

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

May 5, 2025 5:00 PM

• City residents desiring to speak about items NOT on the agenda must register no later than noon, on Saturday, May 3, 2025, by using the form found at cityofcape.org/council, by emailing cityclerk@cityofcape.org, or by calling 573-339-6320.

Invocation

Pastor Geneva Allen-Patterson of St. James AME Church in Cape Girardeau

Pledge of Allegiance

Study Session

• Prohibited Parking on Residential Streets

Presentations

• Firefighter and EMS Appreciation Proclamation

Communications/Reports

Items for Discussion

- Appearances by Advisory Board Applicants
- Consent Agenda Review

Regular Session

Call to Order/Roll Call

Adoption of the Agenda

Public Hearings

- 1. A Public Hearing to consider a request to rezone property located at 212 South West End Boulevard from C-1 (General Commercial District) to R-3 (High Density Single-Family Residential District). (Item No. 16; BILL NO. 25-56)
- 2. A Public Hearing to consider a request to rezone property located at 3100 and 3130 Ragan Street from R-4 (Medium Density Multifamily Residential District) to R-3 (High Density Single-Family Residential District). (Item No. 17; BILL NO. 25-57)

Consent Agenda

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

- 3. Approval of the April 21, 2025, Regular Session City Council Minutes.
- 4. BILL NO. 25-44, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding CBD, Central Business District. Second and Third Readings
- 5. BILL NO. 25-45, an Ordinance annexing land located at 126 Dogwood Street into the city limits of the City of Cape Girardeau, Missouri. Second and Third Readings
- 6. BILL NO. 25-46, an Ordinance extending the boundaries of Ward 4 to include property newly annexed into the city limits of the City of Cape Girardeau, Missouri. Second and Third Readings
- BILL NO. 25-47, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by zoning newly annexed property located at 126 Dogwood Street as R-1, Single-Family Suburban Residential District. Second and Third Readings
- 8. BILL NO. 25-48, an Ordinance accepting a Permanent Water Line Easement for property located at 4450 LaSalle Avenue, in the City of Cape Girardeau, Missouri. Second and Third Readings
- 9. BILL NO. 25-49, an Ordinance authorizing the City Manager to execute a Grant Agreement with the Missouri Highways and Transportation Commission to fund air service promotion and marketing at the Cape Girardeau Regional Airport. Second and Third Readings
- 10. BILL NO. 25-50, an Ordinance accepting Permanent Utility Easements from the Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017 for property located adjacent to 3556 Pheasant Cove Drive in the City of Cape Girardeau, Missouri. Second and Third Readings
- 11. BILL NO. 25-51, an Ordinance vacating the City's interest in part of a Utility Easement at 3556 Pheasant Cove Drive in the City of Cape Girardeau, Missouri. Second and Third Readings
- 12. BILL NO. 25-52, an Ordinance authorizing the Mayor to execute a Quit Claim Deed to the Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017 for an easement behind the property at 3556 Pheasant Cove, in the City of Cape Girardeau, Missouri. Second and Third Readings
- 13. BILL NO. 25-53, an Ordinance of the City of Cape Girardeau, Missouri, amending the Charter of the City; calling an election in the City on the question of amending the Charter; designating the time for holding said election; and authorizing and directing the City Clerk to give notice to the County Clerk of said election. Second and Third Readings
- 14. BILL NO. 25-54, a Resolution authorizing the City Manager to execute a Demolition Contract with SEMO Underbrushing for the demolition of a building located at 4221 John E. Godwin Jr. Memorial Drive, in the City of Cape Girardeau, Missouri. Reading and Passage.
- 15. BILL NO. 25-55, a Resolution authorizing the City Manager to execute a Demolition Contract with Strack Excavating, L.L.C., for the demolition of a building located at 1424 William Street, in the City

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 be 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.

- 16. BILL NO. 25-56, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 212 South West End Boulevard, in the City and County of Cape Girardeau, Missouri, from C-1 to R-3. First Reading. DEV - Ryan Shrimplin
- 17. BILL NO. 25-57, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 3100 and 3130 Ragan Street, in the City and County of Cape Girardeau, Missouri, from R-4 to R-3. First Reading. DEV Ryan Shrimplin
- BILL NO. 25-58, an Ordinance authorizing the City Manager to execute a Transportation Planning Consolidated Grant Agreement with the Missouri Highways and Transportation Commission, in the City of Cape Girardeau, Missouri. First Reading. FIN - Alex McElroy

Appointments

- 19. Appointments to the Board of Adjustment
- 20. Appointment to the Golf Course Advisory Board
- 21. Appointments to the Tax Increment Financing Commission

Other Business

Appearances regarding items not listed on the agenda.

This is an opportunity for the City Council to listen to comments regarding items not listed on the agenda. The Mayor may refer any matter brought up to the City Council to the City Manager is 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

Advisory Board Minutes

Advisory Board Minutes



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

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

Whereas, in 2024, the Fire Department received 6,629 calls for service, of those calls 56% percent were medical emergencies. Our dedicated Cape Girardeau Fire Department endures a very dangerous calling, constantly faced with the unknown and the unpredictable throughout their career; and

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

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

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

Therefore, Be It Resolved that I, Stacy Kinder, Mayor of the City of Cape Girardeau, Missouri, do hereby proclaim May 5, 2025, as

Cape Girardeau Firefighter and EMS Appreciation Day

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

In Witness Whereof I have hereunto set my hand and caused to be affixed the Seal of the City of Cape Girardeau, Missouri, this 5th day of May, 2025.

	Trevor Pulley Assistant City
Staff:	Manager/Community Development
Agenda:	Director
U	5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

A council member requested a study session for prohibited parking on residential streets.

EXECUTIVE SUMMARY

A council member requested a study session for prohibited parking on residential streets.

BACKGROUND/DISCUSSION

A council member requested a study session for prohibited parking on residential streets.

ATTACHMENTS:				
Name:	Description:			
No Attachments Available				



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

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

Whereas, in 2024, the Fire Department received 6,629 calls for service, of those calls 56% percent were medical emergencies. Our dedicated Cape Girardeau Fire Department endures a very dangerous calling, constantly faced with the unknown and the unpredictable throughout their career; and

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

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

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

Therefore, Be It Resolved that I, Stacy Kinder, Mayor of the City of Cape Girardeau, Missouri, do hereby proclaim May 5, 2025, as

Cape Girardeau Firefighter and EMS Appreciation Day

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

In Witness Whereof I have hereunto set my hand and caused to be affixed the Seal of the City of Cape Girardeau, Missouri, this 5th day of May, 2025. Staff:
Agenda:Ryan Shrimplin, AICP - City
Planner
5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

A Public Hearing to consider a request to rezone property located at 212 South West End Boulevard from C-1 (General Commercial District) to R-3 (High Density Single-Family Residential District).

EXECUTIVE SUMMARY

A public hearing has been scheduled for May 5, 2025 to consider a request to rezone property at 212 South West End Boulevard. An ordinance rezoning the property is on this agenda as a separate item.

BACKGROUND/DISCUSSION

A rezoning application has been submitted for the property at 212 South West End Boulevard. The applicant is requesting that the property be rezoned from C-1 (General Commercial District) to R-3 (High Density Single-Family Residential District).

The immediately surrounding properties are zoned R-3 (High Density Single-Family Residential District) to the north, east, and south, and R-2 (Single-Family Urban Residential District) to the west. This area is characterized by residential uses intermingled with some commercial uses. The Cape Vision 2040 Comprehensive Plan's Future Land Use Map shows the subject property as Local Commercial.

