHTS

REAL PROPERTY. The Parties acknowledge that CTC shall be the fee simple title holder of the Sprigg Street Property, with all rights attendant thereto, for so long as the property is being utilized in conjunction with this MOU. Should the Sprigg Street Property ever cease to be used for the intended purposes as stated in this MOU by the CTC or should the CTC fail to provide reasonable access to the Cape Girardeau Fire Department to the training center and the Sprigg Street Property, the District shall make the Sprigg Street Property available to the City of Cape and the City of Cape shall have the option for fee simple title to said real property to revert back to the City of Cape for \$25,000 plus the costs incurred by the CTC for all improvements and fixtures at the Sprigg Street Property, and a equal division of the increase in assessed value over and above the combined contributions of The Parties. Any delay by the City of Cape in asserting its rights under this paragraph shall not operate to act as a waiver of such rights or to deprive it of or limit such rights in any way.

The Parties acknowledge that all infrastructure developments and improvements as well as any fixtures shall run with the land.

PERSONAL PROPERTY. The Parties acknowledge that any equipment or items of personal property utilized in the development of training center shall remain the property of the group or individual who provided said equipment or item for use.

ARTICLE IV

MISCELLANEOUS

INTERPRETATION. This MOU contains the entire agreement of the Parties. The Parties acknowledge they are entering into the MOU for the purposes and for the reasons set forth herein, they intend for this

MOU to be interpreted and construed as a binding agreement, and they will cooperate with each other in the spirit of those paragraphs to resolve any issues that may arise because of lack of more formal documentation with respect of the matters agreed to in this MOU.

AMENDMENT OR MODIFICATION. The Parties may amend or modify this MOU only by written instrument duly executed by the Parties hereto.

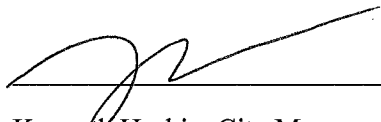
This MOU shall be binding on and shall inure to the benefit of the Parties and their respective successors and assigns.

IN WITNESS WHEREOF, the City of Cape and the CTC have caused this Agreement to be executed in their respective names on this 11th day of February, 2021⁵


CITY OF CAPE GIRARDEAU, MISSOURI

**CAPE CAREER AND TECHNOLOGY
CENTER, A DIVISION OF CAPE
GIRARDEAU PUBLIC SCHOOL
DISTRICT #63**

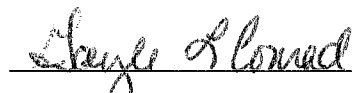
By:


Kenneth Haskin, City Manager

By:


Dr. Howard Benyon

ATTEST:


Gayle Conrad, City Clerk

ATTEST:



STATE OF MISSOURI)

) SS

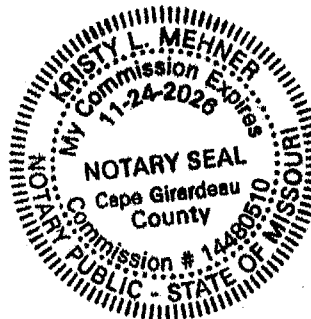
COUNTY OF CAPE GIRARDEAU)

On this 11 day of February, 2024⁵, before me appeared Howard Benyon, to me personally known, who, being by me duly sworn, did say that he is the Superintendent of **CAPE GIRARDEAU SCHOOL DISTRICT #63**, a public school district of the State of Missouri, and that the seal affixed to the foregoing instrument is the seal of said School District, and that said instrument was signed and sealed on behalf of said School District by authority of its School Board, and said officer acknowledged said instrument to be executed for the purposes therein stated and as the free act and deed of said School District.

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

Kristy L. Mehner
Name: Kristy L. Mehner
Notary Public in and for said State Missouri

My Commission Expires:



PLEASE AFFIX SEAL FIRMLY AND CLEARLY IN THIS BOX

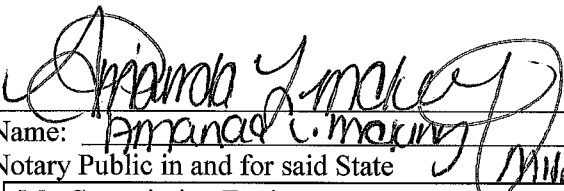
STATE OF MISSOURI)

) SS

COUNTY OF CAPE GIRARDEAU)

On this 11th day of February, 2024, before me appeared **KENNETH HASKIN**, to me personally known, who, being by me duly sworn, did say that he is the City Manager of the **CITY OF CAPE GIRARDEAU, MISSOURI**, an incorporated political subdivision 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 said officer acknowledged said instrument to be executed for the purposes therein stated and as the free act and deed of said City.

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


Name: Amanda L. McKinney
Notary Public in and for said State Missouri
My Commission Expires:

Amanda L. McKinney
Notary Public-Notary Seal
STATE OF MISSOURI
Commissioned for Cape Girardeau
My Commission Expires: 3/3/2026
ID # 14588193

PLEASE AFFIX SEAL FIRMLY AND CLEARLY IN THIS BOX

EXHIBIT 2

[Space Above this Line for Recording Data]

Title of Document: **SPECIAL WARRANTY DEED**

Date of Document:

Grantor: City of Cape Girardeau, Missouri
Grantor's Address: 44 N. Lorimier St.
Cape Girardeau, Missouri 63701

Grantee: Cape Girardeau School District No. 63
Grantee's Address: 301 N. Clark Street
Cape Girardeau, Missouri 63701

Full Legal Description
is Located on Page(s): 4-7

Reference Book(s) and
Page(s), if required: n/a

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and entered into as of the ____ day of _____, 2025, by and between the **CITY OF CAPE GIRARDEAU, MISSOURI**, a Missouri municipal corporation operating under a charter form of government with an address at 44 N. Lorimier Street, Cape Girardeau, Missouri 63701 (“**Grantor**”), and **CAPE GIRARDEAU SCHOOL DISTRICT NO 63**, with an address of 301 N. Clark Street, Cape Girardeau, Missouri 63701 (“**Grantee**”).

WITNESSETH THAT:

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid by Grantee, the receipt and sufficiency of which are hereby acknowledged, does by these presents BARGAIN AND SELL, CONVEY AND CONFIRM unto Grantee, the real property, and any improvements thereon, situated in the County of Cape Girardeau, State of Missouri described in **Exhibit A** attached hereto and incorporated herein for all purposes (the “Property”);

TO HAVE AND TO HOLD the Property, together with all rights and appurtenances to the same belonging, unto Grantee and to the heirs, successors and assigns of Grantee, for so long as the Property is being utilized for the purposes of developing and utilizing a training center for emergency response and readiness programs, including that the Grantor shall be permitted reasonable access to the Property for the benefit of its public safety personnel. In the event the Property ceases to be used for the specified purposes, or if the Grantor is denied such reasonable access to the Property, then the Grantor may, in its sole discretion, exercise a right of reverter, subject to the condition that the Grantor reimburses Grantee for the sum of \$25,000, plus the costs incurred by the Grantee for all improvements and fixtures to the Property, plus one half of any increase in assessed land value of the Property. Grantor may exercise its right of reverter at any time upon the happening of the conditions described above by delivering written notice to Grantee with an offer to pay the sum required, together with Grantor’s calculation of said sum.

Grantor hereby covenants that it and its successors and assigns shall and will WARRANT AND DEFEND the title to the Property unto Grantee and Grantee’s heirs, successors and assigns forever, subject to the Grantor’s rights specified above, against the lawful claims of all persons claiming an interest in the Property by, through or under Grantor, but none other, excepting, however, all claims, liens, easements, restrictions, and any other encumbrances of record, all existing public rights-of-way, and the general taxes for the calendar year 2025 and thereafter.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date first above written.

GRANTOR:

CITY OF CAPE GIRARDEAU, MISSOURI

By: _____
Stacy Kinder,
Mayor

ATTEST:

City Clerk

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

On this ____ day of August, 2025, before me 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, 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 she acknowledged said instrument to be the free act and deed of said City.

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

Notary Public

SEAL:

My Commission Expires:

EXHIBIT A

Legal Description of the Property

All those parts of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, in the Cape Girardeau County Land Records, being part of Out Lot 63 of U.S.P.S. 2199, Section 7, Township 30 North, Range 14 East of the Fifth Principal Meridian, in the City and County of Cape Girardeau, Missouri, and being more particularly described as follows:

Tract 1: Vacated Alley, Block 1

All that part of a Vacated Alley Right of Way, as recorded in Document #2025-04176 in Block 1 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, both in the Cape Girardeau County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All that part of the platted 12 foot wide, East-West Alley of Block 1 of Smelterville beginning at the original Eastern Right of Way Line of Sprigg Street as shown on said plat and being the same location as a line stretching between the Southwest corner of Lot 3, Block 1 and the Northwest Corner of Lot 4, Block 1, as shown on said subdivision; thence stretching along the platted alley of Block 1 and terminating at a line that runs from the Southeast corner of Lot 16, Block 1 to the Northeast corner of Lot 15, Block 1 of said subdivision and being approximately 275 linear feet in length of said alley; 3,230.57 square feet in area, more or less.

Tract 2: Vacated Beech Street

All that part of Vacated Beech Street Right of Way, as recorded in Document # 2025-04176, falling between Blocks 1 and 2 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, both in the Cape Girardeau County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All that part of the platted 50 foot wide Beech Street Right of Way of Smelterville beginning at the original Eastern Right of Way Line of Sprigg Street as shown on said plat and being the same location as a line stretching between the Southwest corner of Lot 6, Block 1 and the Northwest Corner of Lot 1, Block 2, as shown on said subdivision; thence stretching along the platted

Beech Street and terminating at a line that runs from the Southeast corner of Lot 11, Block 1 to the Northeast corner of Lot 12, Block 2 of said subdivision and being approximately 205 linear feet in length of said right of way; 9,756.07 square feet in area, more or less.

Tract 3: Vacated Alley, Block 2

All that part of a Vacated Alley Right of Way, as recorded in Document # 2025-04176, in Block 2 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, both in the Cape Girardeau County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All that part of the platted 12 foot wide, East-West Alley of Block 2 of Smelterville beginning at the original Eastern Right of Way Line of Sprigg Street as shown on said plat and being the same location as a line stretching between the Southwest corner of Lot 3, Block 2 and the Northwest Corner of Lot 4, Block 2, as shown on said subdivision; thence stretching along the platted alley of Block 2 and terminating at a line that runs from the Southeast corner of Lot 13, Block 2 to the Northeast corner of Lot 14, Block 2 of said subdivision and being approximately 240 linear feet in length of said alley; 2,667 square feet in area, more or less.

Tract 4: Vacated Pine Street

All that part of Vacated Pine Street Right of Way, as recorded in Document # 2025-04176, falling between Blocks 2 and 3 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, both in the Cape Girardeau County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All that part of the platted 50 foot wide Pine Street Right of Way of Smelterville beginning at the original Eastern Right of Way Line of Sprigg Street as shown on said plat and being the same location as a line stretching between the Southwest corner of Lot 6, Block 2 and the Northwest Corner of Lot 1, Block 3, as shown on said subdivision; thence stretching along the platted Pine Street and terminating at a line that runs from the Southeast corner of Lot 14, Block 2 to the Northeast corner of Lot 13, Block 3 of said subdivision and being approximately 240 linear feet in length of said right of way; 11,540.15 square feet in area, more or less.