A public hearing has been scheduled for May 5, 2025 to consider the rezoning request. An ordinance rezoning the property is on this agenda as a separate item.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

In considering a rezoning request, the Planning and Zoning Commission and the City Council must determine if the proposed zoning district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties. At the time that the Cape Vision 2040 Comprehensive Plan was adopted in 2020, the adjacent property to the north and east was zoned C-1. The Future Land Use Map showed both the subject property and the adjacent property as Local Commercial because they were both zoned for commercial uses. The adjacent property was rezoned to R-3 in 2022. As a result, the subject property is the only property on the block that is not zoned R-3. The subject property contains a single-family dwelling, which is currently a nonconforming use. The owner is requesting the rezoning in order to change it to a permitted use. Given the context of the surrounding properties, the proposed R-3 district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission held a public hearing at its April 9, 2025 meeting and recommended

approval of the rezoning request by a vote of 8 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

The City Council's public hearing was advertised in the Southeast Missourian on April 12, 2025. In addition, a sign containing the date, time, location, and subject of the Planning and Zoning Commission and City Council public hearings was posted on the property. Notices were also mailed to the adjacent property owners.

ATTACHMENTS:				
Name:	Description:			
Staff_Review-Referral-Action_Form.pdf	212 South West End Boulevard - Staff RRA Form			
<u>Map - 212 S West End Blvd - Zoning.pdf</u>	212 South West End Boulevard - Zoning Map			
<u>Map212_S_West_End_BlvdFLU.pdf</u>	212 South West End Boulevard - FLU Map			
Application - 212 S_West_End_Rezoning.pdf	212 South West End Boulevard - Application			
Sec_30-66C-1General_Commercial_District.pdf	C-1 District Regulations			
Sec_30-59 R-3_High_Density_Single-Family_Residential_District.pdf	R-3 District Regulations			

CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. **<u>1480</u>**

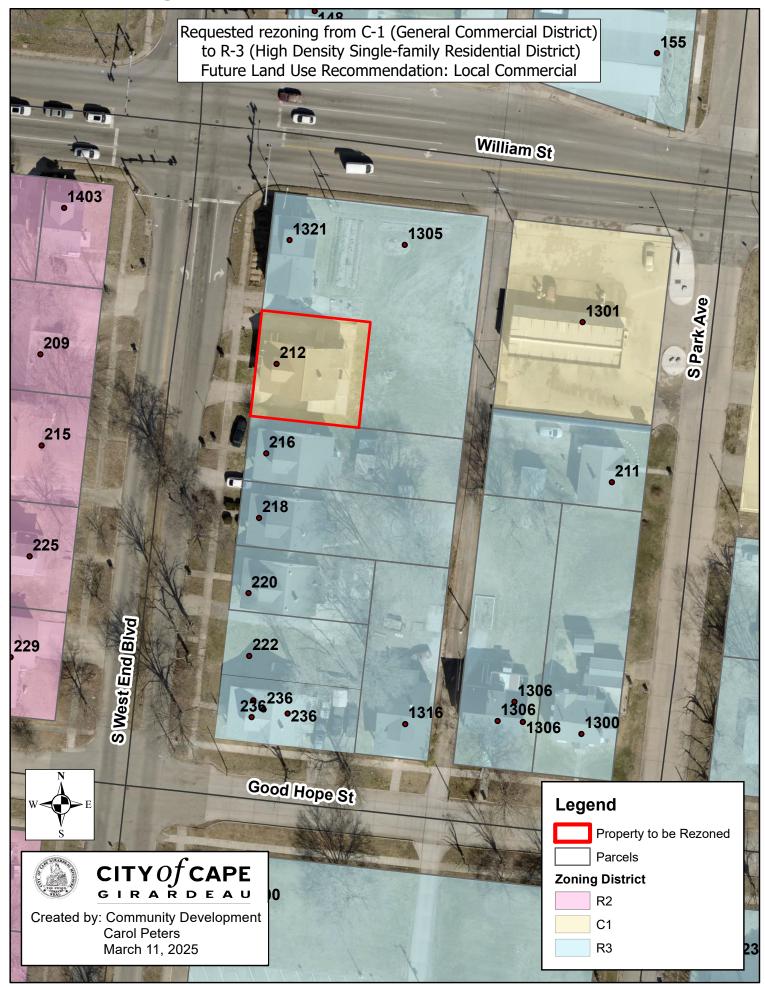
LOCATION: <u>212 South West End Bouelvard</u>

STAFF REVIEW & COMMENTS:

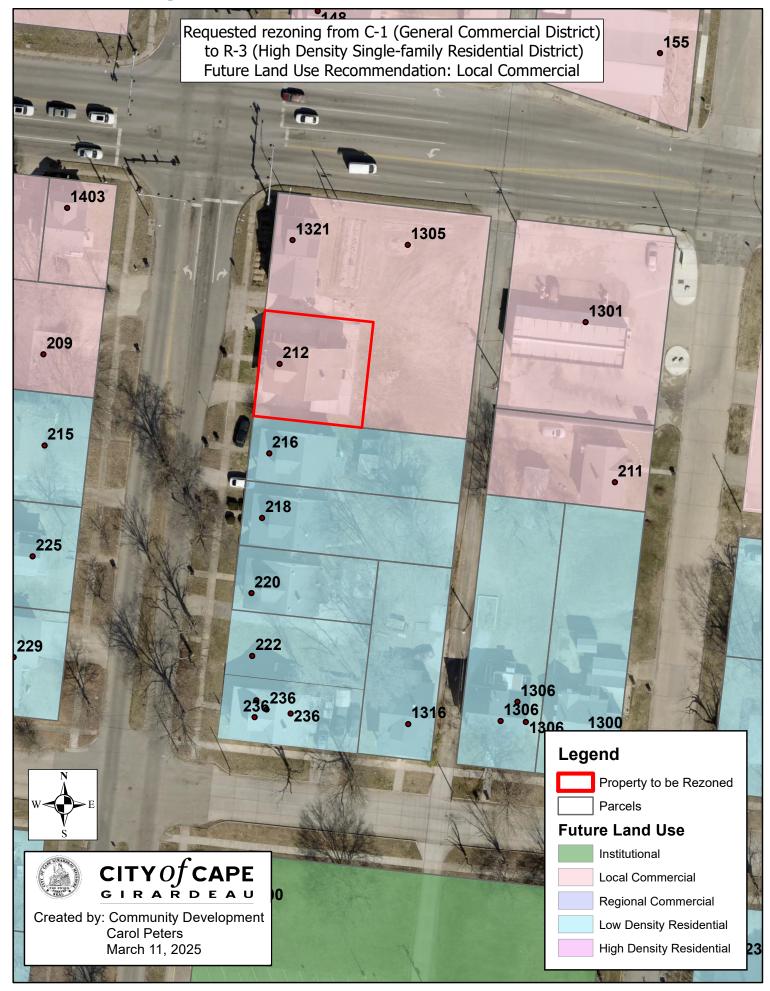
Majeed Investment Group, LLC is requesting to rezone the above listed property from C-1 (General Commercial) to R-3 (High Density Single-family Residential). SEE STAFF REPORT FOR FURTHER INFORMATION

City Planner			
City Attorney	# /1/25 Date		
CITY MANAGER REFERRAL TO THE PL	ANNING AND ZONING COMMISSION:		
City Manager	<u>HAAS</u> Date		
Planning	& Zoning Commission		
Public Hearing Sign Posting Date:	Public Hearing Date:		
RECOMMENDED ACTION: Favor Oppose Abstain Trae Bertrand • Scott Blank • Kevin Greaser • Robbie Guard • Derek Jackson • VOTE COUNT: S Favor COMMENTS:	Gerry Jones Gerry		
	Chris Martin Planning & Zoning Commission Secretary		
Posting Dates: Sign Newspap	ty Council Action per Public Hearing Date: Ordinance 2 nd & 3 rd Reading:		
VOTE COUNT: Favor	Oppose Abstain		
ORDINANCE #	Effective Date:		

Rezoning Request - 212 South West End Boulevard



Rezoning Request - 212 South West End Boulevard





REZONING / SPECIAL USE PERMIT APPLICATION CITY Of CAPE GIRARDEAU COMMUNITY DEVELOPMENT DEPARTMENT, 44 NORTH LORIMIER STREET, CAPE GIRARDEAU, MO 63701 (573) 339-6327

Property Address/Location		
212 S. West End Bly	Jd	
Applicant Majeed Investment Group LC	Property Owner of Record	d 🛛 🔁 S ame as Applicant
Mailing Address 3305 Kaye Rd. Cape Gir., MO (3)	Mailing Address	City, State, Zip
Telephone Email	Telephone	Email
573-450-1131 tonimailed Camailcon	h	
Contact Person Ofene Maired	(Attach additional owners	information, if necessary)
Type of Request	Proposed Special Use (Spe	ecial Use Permit requests only)
🛛 Rezoning 🗖 Special Use Permit 🗖 Both		and the second
Existing Zoning District Choose a Zoning District	Proposed Zoning District (Choose a Zoning District	(Rezoning requests only)

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

Describe the proposed use of the property.