Tract 5: Vacated Alley, Block 3

All of a Vacated Alley Right of Way, as recorded in Document # 2025-04176, in Block 3 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, both in the Cape Girardeau County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All of the platted 12 foot wide, East-West Alley of Block 3 of Smelterville beginning at the original Eastern Right of Way Line of Sprigg Street as shown on said plat and being the same location as a line stretching between the Southwest corner of Lot 3, Block 3 and the Northwest Corner of Lot 4, Block 3, as shown on said subdivision; thence stretching along the entire length of the platted alley of Block 3 and terminating at the Western Right of Way Line of Giboney Lane as shown on said plat and being the same as a line that runs from the Southeast corner of Lot 20, Block 3 to the Northeast corner of Lot 19, Block 3 of said subdivision and being approximately 327 linear feet in length of said alley; 4,113.79 square feet in area, more or less.

Tract 6: Vacated Alley, Block 4

All of a Vacated Alley Right of Way, as recorded in Document # 2025-04176, in Block 4 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42, both in the Cape Girardeau County Land Records, in the City and County of Cape Girardeau, Missouri and further described as follows:

All of the platted 12 foot wide, East-West Alley of Block 4 of Smelterville beginning at the original Eastern Right of Way Line of Sprigg Street as shown on said plat and being the same location as a line stretching between the Southwest corner of Lot 3, Block 4 and the Northwest Corner of Lot 4, Block 4, as shown on said subdivision; thence stretching along the entire length of the platted alley of Block 4 and terminating at the Western Right of Way Line of Giboney Lane as shown on said plat and being the same as a line that runs from the Southeast corner of Lot 17, Block 4 to the Northeast corner of Lot 18, Block 4 of said subdivision and being approximately 317 linear feet in length of said alley; 3,926.62 square feet in area, more or less.

Tract 7: Lots in Block 1

All of Lots 1 through 13 (being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 & 13) and Lot 16 in Block 1 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42 in the City and County of Cape Girardeau, State of Missouri.

Tract 8: Lots in Block 2

All of Lots 1 through 12 (being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12) and Lot 14 in Block 2 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42 in the City and County of Cape Girardeau, State of Missouri.

Tract 9: Lots in Block 3

All of Lots 1 through 15 (being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15) and Lots 18 & 19 in Block 3 of Smelterville, a subdivision recorded in Plat Book 2, at Page 42 in the City and County of Cape Girardeau, State of Missouri.

Tract 10: Lots in Block 4

All of Lots 2 through 7 (being Lots 2, 3, 4, 5, 6 & 7) and Lots 10, 11, 14, 15 & 18 in Block 4 of Smelterville, a subdivision recorded in Plat Book 2 at Page 42 in the City and County of Cape Girardeau, State of Missouri.

Staff: Jake Garrard, PE, City Engineer
Agenda: July 21, 2025

AGENDA REPORT Cape Girardeau City Council	
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SUBJECT

A resolution authorizing the City Manager to execute a License and Indemnity Agreement with Flock Group Inc, to place certain improvements upon public right-of-way.

EXECUTIVE SUMMARY

The attached License and Indemnity Agreement sets out the responsibilities, conditions, and liabilities assumed by Flock Group Inc. for the installation of automatic license plate reader cameras on “Flock Poles” upon public right-of-way in the City of Cape Girardeau.

BACKGROUND/DISCUSSION

Flock Group Inc. approached the City to ensure they were within compliance with their project to install automatic license plate reader cameras on public right-of-way to add an investigative advantage to Southeast Missouri University’s Police Department and the City of Cape Girardeau Police Department. These cameras are mounted on a twelve foot tall “Flock Pole” and are powered via small solar panels attached to the pole. The installation location of this pole lies within City managed Right of Way and meets the requirements for a license and indemnity agreement to cover the liability of the existence of private improvements in public rights of way.

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

Staff recommends approval of the attached Resolution authorizing the City Manager to execute a License and Indemnity Agreement with Flock Group Inc.

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
25-82_License_and_Indemnity_Flock.doc	Resolution
EXECUTED_L_I_SEMO- _License_Plate_Readers_in_ROW_(FINAL)_signed_by_Flock_2025.0627.pdf	Agreement

BILL NO. 25-82

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO
EXECUTE A LICENSE AND INDEMNITY AGREEMENT
WITH FLOCK GROUP INC, TO PLACE CERTAIN
IMPROVEMENTS UPON PUBLIC RIGHT-OF-WAY

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

ARTICLE 1. The City Manager, for and on behalf of the City of Cape Girardeau, Missouri, is hereby authorized to execute a License and Indemnity Agreement with Flock Group Inc, to install, operate, and to maintain Automatic License Plate Reader Cameras in the City's Right of Way in the City of Cape Girardeau, Missouri. The Agreement shall be in substantially the form attached hereto, which document is hereby approved by the City Council, 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 _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



LICENSE AND INDEMNITY AGREEMENT

This License and Indemnity Agreement, hereinafter referred to as this “Agreement”, is entered into by and between Flock Group Inc., a Delaware Corporation, hereinafter referred to as the “Licensee”, and the CITY OF CAPE GIRARDEAU, a Municipal Corporation organized and existing under the laws of the State of Missouri, hereinafter referred to as the “City”. The Licensee and the City collectively are hereinafter referred to as the “Parties”.

WHEREAS, the Licensee desires to place certain improvements and/or conduct certain activities in or on the public right-of-way or other property owned or controlled by the City, hereinafter referred to as the “City Property”; and

WHEREAS, the City has prepared this Agreement for the purposes of granting permission to the Licensee to place said improvements and/or conduct said activities in or on the City Property, subject to certain conditions contained herein.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions contained herein, the Parties do hereby state, acknowledge, and agree as follows:

1. The City hereby grants the Licensee permission for the following improvements and/or activities: to install, operate, and to maintain Automatic License Plate Reader Cameras. These cameras will be mounted on a twelve foot ‘Flock Pole’ powered via small solar panels at [REDACTED] in the City and County of Cape Girardeau, Missouri, said improvements and/or activities being more particularly described and/or depicted in the attached Exhibits, which are made a part hereof as though fully set out herein.
2. The Licensee hereby assumes all risk of personal injury or death and property damage or loss from whatever causes arising while any person approaches, enters, uses, or leaves the City Property, which may occur directly or indirectly as a result of the placement of said improvements and/or the conduct of such activities in or on the City Property.
3. The Licensee hereby releases the City, its officers, employees, agents, servants, and assigns from any liability resulting from the placement of said improvements and/or the conduct of such activities in or on the City Property.
4. The Licensee hereby indemnifies and holds harmless the City, its officers, employees, agents, servants, and assigns from all suits and actions of every name and description brought against the same, for or on account of any injuries or damages received or sustained by any party or parties or alleged to be received or sustained by any party or parties that may result directly or indirectly from the placement of said improvements and/or the conduct of such activities in or on the City Property.
5. The Licensee hereby agrees to keep said improvements in a state of good repair and to cooperate with the City by making necessary repairs as requested by the City so as to protect and preserve the public health and safety.
6. The Licensee hereby agrees that it will not maintain in or on the City Property any hazardous or toxic waste or substances, as defined under all applicable federal, state, and local environmental

laws, including, but not limited to: hazardous waste as defined in the Resource Conservation and Recovery Act of 1976, as amended (hereinafter referred to as "RCRA"), hazardous substances as defined in the Comprehensive Environmental Response Compensation and Liability Act, as amended (hereinafter referred to as "CERCLA"), and toxic substances as defined in the Toxic Substances Control Act, as amended (hereinafter referred to as "TSCA"). Any operations in or on the City Property shall not be in violation of any laws, regulations, ordinances, statutes, orders, or decrees of any governmental body, arbitration tribunal, or court, including, without limitation, RCRA, CERCLA, TSCA, and all regulations thereunder. There shall be no conduct of business in or on the City Property that constitutes a violation of environmental laws or any other laws, regulations, ordinances, statutes, order or decrees of any governmental body.

7. Neither this Agreement, nor any portion thereof, nor any actions of the City in granting permission to place said improvements and/or conduct said activities in or on the City Property, shall be construed to give the Licensee any irrevocable rights with respect thereto. The City reserves the right to terminate this Agreement and to order the removal of said improvements and/or the cessation of said activities, at the Licensee's cost, for any reason. In such event, the Licensee agrees to remove said improvements and/or cease said activities within a reasonable period of time as determined by the City. Should the Licensee fail to remove said improvements and/or cease said activities within said period of time, the City shall have the right to cause said improvements to be removed and/or said activities to be stopped, and any costs incurred by the City in doing so shall be paid by the Licensee. Should the Licensee fail to pay the City for said costs, the City shall have the right to issue a special tax bill, which shall be a lien against the Licensee's property referenced herein.
8. This Agreement shall be a continuing obligation running with the land, and shall bind the Licensee and any heirs, executors, administrators, successors, assigns, and legal representatives of the Licensee. This Agreement shall be recorded in the Office of the Recorder of Deeds of Cape Girardeau County, Missouri, and shall be of record.

(Remainder of this page intentionally left blank)

IN WITNESS WHEREOF, the Parties have executed this Agreement on this 27th day of JUNE, 2025.

Flock Group Inc

Signature

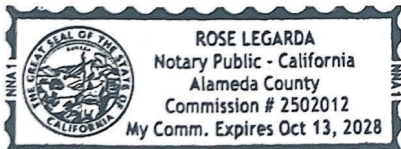
Mark Smith, General Counsel

Printed Name and Title

STATE OF CALIFORNIA)
) SS.
COUNTY OF ALAMEDA)

On this 27th day of JUNE, 2025, before me personally appeared Mark Smith, who did state that they are the _____ of Flock Group Inc, a Delaware Corporation, and that they executed the foregoing instrument as the free act and deed of said Limited Liability Company for the purposes therein stated.

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



[Signature]

Notary Public Signature

Rose Legarda

Notary Public Printed Name

My Commission Expires: October 13, 2028

IN WITNESS WHEREOF, the Parties have executed this Agreement on this _____ day of _____, 20____.

CITY OF CAPE GIRARDEAU

Dr. Kenneth Haskin, City Manager

ATTEST:

Signature

Printed Name and Title

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

On this _____ day of _____, 20____, before me personally appeared Dr. Kenneth Haskin, City Manager of the City of Cape Girardeau, a Municipal Corporation organized and existing under the laws of the State of Missouri, known by me to be the person described in and who executed the foregoing instrument, and acknowledged that the foregoing instrument was signed and sealed on behalf of said City by authority of its City Council, and acknowledged that he executed the same as the free act and deed of said City.

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

My Commission Expires:

Notary Public Signature

Notary Public Printed Name

Staff: City Manager's Office
Agenda: July 21, 2025

AGENDA REPORT Cape Girardeau City Council	
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SUBJECT

Resolution authorizing the Mayor to execute a Contract for Services with the Southeast Missouri Regional Economic Development Inc., a/k/a Semo REDI.

EXECUTIVE SUMMARY

In December 2019, the City Council approved a contract with Cape Girardeau Area Industrial Recruitment Association, a/k/a MAGNET. This contract expired December 31, 2024.