		Ap	plication cont	inues on next page		
OFFICE USE ONLY						
Date Received & By 🚄	10/25 A	S File #	1480	MUNIS Application # 16294	MUNIS Permit #	
Application Fee Receive	ed \$	Check #		Credit Card 🛛 🗖 Cash		
Planning & Zoning Corr	mission Recommer	dation	Date	City Council Final Action _	Date	

Explain how the special use permit request meets the criteria below. Attach additional sheets, if necessary.

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

ADDITIONAL ITEMS REQUIRED	In addition to this completed application form, the following items must be submitted: Base Application fee - \$148.00 payable to City of Cape Girardeau Planned Development rezoning only - Additional \$88 payable to City of Cape Girardeau List of adjacent property owners (see Instructions for requirements)
See Instructions for more information.	 One (1) set of mailing envelopes, stamped and addressed to adjacent property owners OR \$2.85 per adjacent property owner, if stamped envelopes are not submitted One (1) full size copy of a plat or survey of the property, if available One (1) full size set of plans, drawn to an appropriate scale, depicting existing features to be removed, existing features to remain, and all proposed features such as: buildings and structures, paved areas, curbing, driveways, parking stalls, trash enclosures, fences, retaining walls, light poles, detention basins, landscaping areas, freestanding signs, etc. (Planned Development rezonings and Special Use Permits only) One (1) set of Planned Development documents (Planned Development rezonings only)

CERTIFICATIONS

The undersigned hereby certifies that:

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

Property Owner of Record Signature and Printed Name

3-10-25

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

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

ToniMajero icant Signature and Printed Name

Date

3-10-25

Sec. 30-66. - C-1, General Commercial District.

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

(b) Permitted principal uses.

- (1) Art galleries or museums.
- (2) Banks or other financial institutions.
- (3) Bed and breakfasts.
- (4) Commercial day cares.
- (5) Commercial recreation facilities, excluding driving ranges or outdoor shooting or racing.
- (6) Comprehensive marijuana dispensary facilities, medical marijuana dispensary facilities, or microbusiness dispensary facilities, as permitted in <u>section 30-118</u>.
- (7) Funeral homes or mortuaries.
- (8) Governmental facilities.
- (9) Health or fitness centers.
- (10) Institutions of higher education, including business, career or technology schools.
- (11) Instructional schools for art, dance, music, martial arts or other disciplines.
- (12) Libraries.
- (13) Microbreweries.
- (14) Middle schools, secondary schools, or development centers for people with physical, mental or developmental disabilities.
- (15) Nurseries or greenhouses.
- (16) Nursing homes.
- (17) Offices.
- (18) Parks or playgrounds.
- (19) Personal service establishments.
- (20) Pet grooming facilities, excluding kennels.
- (21) Police or fire stations.
- (22) Residential treatment facilities.
- (23) Restaurants or bars.
- (24) Retail or rental establishments, excluding the sale or rental of outbuildings, vehicles, or large agricultural or construction equipment.
- (25) Television or radio studios, including any transmitting facilities.
- (26) Transit terminals.
- (27) Veterinary clinics or animal hospitals, excluding livestock.
- (28) Wineries.
- (c) Permitted accessory uses.

- (1) Accessory structures and uses customarily incidental to the above uses, as permitted in section 30-106.
- (2) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.
- (3) Solar energy systems, as permitted in <u>section 30-113</u>.
- (d) Special uses.
 - (1) Banquet facilities.
 - (2) Hotels or motels.
 - (3) Kennels.
 - (4) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.
 - (5) Meeting halls.
 - (6) Mini warehouses or self-storage units.
 - (7) Public utilities, except for buildings or accessory structures that are normal and customary in a zoning district which would allow other buildings or structures of the same nature as a use-by-right.
 - (8) Short-term or long-term use of shipping containers for principal uses, as permitted in section 30-105.
 - (9) Telecommunication towers, as permitted in section 30-107.
 - (10) The allowance of additional height up to a total of 60 feet, not to exceed a total of five stories.
 - (11) Transitional housing.
 - (12) Uses involving the sale or rental of outbuildings, vehicles, or large agricultural or construction equipment.
 - (13) Vehicle fueling, service or repair facilities, excluding body or paint shops.
 - (14) Vehicle washing facilities, including automatic or hand wash.
 - (15) Wind energy conversion systems, as permitted in section 30-113.
- (e) Standards.
 - (1) All storage of merchandise, materials, products or equipment shall be within a fully enclosed building or in an open yard so screened that the items being stored are not visible from the street or any adjacent property.
 - (2) Outdoor display of merchandise is prohibited, except as follows: Merchandise may be displayed outdoors as part of a temporary use, as permitted in <u>section 30-109</u>. Nursery stock, accessory landscaping decorations, and seasonal and holiday decorations may also be displayed outdoors during the appropriate season. Such displays are permitted in accordance with the following provisions:
 - a. Displays shall not be located in a right-of-way.
 - b. Displays shall not be located in parking spaces used to meet the minimum number of parking spaces as required elsewhere in the city Code. Displays that are part of a bazaar, craft sale, garage or yard sale, or similar temporary event are exempt from this requirement, as determined by the city manager.
 - c. Displays shall not impede vehicular or pedestrian access.
 - d. Displays shall not alter the structure of any building.
 - e. Displays shall not create a health or safety hazard.
 - f. Displays shall be well kept and orderly.
 - g. Signs may be displayed as permitted elsewhere in the city Code.
 - h. The display of seasonal items shall be limited to a time period that is customary for the season associated with the display, which shall be at the discretion of the city manager.

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

- (f) Height, area, width, setback and open space requirements.
 - (1) Maximum height: 40 feet, not to exceed three stories.
 - (2) Minimum lot area: None.
 - (3) Minimum lot width: None.
 - (4) Minimum setbacks:
 - a. Front yard: 25 feet.
 - b. Rear yard: None, except 20 feet when adjacent to a residential use or district, or ten feet when adjacent to an agricultural use or district.
 - c. Side yard: None, except 20 feet when adjacent to a residential use or district, or ten feet when adjacent to an agricultural use or district.
 - (5) Minimum open space: 15 percent of the lot area.

(Code 1990, § 30-333; Ord. No. <u>5211</u>, art. 4, 7-15-2019; Ord. No. <u>5615</u>, art. 3, 2-6-2023)

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

- (a) Purpose. The R-3 district is intended to accommodate single-family, two-family and townhouse residential developments at maximum densities of up to nine units per acre. This district will serve as a transition between lower density and higher density residential districts. Certain other structures and uses necessary to serve the area are allowed as permitted uses or through the approval of a special use permit, subject to restrictions intended to preserve and protect the residential character of this district.
- (b) Permitted principal uses.
 - (1) Single-family detached dwellings, with only one dwelling per lot.
 - (2) Duplexes, two-family dwelling units.
 - (3) Townhouses.
 - (4) Cluster subdivisions, as permitted in <u>chapter 25</u>.
 - (5) Public parks, playgrounds, and recreational facilities.
 - (6) Police and fire stations.
 - (7) Elementary and middle schools, or development centers for elementary and middle school age children with handicaps or development disabilities, on a minimum of five acres of land.
 - (8) Noncommercial, not-for-profit residential neighborhood facilities consisting of indoor and outdoor recreational facilities, offices of property owners' associations, and maintenance facilities operated by a neighborhood or community organization or a property owners' association.
 - (9) Home for eight or fewer unrelated mentally or physically handicapped persons, including no more than two additional persons acting as house parents or guardians who need not be related to each other or to any of the handicapped persons residing in the home, provided that:
 - a. The exterior appearance of the home and property shall reasonably conform to the exterior appearance of other dwellings and property in the neighborhood; and
 - b. Such home shall not be located closer than 370 feet to any other such home.
 - (10) A private residence licensed by the state division of family services or state department of mental health to provide foster care to one or more, but less than seven, children who are unrelated to either foster parent by blood, marriage or adoption, provided that all applicable building and safety codes are met, and an occupancy permit issued therefor.
- (c) Permitted accessory uses.
 - (1) Private garages, carports and accessory structures, as permitted in section 30-106.
 - (2) Home occupations, as permitted in section 30-108.
 - (3) Home day cares, with no more than four unrelated children in a 24-hour period as permitted in section 30-111.
 - (4) In home elderly care, with a maximum of three persons as permitted in <u>section 30-114</u>.
 - (5) Solar energy systems, as permitted in <u>section 30-113</u>.
 - (6) Short-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
- (d) Special uses.
 - (1) Home day cares, with five or more unrelated children, as permitted in <u>section 30-111</u>.
 - (2) Bed and breakfasts.
 - (3) Cemeteries, on a minimum of ten acres of land.
 - (4) Transitional housing.

- (5) Wind energy conversion systems, as permitted in <u>section 30-113</u>.
- (6) Public utilities, except for buildings and accessory structures that are normal and customary in a zoning district which would allow other buildings of the same nature as a use-by-right.
- (7) Long-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
- (e) Height, area, bulk and setback requirements.
 - (1) Maximum height:
 - a. When side yards are less than 15 feet in width, 2½ stories not to exceed 35 feet.
 - b. When side yards are 15 feet in width or greater, three stories, not to exceed 45 feet.
 - (2) Minimum lot area:
 - a. Each townhouse must be on a separate platted lot consisting of at least 1,400 square feet.
 - b. Duplexes: 3,750 square feet per unit.
 - c. Single-family: 5,000 square feet.
 - (3) Maximum density: Nine units per one acre. Higher densities may be approved with a cluster subdivision as permitted in <u>chapter 25</u>.
 - (4) Minimum lot width:
 - a. Townhouses and duplexes: 20 feet.
 - b. All other uses: 30 feet.
 - (5) Minimum yard requirements:
 - a. Front yard:
 - 1. Each townhouse: Ten feet.
 - 2. All other uses: 20 feet.
 - b. Rear yard:
 - 1. Each townhouse: 20 feet.
 - 2. All other uses: 20 feet.
 - c. Side yard:
 - 1. Townhouses and duplexes: None.
 - 2. All other uses: Three feet.
- (f) *Open space, landscaping and bufferyard requirements.* For any nonresidential uses:
 - (1) A minimum of 20 percent of the total lot area shall be devoted to open space, including required yard and buffer yards.
 - (2) Landscaping shall be provided as required in <u>chapter 25</u>.
 - (3) A 20-foot-wide bufferyard shall be required adjacent to any property in the AG, AG-1, RE, R-1, or R-2 zoning districts. This bufferyard shall comply with the requirements of <u>chapter 25</u>.
- (g) Parking regulations. Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in <u>section 25-46</u>. No parking, stopping, or standing of trucks or commercial motor vehicles licensed for a gross weight in excess of 24,000 pounds, except as provided in <u>sections 26-147</u> and <u>26-298</u>.

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

Staff:
Agenda:Ryan Shrimplin, AICP - City
Planner
5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

A Public Hearing to consider a request to rezone property located at 3100 and 3130 Ragan Street from R-4 (Medium Density Multifamily Residential District) to R-3 (High Density Single-Family Residential District).

EXECUTIVE SUMMARY

A public hearing has been scheduled for May 5, 2025 to consider a request to rezone property at 3100 and 3130 Ragan Street. An ordinance rezoning the property is on this agenda as a separate item.

BACKGROUND/DISCUSSION

A rezoning application has been submitted for the property at 3100 and 3130 Ragan Street. The applicant is requesting that the property be rezoned from R-4 (Medium Density Multifamily Residential District) to R-3 (High Density Single-Family Residential District).

The immediately surrounding properties are zoned C-2 (Highway Commercial District) to the north, R-4 (Medium Density Multifamily Residential District) to the east and south, and R-1 (Single-Family Suburban Residential District) to the west. This area is characterized by commercial and residential uses. The Cape Vision 2040 Comprehensive Plan's Future Land Use Map shows the subject property as High Density Residential.

A public hearing has been scheduled for May 5, 2025 to consider the rezoning request. An ordinance rezoning the property is on this agenda as a separate item.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

In considering a rezoning request, the Planning and Zoning Commission and the City Council must determine if the proposed zoning district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties. The subject property is part of a larger parcel that will be subdivided into two lots. One of the lots will match the boundary of the property to be rezoned. The owner has plans to develop this lot for duplexes as part of a Missouri Housing Development Commission (MHDC) tax credit project for workforce housing. The current R-4 zoning does not allow new subdivisions for duplexes. Rezoning the property to R-3 would allow the subdivision and the subsequent development for duplexes to proceed. The Zoning Code states that the R-3 district "will serve as a transition between lower density and higher density residential districts." The adjacent properties to the west are single-family residential lots that are zoned R-1 and the adjacent property to R-3 would create a transition between lower density and higher density districts as prescribed in the Zoning Code. For these reasons, the proposed R-3 district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission held a public hearing at its April 9, 2025 meeting and recommended approval of the rezoning request by a vote of 6 in favor, 0 in opposition, and 2 abstaining.

PUBLIC OUTREACH

The City Council's public hearing was advertised in the Southeast Missourian on April 12, 2025. In addition, a sign containing the date, time, location, and subject of the Planning and Zoning Commission and City Council public hearings was posted on the property. Notices were also mailed to the adjacent property owners.