BACKGROUND/DISCUSSION

A new Contract for Services has been prepared to run from May 8, 2025, through December 31, 2025. This agreement was reached following a meeting between the Council Subcommittee, Mayor Kinder, Nate Thomas, Dan Presson, and representatives from SEMO Redi.

FINANCIAL IMPACT

The City shall pay to Semo REDI the sum of Sixty-Eight Thousand Dollars (\$68,000) per year. This Agreement shall commence on May 8, 2025, and shall expire December 31, 2025.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS



Semo REDI sustains itself through the member cities, county, and private investors, and has a significant economic impact for this area. A continued monitoring of the organization, budget and impact is the responsibility of the Semo REDI Board.

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 25-83_Agreement_Semo_REDl.doc	Resolution
 SEMOREDl_CityofCape_Contract_SB_Executed_5.8.25.pdf	Semo Redi Agreement

BILL NO. 25-83

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE
AN AGREEMENT FOR SERVICES WITH SOUTHEAST
MISSOURI REGIONAL ECONOMIC DEVELOPMENT, INC.,
A/K/A SEMO REDI

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

ARTICLE 1. The Mayor, for and on behalf of the City of Cape Girardeau, Missouri, is hereby authorized to execute an agreement for services with Southeast Missouri Regional Economic Development, Inc., also known as Semo REDI, in the City of Cape Girardeau, Missouri. The Agreement shall be in substantially the form attached hereto, which document is hereby approved by the City Council, and incorporated herein by reference. 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 _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



AGREEMENT FOR SERVICES

THIS AGREEMENT ("Agreement") is made and entered into this 8th day of May, 2025, by and between the SOUTHEAST MISSOURI REGIONAL ECONOMIC DEVELOPMENT, INC. a/k/a Semo REDI, a corporation organized and existing under the laws of the State of Missouri ("Semo REDI"), and the CITY OF CAPE GIRARDEAU, MISSOURI, a home-rule city organized and existing under the laws of the State of Missouri ("City" and collectively the "Parties").

NOW, THEREFORE, in consideration of the premises and mutual promises contained herein and other good and valuable consideration, the adequacy and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

SERVICES

1. The Parties recognize and agree Semo REDI provides business recruitment and economic development advocacy for the City. Semo REDI shall be very familiar with the City of Cape Girardeau Comprehensive Plan, "Cape Vision 2040", which was adopted July 8, 2020.
2. Semo REDI shall use Cape Vision 2040 as a guide in its work for the City and shall help the City achieve its strategic goals related to economic development, specifically:
 - business recruitment and retail support within the City
 - maintaining an inventory of available commercial real estate, with special attention to infill and second generation (redevelopment) properties within the City
 - provide resources and economic advisement for redevelopment projects in the Downtown area, historic districts, and commercial corridors within the City
 - workforce development, recruitment, and training, in conjunction with secondary and post-secondary public and private school systems in Cape Girardeau, as well as the local healthcare industry
 - identifying potential enhancements and additions to the existing City entrepreneurial ecosystem, in conjunction with the City's Community Development Department and other development organizations.
3. Semo REDI shall position itself as a central contact for the collection, classification, and distribution of information for Requests for Information (RFIs) including from, but not limited to, the Missouri Partnership, developers, brokers, and small business entrepreneurs, and respond appropriately in a timely manner regarding opportunities within the City. Semo REDI shall submit to the City a written report of RFIs received and responded to by Semo REDI no later than June 30 and December 31 of each year.
4. Semo REDI shall be very familiar with development/redevelopment tools and incentives that are available to support economic development within the City, and shall assist in facilitating communication between the City and interested parties.

REPORTS

5. Ongoing Reporting: SEMO REDI shall provide ongoing project and activity updates to the City and be available to meet with representatives of the City as needed. Ongoing reporting may include, but are not limited to, monthly written CEO reports of organizational activity and one-on-one meetings about any active projects that require City engagement.

6. Annual Report – Annually, Semo REDI shall submit to the City a report consisting of: its recruitment and retention activities, net new businesses and jobs in the City. Additionally, Semo REDI will present a summary its activities to the City Council at a Regular City Council Meeting.

CITY REPRESENTATION

7. The City shall have the right to select two (2) members of Semo REDI's board of directors, and who shall serve staggered terms to be determined in accordance with the bylaws of Semo REDI.

TERM

8. This Agreement shall commence on May 8, 2025, and shall expire December 31, 2025.

PAYMENT

9. The City shall pay to Semo REDI the sum of Sixty-Eight Thousand Dollars (\$68,000) per year. Each year, during the term of this Agreement, payments shall be made to Semo REDI in four equal quarterly installments payable the 1st of March, June, September and December of each year, provided the reports required herein this Agreement and invoices for payment have been submitted in a timely manner and that Semo REDI has satisfied the requirements of this Agreement as determined by the City. The City's receipt of the reports required in this Agreement shall be a condition precedent to any payments due under this Agreement.

TERMINATION

10. Either party may terminate this Agreement at any time without cause. The termination shall be effective by providing written notice to the other party at least sixty (60) days prior to said termination date. Such right of termination shall be in addition to any other remedies the City may have at law or in equity.

NON-AGENCY

11. Nothing herein contained is intended or shall be construed as an agency agreement. Semo REDI's only relationship with the City is to provide the services set out herein and has no authority to bind the City, and shall not represent itself to have authority to act on behalf of the City in any manner except as provided herein. The Parties agree that Semo REDI is an independent contractor, and shall not be considered agents or employees of the City.

LIABILITY INSURANCE

12. Semo REDI, at its sole expense, agrees to maintain at all times during the term of this Agreement, comprehensive liability insurance. The policy for such insurance shall be placed with financially sound and reputable insurers licensed to transact business in the State of Missouri. Said policy shall name the City as an additional insured. The comprehensive liability insurance required herein shall have coverages of not less than the current absolute statutory

waivers of sovereign immunity in Sections 537.600 and 537.610 of the Revised Statutes of Missouri (which for calendar year 2025 is equal to \$3,448,710 for all claims arising out of a single accident or occurrence and \$517,306 for any one person in a single accident or occurrence.) Further, the policy shall be adjusted upward annually, to remain at all times not less than the inflation adjusted sovereign immunity limits as published in the Missouri Register on an annual basis by the Department of Insurance pursuant to Section 537.610 of the Revised Statutes of Missouri. Semo REDI agrees to provide immediate written notice to the City when a cancellation, termination, expiration or modification of the comprehensive liability policy occurs.

INDEMNIFICATION

13. Semo REDI covenants and agrees to indemnify, defend and hold harmless the City and its elected officials, officers, agents, servants, employees and independent contractors against any and all claims, demands, damage, suits, judgments, loss or liability of any kind or nature, costs and expenses, including attorneys' fees and witness costs, which may be asserted by any person or persons, including agents or employees of Semo REDI, related to any action taken or resulting from this Agreement, or as a result of anything claimed to be done or omitted to be done relating to this Agreement. If a party brings a suit or claim against the City, Semo REDI shall defend such suit or claim with legal counsel selected by the City and shall pay the costs and attorneys' fees of such counsel. All costs and expenses incurred by the City in the assistance in the defense of the litigation, claim or action and in discussion and consideration of any settlement, or in actions required to be taken as a result of the litigation, claim or action such as response to discovery and attendance at depositions, including attorneys' fees, shall be paid by Semo REDI. This indemnification shall survive after termination of this Agreement.

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 OR STATE CONSTITUTION OR LAW.

WAIVER OF PERFORMANCE

14. The failure of the City to insist in any instance or in more than one instance upon strict performance by Semo REDI of any of the provisions, terms, covenants, reservations, conditions or stipulations contained in this Agreement shall not be considered as a waiver or relinquishment thereof for the future. No waiver by the City of any provision, term, covenant, reservation, condition or stipulation contained in this Agreement shall be deemed to have been made in any instance unless expressed in the form of a resolution by the City Council.

SEVERABILITY

15. The provisions of this Agreement shall be deemed severable. If any provision of this Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions of this Agreement shall remain valid unless the court finds that the valid provisions are so essentially and inseparably connected with and so dependent upon the invalid provision that it cannot be presumed that the Parties hereto would have agreed to the valid provisions of this Agreement, or unless the court finds the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the intent of the Parties.

FEDERAL WORK AUTHORIZATION PROGRAM

16. Semo REDI must comply with and satisfy the requirements of Section 285.530.2 of the Revised Statutes of Missouri, which requires (a) any business entity receiving a contract in excess of \$5,000 to, by sworn affidavit and provision of documentation, annually affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the business entity, and (b) every such business entity to annually sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien. Semo REDI shall provide such affidavit and documentation to the City upon execution of this Agreement and annually on or before November 15 of each year during the term of this Agreement.

NOTICES

17. Any notice, demand or other communication required by this Agreement to be given by a Party hereto to the other shall be in writing and shall be sufficiently given or delivered if dispatched by overnight delivery service, United States first-class mail, postage prepaid, or delivered personally, and addressed as follows:

(a) To the City:

City of Cape Girardeau
44 N. Lorimier Street
Cape Girardeau, Missouri 63701
Attention: City Manager

with a copies to:

City of Cape Girardeau
44 N. Lorimier Street
Cape Girardeau, Missouri 63701
Attention: City Attorney

(b) To Semo REDI:

Semo REDI
220 North Fountain Street
Cape Girardeau, MO 63701

[The signature page follows.]

IN WITNESS WHEREOF, the Parties have duly executed this Agreement the day and year first above written.

SOUTHEAST MISSOURI REGIONAL ECONOMIC DEVELOPMENT, INC., A/K/A "SEMO REDI"


Shad Burner, Chief Executive Officer

CITY OF CAPE GIRARDEAU

Stacy Kinder, Mayor

ATTEST:

Traci Weissmueller, Deputy City Clerk

Staff: Jake Garrard, PE, City Engineer
Agenda: July 21, 2025

AGENDA REPORT Cape Girardeau City Council	
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SUBJECT

Motion to accept the improvements to serve Siemer's Plaza (3320, 3324, 3328, & 3332 Campster Dr.), in the City of Cape Girardeau.

EXECUTIVE SUMMARY

BACKGROUND/DISCUSSION

Public sanitary sewer main improvements constructed to serve Siemer's Plaza are as follows:

SEWER MAIN

- 8" SDR -35 PVC Gravity Main - 71.5 LF
- Standard Sanitary Sewer Manhole - 1 Each

These improvements were inspected by City Staff and were completed generally in accordance with the approved plans.

FINANCIAL IMPACT

The sanitary sewer main improvements were installed by private contractor. Once accepted into the City system, the City will pay for routine maintenance and, if necessary, any repairs.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS


STAFF RECOMMENDATION

Staff recommends the Council accept, by motion, the sanitary sewer main improvements to serve Siemer's Plaza (3320, 3324, 3328, & 3332 Campster Dr.), into the City System.

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 20241223_Siemers_Plaza_-_Sanitary_Sewer_Record_Drawing.pdf	As-Built Plan

PUBLIC SANITARY SEWER RECORD DRAWINGS

SIEMER'S PLAZA

3320, 3324, 3328 & 3332 CAMPSTER DRIVE

LOCATED IN A PART OF U.S.P.S. 3090
TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE 5th P.M.
CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI

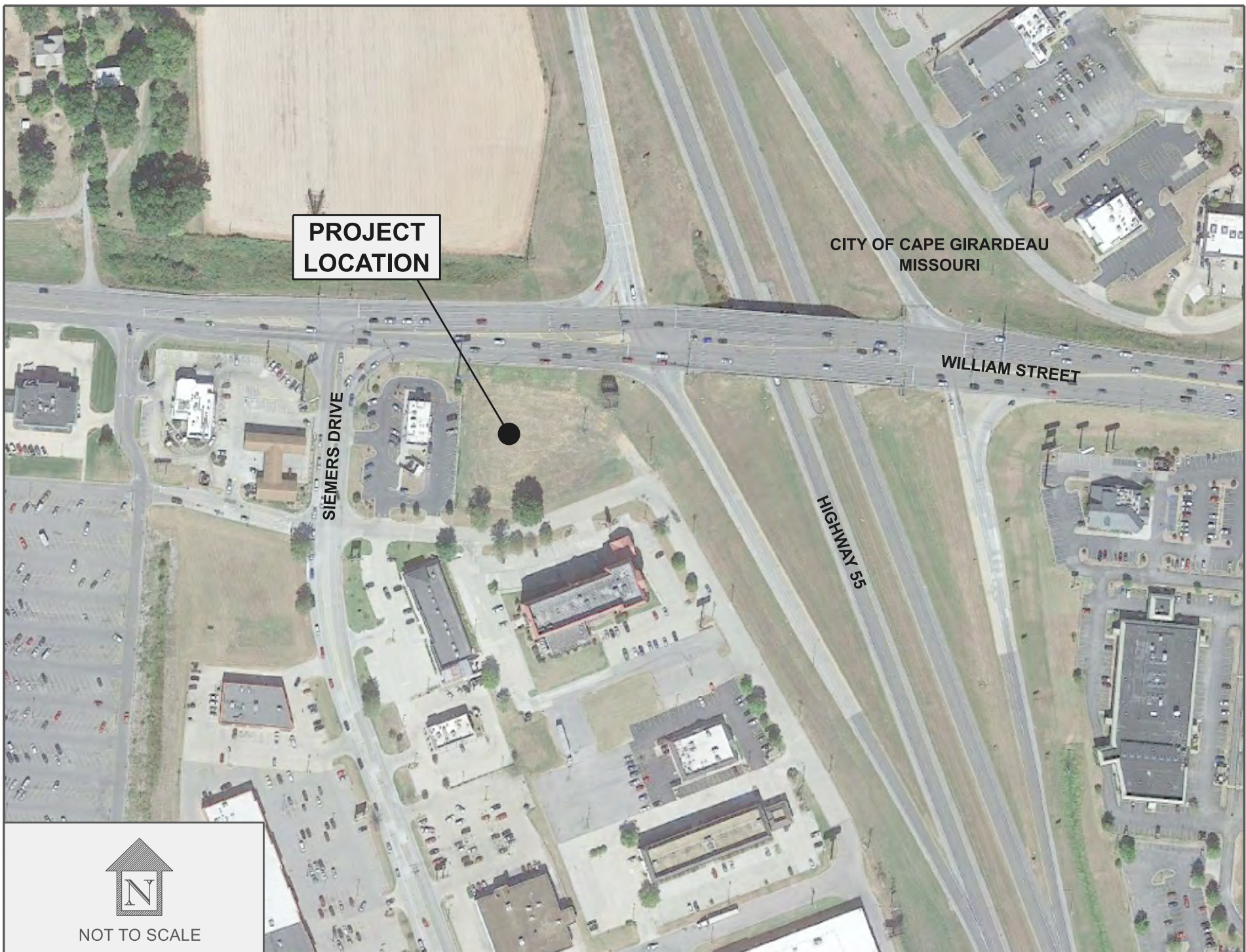
INDEX TO SHEETS

SHEET NO. C5.5
SANITARY SEWER PLAN & PROFILE

PREPARED FOR:

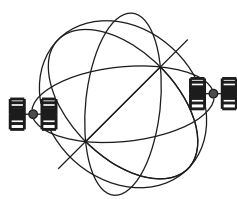
DRURY SOUTHWEST, INC.

101 S. FARRAR DR.
CAPE GIRARDEAU, MO 63701



VICINITY MAP

PREPARED BY



Bowen
ENGINEERING & SURVEYING

Consulting Engineers • Land Surveyors • Testing Laboratories

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

2121 Megan Drive
Cape Girardeau, MO 63701
Ph 573 339 5900
Fax 573 339 1391
www.bowenengsurv.com

DECEMBER 23, 2024

NOTE:
A FIELD SURVEY WAS CONDUCTED ON DECEMBER 18, 2024 TO IDENTIFY THE
LOCATION OF THE "AS BUILT" PUBLIC SANITARY SEWER MAIN EXTENSION. THE
LOCATION AND INFORMATION SHOWN FOR UNDERGROUND FEATURES RELATED
TO THE SEWER MAIN EXTENSION WAS OBTAINED FROM THE CITY OF CAPE
GIRARDEAU INSPECTOR'S REDLINE DRAWINGS, RECEIVED DECEMBER 13, 2024.
ALL OTHER FEATURES ARE SHOWN FOR INFORMATION ONLY.

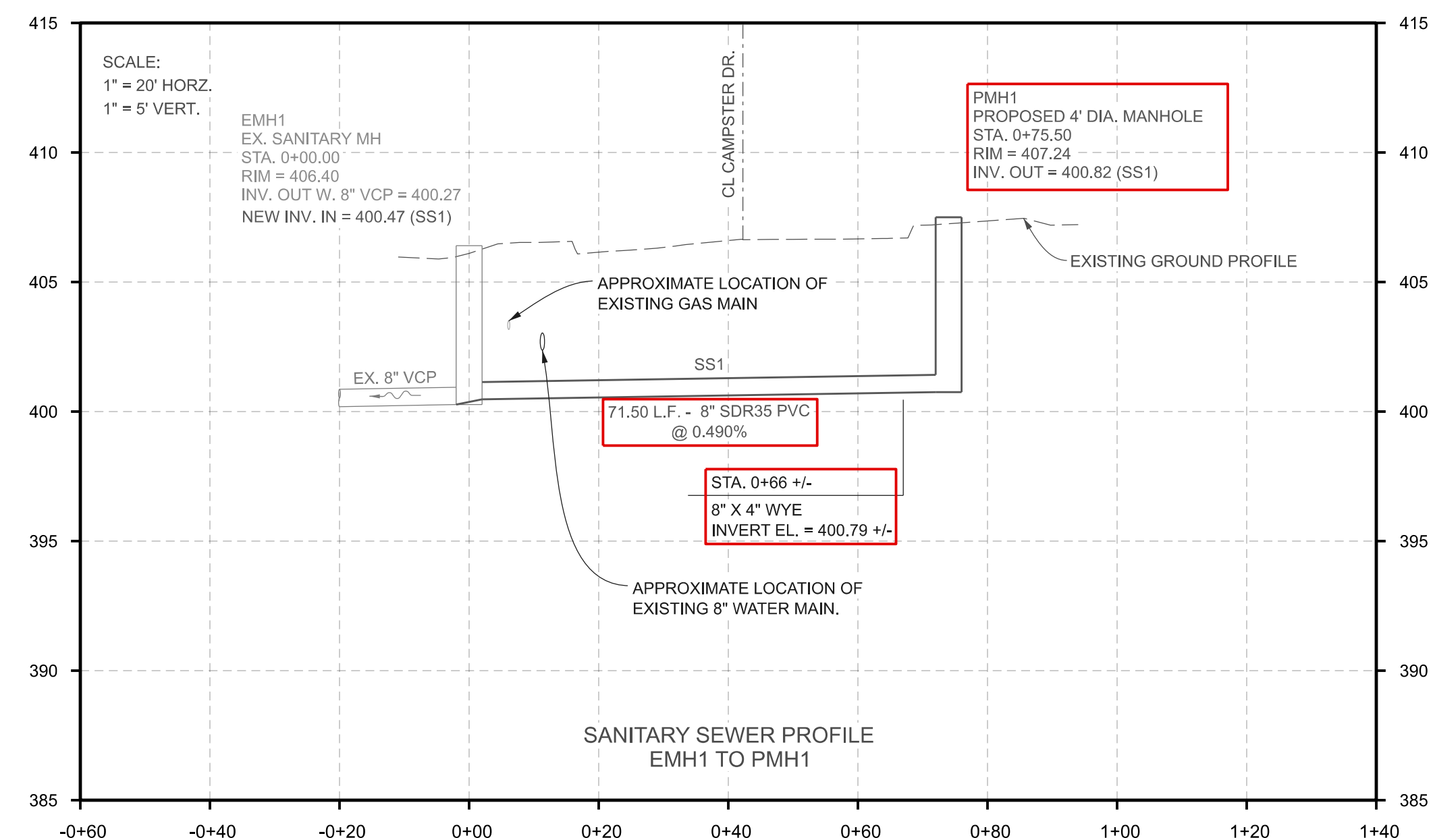
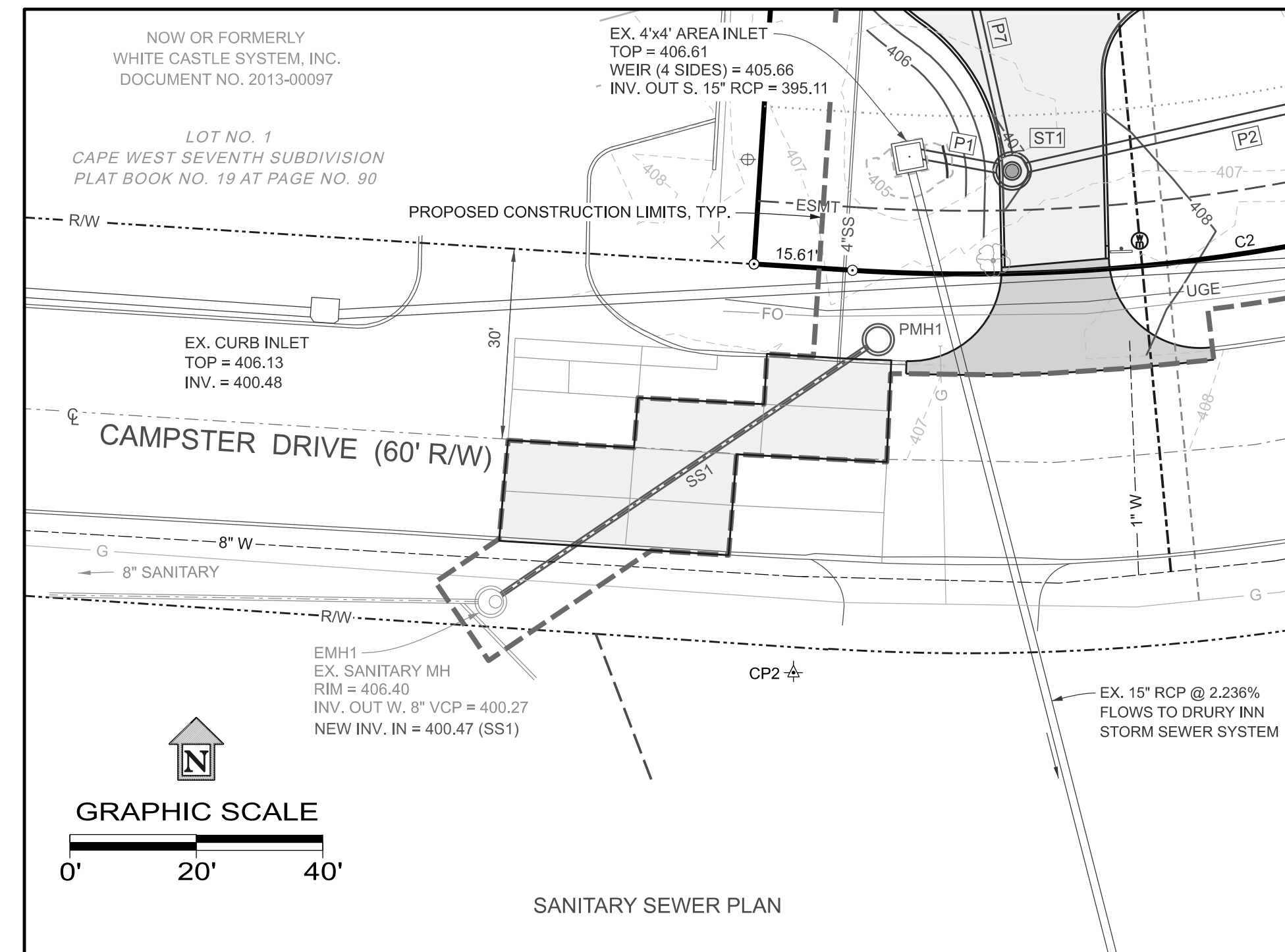
Christopher M. Buerck