ATTACHMENTS:				
Name:	Description:			
Staff_Review-Referral-Action_Form.pdf	3100 & 3130 Ragan Street - Staff RRA Form			
<u>Map - 3100 3130 Ragan Street - Zoning.pdf</u>	3100 & 3130 Ragan Street - Zoning Map			
□ <u>Map - 3100 3130 Ragan Street - FLU.pdf</u>	3100 & 3130 Ragan Street - FLU Map			
<u>Application-Signed.pdf</u>	3100 & 3130 Ragan Street - Application			
Sec_30-60 R-4Medium_Density_Multifamily_Residential_District.pdf	R-4 District Regulations			
Sec_30-59 R-3_High_Density_Single-Family_Residential_District.pdf	R-3 District Regulations			

CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. <u>1479</u>

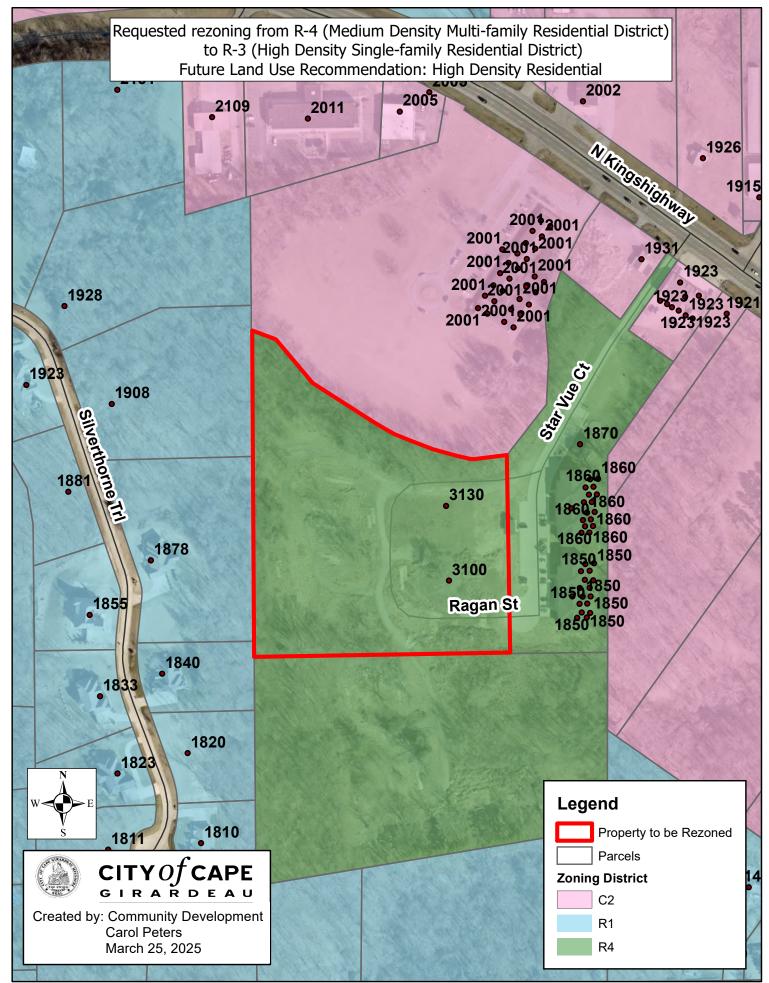
LOCATION: <u>3100/3130 Ragan Street</u>

STAFF REVIEW & COMMENTS:

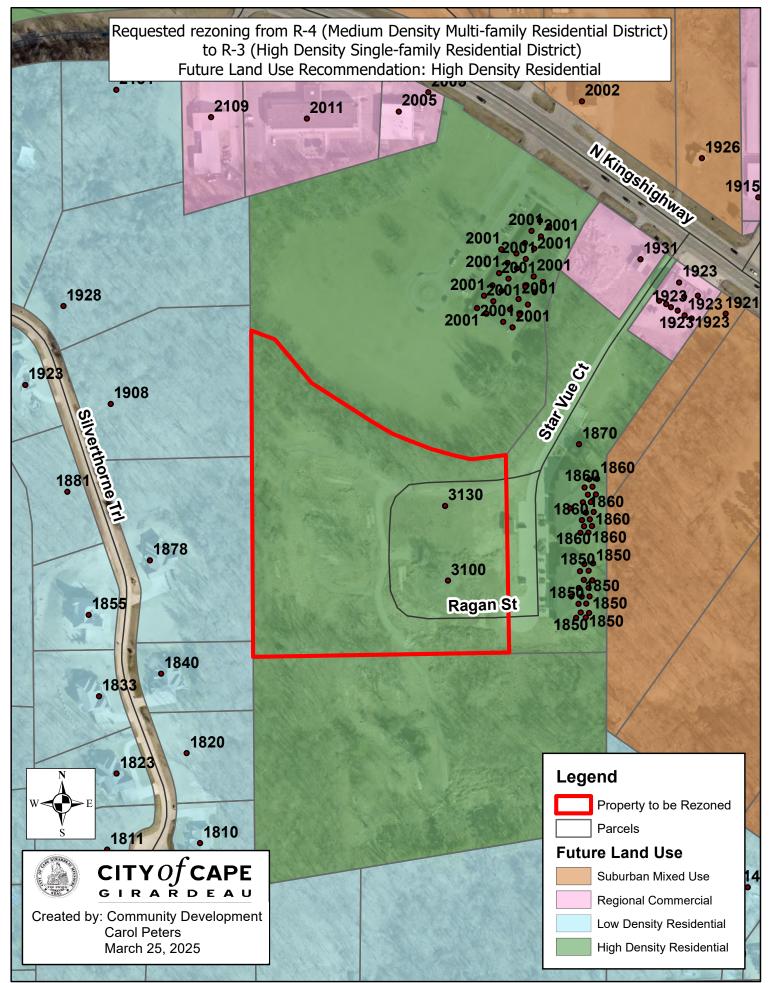
HRM Services is requesting to rezone the above listed property from R-4 (Medium Density Multi-family Residential) to R-3 (High Density Single-family Residential). SEE STAFF REPORT FOR FURTHER INFORMATION

City Planner	<u>3/31/25</u> Date	
City Attorney	<u> </u>	
CITY MANAGER REFERRAL TO THE P	LANNING AND ZONING COMMISSION:	
City Manager	<u>UDate</u>	
Planning	g & Zoning Commission	
Public Hearing Sign Posting Date:	Public Hearing Date:	
RECOMMENDED ACTION: Favor Oppose Absta Trae Bertrand Scott Blank Scott Blank Kevin Greaser Robbie Guard Derek Jackson VOTE COUNT: Favor COMMENTS:	Gerry Jones Chris Martin Chris Martin Chris Martin Chris Martin Christer Christer Martin Chris	
	Chris Martin Planning & Zoning Commission Secretary	
Posting Dates: Sign <u>4-11-25</u> Newspa	ity Council Action per4-13-25 Public Hearing Date:5-7-25 Ordinance 2 nd & 3 rd Reading:	
VOTE COUNT: Favor	Oppose Abstain	
ORDINANCE # Effective Date:		

Rezoning Request - 3100 & 3130 Ragan Street



Rezoning Request - 3100 & 3130 Ragan Street





REZONING / SPECIAL USE PERMIT APPLICATION

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

Property Address/Location

1870 STAR VUE CT

Applicant HRM SERVICES		Property Owner of Re STAR VUE RENTALS LI		Same as Applicant	
Mailing Address 310 Elm Street		City, State, Zip Washington, MO 63090	Mailing Address 2967 E OUTER RD		City, State, Zip SCOTT CITY, MO, 63780
TelephoneEmail636-527-2003dgiffin@hrmservices.org		Telephone	Email ssinc2@	@yahoo.com	
Contact Person Deb Giffin		(Attach additional owners information, if necessary)			
Type of Request Z Rezoning Special Use Permit D Both		Proposed Special Use (Special Use Permit requests only)			
Existing Zoning District R-4, Medium Density Multi-Family Residential District		Proposed Zoning Dist R-3, High Density Single	-		

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

See attached.

Describe the proposed use of the property.

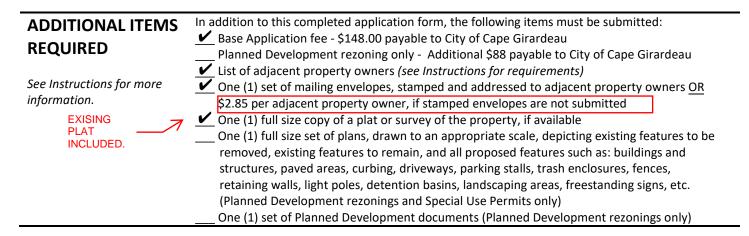
Property is currently zoned R-4 for Multi-family. We are requesting to down zone it to R-3 to install 22 duplexes. Duplexes are not allowed in R-4 triggering the request.