CHRISTOPHER M. BUERCK, P.E.
E-2002003142

12/23/24

DATE

RECORD
DRAWING
AS-BUILT



GENERAL NOTES

1.) UTILITY, WATER, SANITARY SEWER AND STORM SEWER CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF CAPE GIRARDEAU STANDARD SPECIFICATIONS AND STANDARD DRAWINGS.

2.) FOR ALL UTILITY INSTALLATIONS, RELOCATIONS, ADJUSTMENTS AND CONNECTIONS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION WITH THE APPROPRIATE UTILITY COMPANIES.

3.) FOR NEW UTILITIES AND SEWERS LOCATED WITHIN PAVEMENT AND SIDEWALK LIMITS, TRENCH BACKFILL SHALL BE MADE WITH TYPE 5 CRUSHED LIMESTONE FOR THE ENTIRE TRENCH DEPTH. COMPACT EACH LAYER TO A MINIMUM OF 95% OF THE MAXIMUM DRY DENSITY AS DETERMINED BY ASTM D698 (STANDARD PROCTOR).

4.) ALL SANITARY SEWER PIPE SHALL BE SDR35 PVC.

ESTIMATED QUANTITIES - PUBLIC SANITARY SEWER IMPROVEMENTS

NO.	ITEM	QUANTITY	UNIT
1	48" DIA. MANHOLE	1	EACH
2	8" Dia. SDR36 PVC PIPE	71.5	L.F.
3	8" x 4" SDR35 PVC WYE	1	EACH

SANITARY SEWER WYE LOCATION TABLE

NO.	WYE LOCATION (FT.)	FROM MH	ALONG	SIZE	EXTENSION	CUT
1	66	EMH1	SS1	4"	14'	6'

 **Bowen**

ENGINEERING & SURVEYING

Consulting Engineers • Land Surveyors • Testing Laboratories

Bowen Engineering & Surveying, P.C.
Engineering Corporation - Missouri State Certificate of Authority #0003863
Land Surveying Corporation - Missouri State Certificate of Authority #0001666

Cape Girardeau, MO 63701
PH: 573.339.5900
Fax: 573.339.1391
www.bowenengr.com

SIEMER'S PLAZA
24, 3328 & 3332 CAMPSTER DRIVE
CAPE GIRARDEAU, MO
DRURY SOUTHWEST, INC.
CAPE GIRARDEAU, MO

DESCRIPTION	DATE

his drawing and the details on it are the sole property of the Engineer and may be used for specific project only. It shall not be loaned, sold or reproduced, in whole or in part, or for other purpose or project without the written consent of the Engineer.

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Steven Engineering & Surveying, P.C.

RECORD
DRAWING
AS-BUILT

Professional Engineer's seal affixed to this sheet applies only to the material and items shown on this sheet. All drawings, instruments and other documents not exhibiting this seal shall be considered prepared by this Engineer, and this Engineer expressly disclaims any and all responsibility for such plan, drawings or instruments not exhibiting this seal.

OBJ NO.	E23-017
DATE	DEC. 23, 2024
FILE	E23-017.DGN
PRICE	N/A
OWN BY	CMB
MOD BY	
SCALE	AS SHOWN

SANITARY SEWER PLAN & PROFILE & DETAILS

SHEET NO.

C5.5

Staff: Gayle L. Conrad, MPCC/CMC,
Director of Citizen Services/City
Clerk

Agenda: July 21, 2025

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

Appointment to the Advisory Board of the Convention and Visitors Bureau

EXECUTIVE SUMMARY

On July 1, 2024, the City of Cape Girardeau, under the direction of the Parks and Recreation Department, began administration of the Convention and Visitors Bureau. The City Council established by ordinance an Advisory Board to act in an advisory capacity to the Convention and Visitors Bureau, to support and guide the Bureau's operations, and to make recommendations on the methods of promoting tourism, conventions, meetings and other activities and events.

BACKGROUND/DISCUSSION

The original ordinance established the makeup of the Advisory Board of the Convention and Visitors Bureau as nine members comprised of the following: two members to be owners or operators of hotels or motels within the city limits, one member to be from the Cape Girardeau Area Chamber of Commerce, one member to be from Old Town Cape, one member to be an owner or operator of a restaurant within the city limits, and four members to have demonstrated by past activities an interest in the entertainment, hospitality, convention or tourism business.

On July 7th the City Council, by ordinance, amended the makeup of the advisory board to include two members who own or operate a restaurant within the city limits in order to provide equal representation with hoteliers and restaurateurs. If approved, the Council must appoint one additional individual representing the restaurant industry.

The following individuals have expressed an interest in serving on the board and are owners or operators of a restaurant in the city limits, and their advisory board applications are attached.

Applicant	Organization
DeWayne Schaaf	Celebrations, Ebb & Flow
Michelle Latham	Bourbon & Bitters, insurance agent

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

It is recommended that the City Council appoint one person from the restaurant industry to the Convention and Visitors Board for a term expiring June 30, 2028.

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 CVB_Roster.pdf	CVB Roster

CONVENTION & VISITORS BUREAU ADVISORY BOARD

5/5/2025 ROSTER

NAME	FIELD	TERM #	APPOINTED	TERM EXPIRES
Echimovich, John	Mid-America Hotels	1	6/17/2024	6/30/2027
Gilligan, Rob	Chamber of Commerce	1	6/17/2024	6/30/2027
Haynes, Liz	Old Town Cape	1	6/17/2024	6/30/2027
Kluge, Randy	Drury Southwest	P	6/17/2024	6/30/2026
Noto, Dr. Quantella	SEMO	P	6/17/2024	6/30/2026
Patel, Anissa	Local Restaurants	P	6/17/2024	6/30/2026
Randolph, Lyle	Century Casino	P	6/17/2024	6/30/2025
Ritter Jr., Carl	NSSC Volleyball	P	6/17/2024	6/30/2025
Saverino, Nate	SEMO	P	6/17/2024	6/30/2025

P = Partial Term

DESCRIPTION: Act in an advisory capacity to the Convention and Visitors Bureau, including providing recommendations on the methods of promoting tourism, conventions, meetings and other activities and events. Recommend a long-term strategic plan for operations of the Convention and Visitors Bureau, including use of the Marketing Investment Fund. Provide recommendations to the Convention and Visitors Bureau on goals, plans, policies and proposed projects for the convention and visitors bureau. Shall consist of nine (9) members comprised of the following: two (2) members shall be owners or operators of hotels or motels within the city limits, one (1) member shall be from the Cape Girardeau Area Chamber of Commerce, one (1) member shall be from Old Town Cape, one (1) member shall be an owner or operator of a restaurant within the city limits, and four (4) members shall have demonstrated by past activities an interest in the entertainment, hospitality, convention or tourism business.

NUMBER OF MEMBERS: 9

MEETING TIME: Bi-Monthly (odd months), First Monday at noon at the Osage Centre

TERM LIMIT: 2 Full Term Limits (3-Year Terms)

RESIDENCY: The City Council may, by initial appointment, waive the residency requirement in Article V, Section 2-124, for members appointed on June 17, 2024, until completion of two consecutive full terms on the board.

STAFF LIAISON: Doug Gannon, Parks Director (Coordinator: Dana (Emily) Beck)

COUNCIL LIAISON:

Staff: Gayle L. Conrad, MPCC/CMC,
Director of Citizen Services/City
Clerk

Agenda: July 21, 2025

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

Appointment of one member to the Downtown Cape Girardeau Community Improvement District Board of Directors for a term expiring May 16, 2028.

EXECUTIVE SUMMARY

Ms. Laurie Everett Ray resigned her position on the Downtown Cape Girardeau CID Board of Directors. She had been serving since November of 2018. A copy of the current roster of the board is attached.

BACKGROUND/DISCUSSION

On May 5, 2014, the City Council adopted Ordinance No. 4574 establishing the Downtown Cape Girardeau Community Improvement District and appointing seven members to the initial Board of Directors for staggering terms. Pursuant to the governing documents of the Community Improvement District, members of the Board of Directors of the District are appointed by the Mayor with the consent of the City Council. Members serve four year terms.

Pursuant to the governing documents of the district and RSMo. Section 67.1451 of the CID Act, only owners of real property within the district, or their legally authorized representatives, are eligible to be appointed to the Board of Directors.

Ms. Mary Ann Kellerman, owner of property within the district, submitted the attached letter designating DeWayne Schaaf as her authorized representative to serve on the Downtown CID. Ms. Liz Haynes has communicated that the CID Board has discussed and feels that Mr. Schaaf would be an excellent addition to the board and supports his appointment to the Downtown Community Improvement District

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

The Board recommends the appointment of Dave Hutson, Lindsey Pridmore and Cathy Thompson for terms expiring May 16, 2026.

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 Downtown_CID_Roster.pdf	Downtown CID Roster
 Mary_Ann_Kellerman_authorized_representative_-_CID_board.2025-07-07.pdf	Kellerman Designation

Downtown Cape Girardeau Community Improvement District Board of Directors

6/16/2025

NAME	APPOINTED	TERM EXPIRES
Vacant		5/16/2028
Hutson, Dave	6/6/2022	5/16/2026
	5/7/2018	5/16/2022
	6/4/2014	
Pridmore, Lindy	6/6/2022	5/16/2026
	5/7/2018	5/16/2022
	6/4/2014	
Saverino, Nate	5/6/2024	5/16/2028
	6/1/2020	5/16/2024
Schlitt, Lee	5/6/2024	5/16/2028
	5/4/2020	5/16/2024
	5/16/2016	6/4/2020
Thompson, Cathy	6/6/2022	5/16/2026
Zickfield, Kent	5/6/2024	5/16/2028
	5/4/2020	5/16/2024
	5/16/2016	6/4/2020
	6/4/2014	

DESCRIPTION: On May 5, 2014, The City Council adopted Ordinance No. 4574 establishing the Downtown CID. Directors serve four year terms, appointed by Mayor with consent of Council. All directors must be owners of real property or the legal authorized representative of an individual owning property within the district. The Board is required to meet one time per year. Commission administers downtown special business district.

TERM LIMIT: 4-Year Terms (No Term Limits)

STAFF LIAISON: Trevor Pulley, Assistant City Manager

July 7, 2025

City of Cape Girardeau Mayor and Council
44 N. Lorimier
Cape Girardeau, MO 63701

Dear Mayor Kinder,

Please accept this as an expression of my interest to designate DeWayne Schaaf, owner of the business, Ebb & Flow Fermentations, which occupies my building at 11 S. Spanish St. as my authorized representative to serve as a Director on the Downtown Cape Girardeau Community Improvement District board. It has been a pleasure to witness and take part in all of the downtown improvements over the years, and I am confident that DeWayne will be a positive asset to the board.

If you would like any further materials or information from me for your consideration, please do not hesitate to ask. Thank you.

Respectfully yours,

Mary Ann Kellerman

Staff: Gregory Young, City Attorney
Agenda: July 21, 2025

AGENDA REPORT Cape Girardeau City Council	
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SUBJECT

Compensation for City Council Members.

EXECUTIVE SUMMARY

Section 3.05 of the City Charter establishes the compensation for City Council Members at \$100.00 per month and the compensation for the Mayor at \$150.00 per month. That Section also states that every 5 years, the City Council shall review those compensation amounts, and that they may adjust those amounts by ordinance. The last compensation review occurred in 2020.

BACKGROUND/DISCUSSION

Section 3.05 of the City Charter, adopted by the voters of the City of Cape Girardeau, on November 3, 1981, states as follows:

Section 3.05. Compensation.

Each councilman shall receive a salary of one hundred dollars (\$100.00) per month for his or her services. The mayor shall receive a salary of one hundred fifty dollars (\$150.00) per month. Every five (5) years after the effective date of this charter the salaries of councilmen and mayor shall be reviewed by the members of the council, which may adjust the salaries by ordinance. This section shall not apply to increase any salaries during a term of office; any increase shall become effective at the start of the next succeeding term.

Section 2-1 of the City Code was adopted by the City Council pursuant to that Charter provision. Currently, Section 2-1 of the City Code reads as follows:

Section 2-1. – Compensation of council members.

The mayor shall receive a salary of one hundred fifty dollars (\$150.00) per month. Other members of the council shall receive a salary of one hundred dollars (\$100.00) per month. These salaries are hereby suspended and shall not be paid from April 1, 2004, to March 31, 2005. These same salaries shall resume on April 1, 2005.

The last City Council review of the compensation of the mayor and council members occurred in 2020. At that time, the City Council decided not to make any change to these compensation rates.

If the City Council wishes to change the compensation of its members, it may do so by passing an ordinance to that effect amending Section 2-1 of the City Code. Any increase in the salary rate, however,

shall not apply during an individual Council Member's term of office. That increase shall only become effective at the start of the next succeeding term.

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
No Attachments Available	

Staff:

Agenda: July 21, 2025

AGENDA REPORT Cape Girardeau City Council	
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SUBJECT

Advisory Board Minutes

- Airport Advisory Board - 06/10/2025
- Board of Adjustment - 07/03/2025
- Board of Appeals - 05/08/2025
- Convention & Visitors Bureau Advisory Board - no June meeting
- Golf Course Advisory Board - 06/26/2025
- Historic Preservation Commission - No June Meeting
- Liquor License Review Board - No June Meeting
- Parks & Recreation Advisory Board - 06/09/2025
- Planning and Zoning Commission - 06/11/2025 and 07/09/2025
- Special Business District Advisory Commission - No June Meeting
- Tree Board - 06/16/2025

EXECUTIVE SUMMARY

BACKGROUND/DISCUSSION

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
❏ Board_of_Adjustment_Minutes_07-03-25_Draft.pdf	DRAFT Board of Adjustment 07-03-2025
❏ AirportBoard-Minutes_JUNE_10.2025(002)_(1).pdf	Airport Board 06-10-2025
❏ BOARD_OF_APPEALS_MINUTES_5-8-25.pdf	Board of Appeals 05-08-2025
❏ Board_Minutes_6.26.25_draft.pdf	DRAFT golf 06-26-2025
❏ ParkRec.Minutes.06-09-2025_draft.pdf	DRAFT Park & Recreation 06-09-2025
❏ Planning_and_Zoning_Commission_Minutes_06-11-25_-_Draft.pdf	DRAFT Minutes Planning & Zoning 06-11-2025
❏ Planning_and_Zoning_Commission_Minutes_07-09-25_-_Draft.pdf	DRAFT minutes Planning & Zoning 07-09-25
❏ 6.16.25_-_Tree_Advisory_Board_Minutes_Draft.pdf	DRAFT Tree Board 06-16-2025

BOARD OF ADJUSTMENT

MEETING MINUTES

July 3, 2025

City Hall – Council Chambers
44 North Lorimier Street

Draft

Regular Members Present: Larry Caldwell, Larry Dowdy, Gary Hill, Richard Knote, Ron Robertson

Regular Members Absent: None

Alternate Members Present: Jordan Drury, Dave Hinton

Alternate Members Absent: Ed Hart

Staff Present: Trevor Pulley, Ryan Shrimplin

Call to Order

Chairman Hill called the meeting to order at 5:30 p.m.

Approval of Minutes

A motion was made by Mr. Robertson and seconded by Mr. Dowdy to approve the minutes of the April 3, 2025 meeting as submitted. The motion passed by a unanimous vote.

Water System Presentation

Mr. Pulley gave a presentation on the City's water system. He explained that the Cape Rock Water Treatment Plant is in dire need of upgrades in order to meet the growing demand. Key components are deteriorating, and some have already failed, resulting in operational disruptions and capacity reductions. The City is spending \$9 million this year to make some improvements, but many critical needs remain unaddressed due to lack of funding. In addition, the City has miles of aging water mains, some of which date back to the 1890s. Some of the mains experience frequent breaks and need to be replaced. The City has identified \$56 million in needed water system improvements through 2033 and another \$64 million in improvements beyond 2033. The City Charter authorizes the City Council to approve rate increases of up to 5% per year. This is far short of the amount needed to reach the identified funding levels. A measure amending the Charter to give the Council the ability to approve rate increases of up to 15% per year is on the August 5, 2025 ballot. Mr. Pulley stated that more information is available on the City's website.

ZONING CODE VARIANCES

1. A public hearing was held on the request of Carlson Consulting Engineers, on behalf of Midamerica Hotels Corporation, for a variance from Section 30-67(e)(2), C-2 (Highway Commercial District) standards, for property located at 2517 Veterans Memorial Drive. Mr. Jose Bonifasi, Carlson Consulting Engineers, presented the request. He stated that the property will be developed for a Wendy's restaurant, and the proposed dumpster location is in the southeast corner of the site. The property has two front yards due to it having frontage on both Veterans Memorial Drive and North Kingshighway. The proposed dumpster location is in the front yard along North Kingshighway. Chairman Hill asked Mr. Shrimplin to explain the C-2 regulations as they pertain to the variance

request. Mr. Shrimplin stated that Section 30-67(e)(2) requires outdoor service areas and equipment, storage areas, and waste containers to be located in the rear or side yard. The property has no rear yard due to the two non-intersecting frontages; it has two side yards, which are the areas between the building and the side lot lines. The side yards comprise a small percentage of the property area.

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 through lot (a lot abutting two or more non-intersecting streets) with frontage on North Kingshighway and Veterans Memorial Drive. It has two front yards, two side yards, and no rear yard per the definitions in the Zoning Code. The North Kingshighway frontage is adjacent to a section of the Interstate 55 northbound entrance ramp. Driveway access is prohibited along this section of North Kingshighway. The property is approximately 60 feet from the outermost lane of the highway. Together, these characteristics constitute a unique condition that was not created by the property owner or the applicant.

Criterion #2: Approval of the variance request will not adversely affect the rights of adjacent property owners or tenants.

Finding: The subject property is proposed to be developed for a restaurant with on-site seating and drive-through service. The Zoning Code defines “front yard” as a yard extending along the frontage of a lot, and being the minimum horizontal distance between the street line and the nearest principal structure. Based on the site plan submitted with the application, the areas between the street lines (in this case, the right-of-way lines) and the principal structure (the restaurant building) are front yards. Together, the front yards comprise approximately 77% of the site area. The remainder of the site is occupied by the building and the side yards. It is not feasible to place the dumpster in one of the side yards, as these areas are needed for the parking spaces and aisle, the drive-through lane, and the bypass lane. For this reason, the dumpster is proposed to be placed in the southeast corner of the site, located in the front yard along North Kingshighway. Approval of the variance request will not adversely affect the rights of adjacent property owners or tenants because the request is driven by the constraints of the two front yards and the need to place the dumpster in a location that will not conflict with customer traffic on the site.

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: Denial of the variance request will constitute unnecessary hardship upon the utilization of the property because there is no reasonable location for the dumpster in either of the side yards.

Criterion #4: Approval of the variance request will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.

Finding: Approval of the variance request will not adversely affect the public because it will allow the dumpster to be placed in a location that will not conflict with customer traffic on the

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site. It should be noted that the dumpster will not be that noticeable from North Kingshighway due to the distance from the outermost lane of the highway and the fact that the traffic in that lane will be entering the Interstate 55 northbound entrance ramp.

Criterion #5: Approval of the variance request is consistent with the general spirit and intent of the Zoning Code.

Finding: The unique condition of the subject property, the unnecessary hardship that will result if the request is denied, and the lack of an adverse effect on adjacent property owners, tenants, and the public form the basis for approving the variance request in keeping with the general spirit and intent of the Zoning Code.

Based on the above findings, staff recommended approval of the variance request, subject to the following condition:

1. The dumpster shall be screened on all sides in accordance with Section 25-226 of the City Code. The final design of the dumpster screening shall be subject to approval by the City staff.

Chairman Hill opened the public hearing. Seeing no appearances to speak, he closed the public hearing.

A motion was made by Mr. Knote and seconded by Mr. Caldwell to approve the variance request, subject to the condition in the staff report. Mr. Robertson asked if the dumpster location would conflict with the nearby Phillips 66 pylon sign or any utilities. Mr. Bonifasi confirmed that it would not conflict with any signs or utilities. The motion passed by a roll call vote of 5 in favor, 0 in opposition, and 0 abstaining (*Aye: Caldwell, Dowdy, Hill, Knote, Robertson*). Chairman Hill called for a motion to adopt the staff report as the Board's Findings of Fact and Conclusions of Law. Mr. Knote made a motion to adopt, which was seconded by Mr. Robertson. The motion passed by a unanimous vote.

OTHER ITEMS AND COMMUNICATION

Board Communication

None of the Board members had any communication items.

Staff Communication

Staff had no communication items.

Adjournment

There being no further business, the Board voted unanimously to adjourn the meeting at 5:45 p.m. upon a motion made by Mr. Caldwell and seconded by Mr. Knote.