Application continues on next page				
OFFICE USE ONLY				
Date Received & By	File #	MUNIS Application #	MUNIS Permit #	
Application Fee Received \$	🗅 Check #	Credit Card 🛛 Cash		
Planning & Zoning Commission Recommendation Date City Council Final Action Date				

Special Use Criteria (Special Use Permit requests only)

Explain how the special use permit request meets the criteria below. Attach additional sheets, if necessary.

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



CERTIFICATIONS

The undersigned hereby certifies that:

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

	\sim	Brad Schlosser	3/7/2025		
Property Owner of Record Signature and Printed Name			Date		
(Provide additional owners signatures and printed names in the space below, if applicable)					

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

Applicant Signature and Printed Name

Date

CITY OF CAPE GIRARDEAU REZONING / SPECIAL USE PERMIT APPLICATION INSTRUCTIONS

Due to the complex nature of zoning, it is strongly recommended that an applicant discuss their request with City staff prior to submitting an application for a rezoning or a special use permit. To speak with a staff member, contact:

City of Cape Girardeau Planning Services Division 44 North Lorimier Street Cape Girardeau, MO 63701 (573) 339-6327 cityplanning@cityofcape.org

Applicants should also discuss their request with adjacent property owners, tenants, and other parties that may be affected should the request be approved.

A list of the adjacent property owners must be submitted as part of the application. "Adjacent property" means a property that is next to, or across a street or alley from, the property for which the rezoning or special use permit is being requested, including diagonal orientation. To obtain property owner information, contact Cape Girardeau County Mapping and Appraisal at (573) 243-3123 or visit the County's website at <u>www.capecounty.us</u>. The list must contain the name, property address, mailing address, city, state, and ZIP code for each adjacent property owner, per the following examples:

Property Owner Name	Property Address	Mailing Address	City	State	Zip Code
Ex. John and Jane Doe	900 North Main Street	900 North Main Street	Cape Girardeau	МО	63701
Ex. ZZZ Development, LLC	910 North Main Street	100 Natural Bridge Avenue, Suite A	St. Louis	МО	63107

In addition to the list, a set of plain, white, business size mailing envelopes addressed to the adjacent property owners (each with a first class U.S. postage stamp) must be submitted. Do not include a return address; City staff will add the Planning Services Division's return address to each envelope prior to mailing the public hearing notice. In lieu of submitting stamped addressed envelopes, the applicant may choose to pay an additional \$2.85 per adjacent property owner for the required envelopes.

For requests to rezone a property to PD (Planned Development District), refer to Section 30-341 of the City's Code of Ordinances for additional submission requirements.

Rezoning and special use permit requests are reviewed by the Planning and Zoning Commission. The application deadline is four (4) weeks prior to the Planning and Zoning Commission meeting date. The Commission meets monthly on the second Wednesday. Applications must be delivered to the Planning Services Division using the above contact information.

City staff will review each application for completeness. If required information and/or items are missing, the applicant will be contacted. Incomplete applications will not be reviewed until the requested information and/or items are provided.

Once an application has been deemed complete, it will be placed on the next Planning and Zoning Commission agenda. A notice of the public hearing will be sent to the applicant and the adjacent property owners. In addition, a sign containing information about the public hearing will be posted on the property.

The Planning and Zoning Commission will hold a public hearing on the request. The applicant, property owner(s) of record, or their representative must appear at the hearing and present the request to the Commission. If no one appears, then the Commission may table (postpone) the request.

If the Planning and Zoning Commission recommends approval of the request, then a public hearing before the City Council will be scheduled. A notice of the public hearing will be advertised in the newspaper. An ordinance approving the request will be prepared for consideration by the Council (if a request involves both a rezoning and a special use permit, then two separate ordinances are prepared).

If the Planning and Zoning Commission recommends denial of the request, then the application will be forwarded to the City Council at its next meeting. The Council may deny the request and file the application, or set a public hearing on the request. If the

application is filed, then a letter will be sent to the applicant notifying them of the filing and their right to ask for a public hearing within ten (10) days. If the applicant fails to ask for a public hearing within the ten (10) day period, the request will be denied. Rezoning and special use permit requests are approved by ordinance and must receive approval of the first reading at one meeting and approval of the second and third readings at the next meeting. A mandatory ten (10) day waiting period applies to all ordinances approved by the City Council. After the waiting period has passed, the ordinance will take effect. For special use permit requests, a special use permit will be executed by the City Manager, after which City staff will submit it to the Cape Girardeau County Recorder of Deeds Office for recording. Staff will deliver a copy of the recorded special use permit to the applicant. A special use permit becomes null and void if the use for which the permit was granted does not commence within twelve (12) months of the approval date, unless an extension has been granted.

For questions, please contact the Planning Services Division at (573) 339-6327 or cityplanning@cityofcape.org.

Sec. 30-60. - R-4, Medium Density Multifamily Residential District.

- (a) Purpose. The R-4 district provides for multifamily dwellings and other residential uses with a maximum density of 18 units per one acre. Single-family detached and two-family (duplex) dwellings are permitted in order to accommodate existing R-4 zoned lots that either contain such uses or are not large enough to be developed for multifamily dwellings. It is not intended for new single-family detached or two-family subdivisions, which are prohibited.
- (b) Permitted principal uses.
 - (1) Single-family detached dwellings, with only one dwelling per lot, and excluding new single-family detached subdivisions.
 - (2) Two-family (duplex) dwellings, excluding new two-family subdivisions.
 - (3) Multifamily dwellings.
 - (4) Townhouses.
 - (5) Cluster subdivisions, as permitted elsewhere in the city Code.
 - (6) Nursing homes, senior citizen housing and retirement homes.
 - (7) Noncommercial, not-for-profit residential neighborhood facilities consisting of indoor and/or outdoor recreational facilities, offices of property owners' associations, and maintenance facilities operated by a neighborhood or community organization or a property owners' association.
 - (8) Public parks, playgrounds, and recreational facilities.
 - (9) Police and fire stations.
 - (10) Elementary, middle and secondary schools, and development centers for elementary, middle and secondary school age children with physical, mental or developmental disabilities.
 - (11) Commercial day cares.
- (c) Permitted accessory uses.
 - (1) Private garages, carports and accessory structures, as permitted in section 30-106.
 - (2) Home occupations, as permitted in <u>section 30-108</u>.
 - (3) Solar energy systems, as permitted in <u>section 30-113</u>.
 - (4) Short-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
- (d) Special uses.
 - (1) Bed and breakfasts.
 - (2) Boutique hotels. The term "boutique hotel" shall mean an establishment containing a minimum of five and a maximum of 20 rooming units, which is used or advertised as a place where lodging accommodations are supplied for pay to guests for lodging occupancy with rooms having access to the outside through an interior hallway connected to the main lobby of the building, and which may provide additional services such as restaurants, meeting rooms, entertainment and recreational facilities.
 - (3) Cemeteries, on a minimum of ten acres of land.
 - (4) Long-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
 - (5) Public utilities, except for buildings and accessory structures that are normal and customary in a zoning district which would allow other buildings of the same nature as a use-by-right.
 - (6) Residential treatment facilities.
 - (7) Transitional housing.
 - (8) Wind energy conversion systems, as permitted in section 30-113.