Respectfully submitted by:

Ron Robertson, Secretary



**Cape Girardeau Regional Airport Advisory Board Meeting - Minutes
June 10, 2025**

The Cape Girardeau Regional Airport Advisory Board held its monthly meeting on June 10, 2025, at 11:30 am at the Airport Terminal Conference Room.

Board Members Present:

Keith Boeller, Chair
Bev Clear, Vice Chair
Kent Ward, Board Member
Shawn Wasson, Board Member
Bruce Loy, Board Member
Nancy Kopp, Board Member, (via phone)
John Russell, Board Member

Staff Present:

JoJo Stuart, Airport Manager
Audrey Lorch, Airport Support Spec.
Mark Bliss, City Council Liaison
Conner Becker, FBO Supervisor

Appearances – Mitchell Kester, Potential Board Member

Absent: Mark Mehner, Board Member

Call to Order/Approval of Minutes—Mr. Boeller called the meeting to order at 11:30 a.m. Ms. Clear approved the May 2025 minutes. Mr. Loy, seconded. All were in favor, and the motion passed with a unanimous vote.

I. Old Business -

- **Airport Activity Report**—Mr. Stuart presented the May 2025 airport usage report, and enplanements have increased compared to the last two years to date. Vacation travel is expected to increase future enplanements.
- **Cape Aviation Report** – Mr. Stuart provided the fuel reports for May 2025. Fuel sales continue to increase monthly, but some Military sales are down at this time; overall, YTD sales are up.
- **Airport Projects Update -**
 - Mr. Stuart reports - **Taxiway Delta** —Mr. Stuart reported that the taxiway delta project will begin next week, and the construction company will start creating their staging areas. Taxiway Charlie will be temporarily shut down. Moore discussion on topic.

II. New Business –

- **EAS Proposal & Process** – Mr. Stuart reported he sent the recommendation letter to the Department of Transportation, for the American Airlines proposal, the process should take one to two weeks for determination. More discussion on topic.
- **Board Member Recommendation** – The current Board Members have reviewed member application, in the June meeting.

III. **Non–Agenda Items** – Motion to close the session by Mr. Kent Ward, first, Mr. Wasson second, all in favor.

I. **Adjournment**

There being no other business, Mr. Boeller moved to adjourn the meeting, Mr. Russell, first, Mr. Ward second. All were in favor. The meeting adjourned at 12:30 pm.

Minutes prepared by:

Audrey Lorch, Airport Support Specialist

MINUTES
BOARD OF APPEALS
City of Cape Girardeau
44 N. Lorimier Street
Cape Girardeau, MO 63701
May 8, 2025

The Board of Appeals met on Thursday, May 8, 2025 at 7:00 p.m. in the Council Chambers at City Hall.

Members Present: Mark Strickland, Melanie Cantrell, Craig Milde, Robert Blasiney, and Derrick Geringer

Members Absent: Willie Sandin

The meeting was called to order at 7:00 p.m. by Chairman Mark Strickland and the roll was called.

A motion was made to accept minutes from BOA meeting held on November 16, 2021 by Mark Strickland. Melanie Cantrell seconded the motion and was approved with all in favor.

Purpose of Meeting:

A motion was made by Mark Strickland to review new applications for vacant member openings. Robert Blasiney seconded the motion, and it was approved with all in favor. Applications were reviewed and discussed among members of the board.

After discussing the applications and qualifications of the applicants, a motion was made by Mark Strickland to place Alayna Nordstrom Structural Engineer in the vacant member opening, Kristen Uhrhan in the first alternate member opening, and Bruce Baker in the second alternate member opening as well as re-appointing member Craig Milde to continue as Secretary. This was seconded by Melanie Cantrell and all were in favor.

Other Business:

1. A discussion was held regarding changing BOA meeting time from the second Thursday of the month at 7:00 p.m. to 5:30 p.m. Times were discussed and decision was made to keep the meeting on the same date and time. Second Thursday of the month @ 7:p.m.
2. Discussion was held regarding future meetings to be held to discuss the adoption of new building codes. Mark Strickland asked that Doug Weisbrod address the dates for when the meetings will be held when he is ready for them to take place.

A motion was made to adjourn meeting by Mark Strickland seconded by Robert Blasiney and all were in favor. The meeting adjourned @ 7:35 p.m.

Minutes taken by:
Rebecca Holter
Inspection Services Division

Respectfully Submitted,

DocuSigned by:

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Craig Milde,
Secretary

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GOLF COURSE ADVISORY BOARD

Minutes

June 26, 2025

Present:

Cindy Gannon, Chairperson
Claire Kneer, Vice Chairperson
Kristen Jones, Board Member
Josh Parham, Board Member
Tim Kelley, Board Member
Jarod Handley, Jaycee Liaison

Staff Present:

Doug Gannon, Director of Parks & Recreation
Kaed Horrell, Parks Division Manager
Dianne Lawrence, Asst. Recreation Division Mgr
Mitchell Kramer, Golf Course Manager
Rusty Golightly, Golf Course Superintendent
Natalie Beasley, Administrative Coordinator

Absent:

Lindsey Pippins, Board Member
Dale Pingel, Board Member
Janet Esicar, Secretary

OPENING

Cindy Gannon, called the meeting to order at 12:10 pm. Introduction of Jarod Handley, new Cape Jaycee Liaison to the Advisory Board.

MINUTES

A motion to approve the April 24, 2025 meeting minutes as written was made by Tim Kelley and seconded by Josh Parham.

OLD BUSINESS

- A. Financial report by Mitchell reflects Greens Fees Revenue for May and June this year is down \$3179 compared to same time last year. We have experienced a wet and stormy spring.
- B. Golf fees increase effective July 1, 2025. Notification posted on Pro Shop door and on Social Media. The fee increase is 5% across the board.
- C. Cuba Financial has committed to one of the two vacant Tee Markers.
- D. Tee times have changed to every 10 minutes which helps play move along.

NEW BUSINESS

- A. The subject of a Week Day Membership was discussed. This could create a group that does not golf on weekends due to busy courses. Mitchell will do some research on the subject with Staff and Tee Snap (software program) on how this could be implemented.

- B. Employee, Board & Sponsor Night at Cape Splash has been rescheduled for July 19, from 6:30 pm – 8:30 pm. Admission is free, Concessions will be available for purchase.

COMMITTEE REPORTS/PROJECTS UPDATES

Marketing & Promotions – No report

Policies & Procedures – No report

Projects & Improvements – Kaed Horrell, Rusty Golightly

- Update on Golf Cart purchase: We are on track to place the order for 28 golf carts (half of fleet) by August 1 with estimated deliver March 2026.
- Re-sodding of tee boxes #5, #11, #13
- AC unit for Pro Shop will be replaced in next couple weeks
- Overlay of top parking lot has been approved it is a \$30,000 project.

Department Projects & Briefs – Doug Gannon, Kaed Horrell

- Improvement plans for the Cape La Croix Recreation Trail project are complete and will go out to bid in July with start date early Fall 2025.

Motion to adjourn the meeting was made by Kristen Jones and seconded by Tim Kelley meeting adjourned at 1:00 pm.

Minutes recorded by

Natalie Beasley

Administrative Coordinator

Osage Centre

PARKS AND RECREATION ADVISORY BOARD

Minutes - DRAFT

Monday, June 9, 2025 - 5:00 p.m.

Osage Centre • Meeting Room 1A

Present:

Percy Huston, Chairman
Phillip Moore, Vice-Chairman
Beverly Evans, Secretary
Tamara Buck, Board Member
Jerry Dement, Board Member
Thomas Drummond, Board Member
Lewis Jackson Hill, Board Member
Mary-Ann Maloney, Board Member
Mark Moore, Board Member
John Spear, Board Member

David Cantrell, City Council Liaison

Absent:

Darrin Bruenderman, Board Member

Parks and Recreation Staff Present:

Doug Gannon, Parks & Recreation Director
Kaed Horrell, Parks Division Manager
Scott Williams, Recreation Div. Manager
Penny Williams, Recreation Div. Manager
Brenda Newbern, Visit Cape Manager
Moriah Lincoln, P&R Admin. Coordinator

Welcome/Introductions

- Percy Huston called the meeting to order at 5:28pm on Monday June 9, 2025 at the Osage Centre.
- Scott Williams introduced Leah Cauble, new SportsPlex Recreation Supervisor.

Old Business

- **Approval of Minutes: May 12, 2025** – Chairman Huston asked for everyone to review the minutes. Phillip Moore motioned to approve the minutes, Thomas Drummond seconded. Minutes approved.

Reports/Project Updates

- **Parks and Recreation Project Updates**
 - **Youth Outdoor Sports Complex**
 - Doug Gannon's update – drain pipes are going in the waterway running through the project site. Extensive dirt work will begin next.
 - **Cape Splash**
 - Penny Williams update – a confirmed EF1 tornado hit Cape Splash May 20, 2025. The tornado snapped 17 large umbrella's, tore decking away on the slides and damaged landscaping. After repairs and clean-up, the park opened June 6, 2025.
 - **Council Report**
 - David Cantrell update – Cape Airport submitted the bid to American Airline for service in Cape Girardeau. It has made its way to DOT for the next step of approval. If American Airlines is accepted, the service will include six flights to Dallas and six flights to Chicago.

New Business

- **Facility / Park Tour**
 - Board Members boarded vans and proceeded to tour Arena Park/Skate Park, New Sports Complex Site, Shawnee Park Sports Complex, Future Soccer/Football Fields, Jefferson Pool, and

Capaha Field. The tour ended back at the Osage Centre. The meeting adjourned at 7:30pm.

Other Business

- Next Board Meeting – Monday June 9, 2025 at the Osage Centre at 5pm.

Transcribed by: Moriah Lincoln, 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..

PLANNING & ZONING COMMISSION

MEETING MINUTES

June 11, 2025

City Hall – Council Chambers
44 North Lorimier Street

Commission Members Present: Trae Bertrand, Scott Blank, Robbie Guard, Derek Jackson, Nick Martin

Commission Members Absent: Kevin Greaser, Gerry Jones, Chris Martin, Emily McElreath

Staff Present: Carol Peters, Ryan Shrimplin

Call to Order

Chairman Blank called the meeting to order at 5:30 p.m.

Approval of Minutes

A motion was made by Mr. Nick Martin and seconded by Mr. Jackson to approve the minutes of the May 14, 2025 meeting as submitted. The motion passed by a unanimous vote.

REZONINGS, SPECIAL USE PERMITS, AND EXCEPTIONS

1. A public hearing was held on the request of Coast to Coast Signs LLC, on behalf of Midamerica Hotels Corporation, for an exception from Development Code Section 25-137(b), freestanding signs, for property located at 2505 Veterans Memorial Drive. Mr. Marty Platz, Coast to Coast Signs LLC, presented the request. He explained that the request is for approval to increase the area of the existing freestanding sign in the southwest corner of the property from 144 square feet to 216 square feet, which exceeds the maximum area by 66 square feet. The additional sign area is for advertising the restaurant (AC's Chicken Fingers and Quiznos). In exchange for the additional sign area on this sign, the owner is willing to forego unused sign area on the other freestanding sign (located in the southeast corner) as well as unused wall sign area.