- (e) Height, area, bulk and setback regulations.
 - (1) Maximum height: Five stories not to exceed 60 feet.
 - (2) Minimum lot area:
 - a. Each townhouse must be on a separate platted lot consisting of at least 1,400 square feet.
 - b. All other uses: 3,750 square feet.
 - (3) Maximum density: 18 units per one acre. Higher densities may be approved with a cluster subdivision, as permitted elsewhere in the city Code.
 - (4) Minimum lot width:
 - a. Each townhouse: 20 feet.
 - b. All other uses: None.
 - (5) Minimum yard requirements:
 - a. Front yard:
 - 1. Each townhouse: Ten feet.
 - 2. All other uses: 25 feet.
 - b. Rear yard:
 - 1. Each townhouse: 20 feet.
 - 2. All other uses: 25 feet.
 - c. Side yard:
 - 1. Each townhouse: None.
 - 2. All other uses: Five feet.
 - (6) Maximum building coverage, including accessory buildings: 50 percent of the lot for all uses except townhouses.
 - (7) Open space requirements: For any multifamily residential uses or nonresidential uses, a minimum of 20 percent of the total lot area shall be devoted to open space, including required yards and bufferyards.
- (f) Parking regulations. Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in <u>section 25-46</u>. There shall be no parking, stopping, or standing of trucks or commercial motor vehicles licensed for a gross weight in excess of 24,000 pounds, except as provided in <u>sections 26-147</u> and <u>26-298</u>.

(Code 1990, § 30-325; Ord. No. 5012, art. 4, 10-2-2017; Ord. No. 5550, art. 1, 6-20-2022; Ord. No. 5635, art. 1, 4-17-2023)

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

- (a) Purpose. The R-3 district is intended to accommodate single-family, two-family and townhouse residential developments at maximum densities of up to nine units per acre. This district will serve as a transition between lower density and higher density residential districts. Certain other structures and uses necessary to serve the area are allowed as permitted uses or through the approval of a special use permit, subject to restrictions intended to preserve and protect the residential character of this district.
- (b) Permitted principal uses.
 - (1) Single-family detached dwellings, with only one dwelling per lot.
 - (2) Duplexes, two-family dwelling units.
 - (3) Townhouses.
 - (4) Cluster subdivisions, as permitted in <u>chapter 25</u>.
 - (5) Public parks, playgrounds, and recreational facilities.
 - (6) Police and fire stations.
 - (7) Elementary and middle schools, or development centers for elementary and middle school age children with handicaps or development disabilities, on a minimum of five acres of land.
 - (8) Noncommercial, not-for-profit residential neighborhood facilities consisting of indoor and outdoor recreational facilities, offices of property owners' associations, and maintenance facilities operated by a neighborhood or community organization or a property owners' association.
 - (9) Home for eight or fewer unrelated mentally or physically handicapped persons, including no more than two additional persons acting as house parents or guardians who need not be related to each other or to any of the handicapped persons residing in the home, provided that:
 - a. The exterior appearance of the home and property shall reasonably conform to the exterior appearance of other dwellings and property in the neighborhood; and
 - b. Such home shall not be located closer than 370 feet to any other such home.
 - (10) A private residence licensed by the state division of family services or state department of mental health to provide foster care to one or more, but less than seven, children who are unrelated to either foster parent by blood, marriage or adoption, provided that all applicable building and safety codes are met, and an occupancy permit issued therefor.
- (c) Permitted accessory uses.
 - (1) Private garages, carports and accessory structures, as permitted in section 30-106.
 - (2) Home occupations, as permitted in section 30-108.
 - (3) Home day cares, with no more than four unrelated children in a 24-hour period as permitted in section 30-111.
 - (4) In home elderly care, with a maximum of three persons as permitted in <u>section 30-114</u>.
 - (5) Solar energy systems, as permitted in <u>section 30-113</u>.
 - (6) Short-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
- (d) Special uses.
 - (1) Home day cares, with five or more unrelated children, as permitted in <u>section 30-111</u>.
 - (2) Bed and breakfasts.
 - (3) Cemeteries, on a minimum of ten acres of land.
 - (4) Transitional housing.

- (5) Wind energy conversion systems, as permitted in <u>section 30-113</u>.
- (6) Public utilities, except for buildings and accessory structures that are normal and customary in a zoning district which would allow other buildings of the same nature as a use-by-right.
- (7) Long-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
- (e) Height, area, bulk and setback requirements.
 - (1) Maximum height:
 - a. When side yards are less than 15 feet in width, 2½ stories not to exceed 35 feet.
 - b. When side yards are 15 feet in width or greater, three stories, not to exceed 45 feet.
 - (2) Minimum lot area:
 - a. Each townhouse must be on a separate platted lot consisting of at least 1,400 square feet.
 - b. Duplexes: 3,750 square feet per unit.
 - c. Single-family: 5,000 square feet.
 - (3) Maximum density: Nine units per one acre. Higher densities may be approved with a cluster subdivision as permitted in <u>chapter 25</u>.
 - (4) Minimum lot width:
 - a. Townhouses and duplexes: 20 feet.
 - b. All other uses: 30 feet.
 - (5) Minimum yard requirements:
 - a. Front yard:
 - 1. Each townhouse: Ten feet.
 - 2. All other uses: 20 feet.
 - b. Rear yard:
 - 1. Each townhouse: 20 feet.
 - 2. All other uses: 20 feet.
 - c. Side yard:
 - 1. Townhouses and duplexes: None.
 - 2. All other uses: Three feet.
- (f) *Open space, landscaping and bufferyard requirements.* For any nonresidential uses:
 - (1) A minimum of 20 percent of the total lot area shall be devoted to open space, including required yard and buffer yards.
 - (2) Landscaping shall be provided as required in <u>chapter 25</u>.
 - (3) A 20-foot-wide bufferyard shall be required adjacent to any property in the AG, AG-1, RE, R-1, or R-2 zoning districts. This bufferyard shall comply with the requirements of <u>chapter 25</u>.
- (g) Parking regulations. Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in <u>section 25-46</u>. No parking, stopping, or standing of trucks or commercial motor vehicles licensed for a gross weight in excess of 24,000 pounds, except as provided in <u>sections 26-147</u> and <u>26-298</u>.

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

	Gayle L. Conrad, CMC/MPCC,
Staff:	Director of Citizen Services/City
Agenda:	Clerk
C	5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

Approval of the April 21, 2025, Regular Session City Council Minutes.

ATTACHMENTS:				
Name:	Description:			
2025.04.21_Council_Minutes_DRAFT.pdf	Council Regular Session Minutes 04-21-2025			



Proceedings of the City Council, City of Cape Girardeau, Mo.Regular SessionApril 21, 2025MM-155

STUDY SESSION – April 21, 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, April 21, 2025, at 5:00 p.m. with Mayor Stacy Kinder presiding and Council Members Mark Bliss, Bryan Johnson, Dan Presson, Tameka Randle and Nate Thomas present. David J. Cantrell was absent. City Clerk Gayle Conrad administered the Oath of Office to newly elected Ward 5 Council Member Bryan Johnson.

REGULAR SESSION – April 21, 2025

CALL TO ORDER

The Cape Girardeau City Council convened in regular session at the Cape Girardeau City Hall on Monday, April 21, 2025, at 5:14 p.m. with Mayor Stacy Kinder presiding and Council Members Mark Bliss, Bryan Johnson, Dan Presson, Tameka Randle and Nate Thomas present. David J. Cantrell was absent.

ADOPTION OF THE AGENDA

A Motion was made by Dan Presson, Seconded by Tameka Randle, to approve and adopt the agenda.

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

CONSENT AGENDA

Approval of the April 7, 2025, Regular Session City Council Minutes and the April 14, 2025, Special Session City Council Minutes.