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 contained the following findings of fact:

Criterion #1: As part of the exception request, a “substantial equivalent” is proposed. “Substantial equivalent” means an alternate design, method or feature that accomplishes the same purpose as the applicable Development Code requirement.

Finding: Based on the applicable Code requirements, the subject property is allowed two freestanding signs, each with a maximum area of 150 square feet. The property currently has two freestanding signs, one with a sign area of 144 square feet and the other with a sign area of 129.7 square feet. The applicant is proposing to add a second

sign face to the 144-square foot freestanding sign. The second sign face is 72 square feet, which would increase the total sign area of this sign to 216 square feet – 66 square feet over the maximum. In exchange for the additional sign area on this sign, the applicant is proposing to forego the unused portion of the maximum area on the other freestanding sign. The unused portion is 20.3 square feet. In addition, the applicant is proposing to forego 45.7 square feet of unused wall sign area (maximum of 336 square feet; only 25 square feet is used). This constitutes a substantial equivalent because the proposed aggregate sign area for all of the signs does not exceed the aggregate sign area allowed under the Code.

Criterion #2: Approval of the exception request is consistent with the general spirit and intent of the Development Code.

Finding: The substantial equivalent proposed by the applicant ensures fairness among property owners and tenants, which makes approval of the exception request consistent with the general spirit and intent of the Development Code.

Based on the above findings, staff recommended approval of the exception request, subject to the following condition:

1. The maximum area of the other freestanding sign (located in the southeast corner of the property) shall be reduced by 20.3 square feet and the maximum wall sign area shall be reduced by 45.7 square feet.

A motion was made by Mr. Jackson and seconded by Mr. Guard to approve the exception request, subject to the condition in the staff report. The motion passed by a roll call vote of 5 in favor, 0 in opposition, and 0 abstaining (*Aye: Bertrand, Blank, Guard, Jackson, N. Martin*).

SUBDIVISION PLATS

2. The record plat of Park West Hospitality Center No. 4 Subdivision was reviewed by the Commission. Ms. Melanie Cantrell, Midamerica Hotels Corporation, presented the request. She stated that the plat subdivides a lot into three lots. In response to a question from Mr. Nick Martin, Ms. Cantrell confirmed that Hospitality Drive would remain a private 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. Nick Martin and seconded by Mr. Bertrand to recommend approval of the record plat, subject to staff's comments being successfully addressed. The motion passed by a roll call vote of 5 in favor, 0 in opposition, and 0 abstaining (*Aye: Bertrand, Blank, Guard, Jackson, N. Martin*).
3. The record plat of Park West Hospitality Center No. 5 Subdivision was reviewed by the Commission. Ms. Melanie Cantrell, Midamerica Hotels Corporation, presented the request. She stated that the plat subdivides a tract into four lots and establishes access and utility easements over the private drives, plus additional utility easements. 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 by a roll call vote of 5 in favor, 0 in opposition, and 0 abstaining (*Aye: Bertrand, Blank, Guard, Jackson, N. Martin*).

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4. The record plat of Star Vue Groves was reviewed by the Commission. Mr. Brad Schlosser, Star Vue Rentals, LLC, presented the request. He stated that the plat subdivides a lot in order to develop the Star Vue Groves duplex development. 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 by a roll call vote of 5 in favor, 0 in opposition, and 0 abstaining (*Aye: Bertrand, Blank, Guard, Jackson, N. Martin*).

OTHER ITEMS AND COMMUNICATION

Commission Communication

None of the Commission members had any communication items.

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 May 19, 2025:

- 212 South West End Boulevard Rezoning – 2nd & 3rd Readings
- 3100 and 3130 Ragan Street Rezoning – 2nd & 3rd Readings

The City Council approved the following on June 2, 2025:

- 524 North Silver Springs Road Rezoning – 1st Reading
- 215 North West End Boulevard Rezoning – 1st Reading
- 215 North West End Boulevard Special Use Permit – 1st Reading
- Motion to deny a request to rezone property at 720 Bertling Street

Adjournment

There being no further business, the Commission voted unanimously to adjourn the meeting at 5:45 p.m. upon a motion made by Mr. Bertrand and seconded by Mr. Jackson.

Respectfully submitted,

Chris Martin, Secretary

PLANNING & ZONING COMMISSION

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MEETING MINUTES

July 9, 2025

City Hall – Council Chambers
44 North Lorimier Street

Commission Members Present: Trae Bertrand, Scott Blank, Kevin Greaser, Robbie Guard, Derek Jackson, Gerry Jones, Chris Martin, Emily McElreath

Commission Members Absent: Nick Martin

Staff Present: Carol Peters, Trevor Pulley, Ryan Shrimplin

Call to Order

Chairman Blank called the meeting to order at 5:30 p.m.

Approval of Minutes

A motion was made by Mr. Jackson and seconded by Mr. Guard to approve the minutes of the June 11, 2025 meeting as submitted. The motion passed by a unanimous vote.

REZONINGS, SPECIAL USE PERMITS, AND EXCEPTIONS

1. A public hearing was held on the request of Sharon Hughes for an exception from Development Code Section 25-161, fence height and surface requirements, for property located at 4045 Connor Drive. Ms. Hughes presented the request. She explained that she would like to install a fence in her front yard but would like it to be four feet in height rather than the three feet allowed in the code. The additional height is to ensure that her dog does not jump over it. The fence will be made of aluminum and have a decorative finish.

Chairman Blank opened the public hearing.

Mr. Silas Osiohwo, 4053 Connor Drive, stated that he is opposed to allowing a fence in the front yard because it could become unsightly and lower his property value. He added that the subdivision covenants do not allow fences in front yards.

Mr. Bertrand explained that the Commission cannot base its decisions on private restrictions because they are not enforceable by the City. He noted that even if the Commission were to deny the exception request, the applicant would be allowed to install a three-foot high fence in her front yard in accordance with the code.

Ms. Kim Wengert, Edge Realty, stated that she handled the sale of 4053 Connor Drive to Mr. Osiohwo. She reiterated his concerns about the fence lowering his property value.

Mr. Jones stated that he is not sure if Mr. Osiohwo is opposed to the additional height or opposed to having a fence at all.

Mr. Guard stated that the Commission is only voting on whether or not to allow the additional height.

Mr. Bertrand reiterated that the code allows the applicant to have a fence in her front yard, up to three feet in height, without an exception.

Seeing no other appearances to speak, Chairman Blank closed the public hearing. A staff report was submitted to the Commission, which contained the following findings of fact:

Criterion #1: As part of the exception request, a “substantial equivalent” is proposed. “Substantial equivalent” means an alternate design, method or feature that accomplishes the same purpose as the applicable Development Code requirement.

Finding: The purpose of the requirement is to limit fence height to what is reasonable and necessary for the use of the property. Excessively high fences can adversely affect the character of the neighborhood. The proposed fence will not adversely affect the character of the neighborhood because it has a reasonable height, a decorative appearance, and a mostly open surface. This qualifies as a substantial equivalent.

Criterion #2: Approval of the exception request is consistent with the general spirit and intent of the Development Code.

Finding: The substantial equivalent proposed by the applicant ensures fairness among property owners and tenants, which makes approval of the exception request consistent with the general spirit and intent of the Development Code.

Based on the above findings, staff recommended approval of the exception request.

A motion was made by Mr. Bertrand and seconded by Ms. McElreath to approve the exception request. The motion passed with a roll call vote of 8 in favor, 0 in opposition, and 0 abstaining (*Aye: Bertrand, Blank, Greaser, Guard, Jackson, Jones, C. Martin, McElreath*).

Water System Presentation

Mr. Greaser, representing Cape Citizens for Reliable Water, and Mr. Pulley gave a presentation on the City's water system. They explained that the Cape Rock Water Treatment Plant is in dire need of upgrades in order to meet the growing demand. Key components are deteriorating, and some have already failed, resulting in operational disruptions and capacity reductions. The City is spending \$9 million this year to make some improvements, but many critical needs remain unaddressed due to lack of funding. In addition, the City has miles of aging water mains, some of which date back to the 1890s. Some of the mains experience frequent breaks and need to be replaced. The City has identified \$56 million in needed water system improvements through 2033 and another \$64 million in improvements beyond 2033. The City Charter authorizes the City Council to approve rate increases (for water, sewer, and solid waste services) of up to 5% per year. This is far short of the amount needed to reach the identified funding levels. A measure amending the Charter to give the Council the ability to approve rate increases of up to 15% per

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year is on the August 5, 2025 ballot. Mr. Pulley stated that more information is available on the City's website. Mr. Guard noted that, if the ballot measure passes, the funds can only be used for the purposes stated on the ballot. Mr. Greaser asked the Commission members to help educate the citizens about the issues and encourage them to vote yes.

OTHER ITEMS AND COMMUNICATION

Adjournment

There being no further business, the Commission voted unanimously to adjourn the meeting at 6:10 p.m. upon a motion made by Mr. Bertrand and seconded by Mr. Guard.

Respectfully submitted,

Chris Martin, Secretary

TREE ADVISORY BOARD

Minutes - Draft

Monday, June 16, 2025

12:00 p.m.

Osage Centre • Meeting Room 1A

Present:

Jennifer Benkhen, Chairman
Jackson Hill, Vice-Chairman

Parks and Recreation Staff Present:

Doug Gannon, Parks & Recreation Director
Kaed Horrell, Parks Division Manager
Jackie Hamm, Parks Division Crew Leader
Kayla Otte, P&R Administrative Coordinator

City of Cape Staff Present:

Casey Brunke, Public Works Director
Brock Davis, Assistant Public Works Director

Opening

- Jennifer Benkhen called the meeting to order at 12pm on Monday, June 16, 2025 in the Osage Center Meeting Room 1A.
- Jennifer introduced Emily Hudgins, the new Community Conservation Liaison for the MO Department of Conservation working on establishing relationships, working with the community, helping with activities and classes.

Approval of Minutes: April 4, 2025

- Minutes to be approved at August meeting due to lack of a quorum.

Old Business

- **Capaha, Dennis Scivally, and Groves Park Tree Evaluation Update**
 - Kaed Horrell passed out a list of all the trees from the three parks that have been discussed in previous meetings. As of now, there are 17 trees that are action level 1, five of the trees have been removed so far, and an additional 12 will be removed as soon as possible.
 - Kiwanis Park is to be evaluated as well before the August meeting.
- **Weather Damage**
 - A tree at New Lorimier Cemetery right off of Clark, came down on a few tombstones.
 - A large Oak Tree at Choctaw Park and a maple tree at Capaha Park have also come down during the recent storms.
 - Jennifer mentioned that when she was walking along the trail through Cape Woods, that there were a few trees that may require some cleanup.

New Business

- **Memorial Tree Program**
- **Tree Varieties**
 - There are several trees in the brochure that either don't thrive or are hard to obtain.
 - Jack Hamm has suggested adding Tulip Poplar, Black Gum, different species of evergreen, or a crab apple. Brock Davis had suggested Serviceberries. Swamp White Oak was also discussed as a good replacement tree.
- **Window to Replace Trees**
 - The group discussed limiting the amount of time to replace trees up to 4 years.

Other Business

- **Next Board Meeting – Monday, August 18, 2025**

Adjournment

- Motion to adjourn by Jackson Hill, seconded by Robert Harris.

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).