BILL NO. 25-34, an Ordinance approving the First Amendment to Redevelopment Agreement between the City of Cape Girardeau and Arsenal Venture LLC. Second and Third Readings

BILL NO. 25-35, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 1918 North Kingshighway, in the City and County of Cape Girardeau, Missouri, from C-2 to NC. Second and Third Readings

BILL NO. 25-37, an Ordinance authorizing the acquisition of Temporary Construction Easements and Permanent Easements from property owners for the Cape LaCroix Trail Repair Project, in the City of Cape Girardeau. Second and Third Readings

BILL NO. 25-38, an Ordinance authorizing the Mayor to execute a Special Warranty Deed to the Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017 for property adjacent to 3556 Pheasant Cove Drive, in the City of Cape Girardeau, Missouri. Second and Third Readings



Proceedings of the City Council, City of Cape Girardeau, Mo. Regular Session April 21, 2025 MM-156

BILL NO. 25-40, a Resolution authorizing the City Manager to execute an Agreement with Southeast Missouri State University for the 2025 Historic Resource Survey, in the City of Cape Girardeau, Missouri. Reading and Passage

BILL NO. 25-41, a Resolution authorizing the City Manager to execute a Demolition Contract with JAC3 Excavating LLC, for the demolition of a building located at 1226 Ranney Avenue, in the City of Cape Girardeau, Missouri. Reading and Passage

BILL NO. 25-42, a Resolution authorizing the City Manager to execute a License and Indemnity Agreement with EBM Investments LLC, to place certain improvements at 13 North Fountain Street. Reading and Passage

BILL NO. 25-43, a Resolution authorizing the City Manager to execute an Airport Ground Lease with Plaza Car Wash, Inc., at the Cape Girardeau Regional Airport. Reading and Passage

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

BILL NO. 25-34 will be Ordinance NO. 5827; BILL NO. 25-35 will be Ordinance NO. 5828; BILL NO. 25-37 will be Ordinance NO. 5829; BILL NO. 25-38 will be Ordinance NO. 5830; BILL NO. 25-40 will be Resolution NO. 3659; BILL NO. 25-41 will be Resolution NO. 3660; BILL NO. 25-42 will be Resolution NO. 3661; and BILL NO. 25-43 will be Resolution NO. 3662.

ITEMS REMOVED FROM CONSENT AGENDA

BILL NO. 25-39, a Resolution affirming the City of Cape Girardeau's Commitment to Public Safety and Reducing Violent Crime as part of an application filing with the Missouri Department of Public Safety's Blue Shield Program. Reading and Passage.

A Motion was made by Nate Thomas, Seconded by Dan Presson, to approve and adopt. Motion passed. 6-0. Ayes: Bliss, Johnson, Kinder, Presson, Randle, Thomas. Absent: Cantrell BILL NO. 25-39 will be Resolution NO. 3658.

NEW ORDINANCES

BILL NO. 25-44, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding CBD, Central Business District. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

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

BILL NO. 25-45, an Ordinance annexing land located at 126 Dogwood Street into the city limits of the City of Cape Girardeau, Missouri. 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, Johnson, Kinder, Presson, Randle, Thomas. Absent: Cantrell



Proceedings of the City Council, City of Cape Girardeau, Mo. Regular Session April 21, 2025 MM-157

BILL NO. 25-46, an Ordinance extending the boundaries of Ward 4 to include property newly annexed into the city limits of the City of Cape Girardeau, Missouri. 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, Johnson, Kinder, Presson, Randle, Thomas. Absent: Cantrell

BILL NO. 25-47, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by zoning newly annexed property located at 126 Dogwood Street as R-1, Single-Family Suburban Residential District. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

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

BILL NO. 25-48, an Ordinance accepting a Permanent Water Line Easement for property located at 4450 LaSalle Avenue, in the City of Cape Girardeau, Missouri. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

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

BILL NO. 25-49, an Ordinance authorizing the City Manager to execute a Grant Agreement with the Missouri Highways and Transportation Commission to fund air service promotion and marketing at the Cape Girardeau Regional Airport. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by Mark Bliss, Seconded by Dan Presson, to approve. Motion passed. 5-0. Ayes: Bliss, Johnson, Kinder, Presson, Randle. Absent: Cantrell. Thomas abstained for financial reasons due to his affiliation with a local marketing firm.

BILL NO. 25-50, an Ordinance accepting Permanent Utility Easements from the Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017 for property located adjacent to 3556 Pheasant Cove Drive in the City of Cape Girardeau, Missouri. 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, Johnson, Kinder, Presson, Randle, Thomas. Absent: Cantrell

BILL NO. 25-51, an Ordinance vacating the City's interest in part of a Utility Easement at 3556 Pheasant Cove Drive in the City of Cape Girardeau, Missouri. 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, Johnson, Kinder, Presson, Randle, Thomas. Absent: Cantrell

BILL NO. 25-52, an Ordinance authorizing the Mayor to execute a Quit Claim Deed to the Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017 for an easement behind the property at 3556 Pheasant Cove, in the City of Cape Girardeau, Missouri. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.



Proceedings of the City Council, City of Cape Girardeau, Mo.Regular SessionApril 21, 2025MM-158

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

BILL NO. 25-53, an Ordinance of the City of Cape Girardeau, Missouri, amending the Charter of the City; calling an election in the City on the question of amending the Charter; designating the time for holding said election; and authorizing and directing the City Clerk to give notice to the County Clerk of said election. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

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

APPOINTMENTS

Appointments to the Airport Advisory Board

A Motion was made by Mark Bliss, Seconded by Dan Presson, to appoint Kent Ward and John Russell to the Airport Advisory Board for terms expiring April 30, 2028. Motion passed. 6-0. Ayes: Bliss, Johnson, Kinder, Presson, Randle, Thomas. Absent: Cantrell

MEETING ADJOURNMENT

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

The regular session ended at 5:47 p.m.

Gayle L. Conrad, City Clerk



Stacy Kinder, Mayor

Staff:
Agenda:Ryan Shrimplin, AICP - City
Planner
5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

An Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding CBD, Central Business District.

EXECUTIVE SUMMARY

The attached ordinance amends the CBD, Central Business District section of the Zoning Code (Chapter 30 of the City's Code of Ordinances). A public hearing on the amendment was held on March 3, 2025.

BACKGROUND/DISCUSSION

Attached is a proposed amendment to the CBD, Central Business District section of the Zoning Code (Chapter 30 of the City's Code of Ordinances). In February 2023, the City Council approved an ordinance amending several sections of the Zoning Code following Missouri voters' approval of a constitutional amendment legalizing recreational marijuana. The ordinance added two new types of marijuana facilities, comprehensive and microbusiness, and incorporated them into the permitted principal uses lists in certain zoning districts, including CBD. In November 2023, the City Council approved an ordinance amending the CBD section of the Zoning Code to add "vehicle fueling, service or repair facilities, excluding body or paint shops" to the special uses list. The Zoning Code text used for the amendment inadvertently contained an older version of the CBD section – one that predated the amendment for comprehensive and microbusiness marijuana facilities. The proposed amendment corrects this error by re-adding comprehensive and microbusiness marijuana facilities to the CBD section. The amendment also includes some minor changes for clarification purposes.

The attached ordinance amends the CBD section as proposed. A public hearing on the amendment was held on March 3, 2025.

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission reviewed the amendment at its meeting on February 12, 2025 and recommended approval by a vote of 5 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

The City Council's public hearing on the amendment was advertised in the Southeast Missourian on February 15, 2025.

ATTACHMENTS:

Name:	Description:
□ <u>25-44_Amending_Ch_30_CBD.doc</u>	Ordinance

BILL NO. 25-44

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI, REGARDING CBD, CENTRAL BUSINESS DISTRICT

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

ARTICLE 1. Section 30-65, entitled "CBD, Central Business District", of Article III of Chapter 30 of the City Code, reading as follows:

Sec. 30-65. CBD, Central Business District.

- (a) Purpose. The CBD is the city's urban mixed-use district. It encompasses the downtown area and contains a wide range of uses and lot sizes. It also has the largest concentration of historic buildings. In order to preserve the unique character of the CBD, uses involving outdoor activities are limited to those that do not detract from the pedestrian-oriented nature and visual appeal of the district. New buildings, as well as exterior alterations and additions to existing buildings, are required to meet certain design standards to ensure compatibility. To accommodate existing lots and provide for flexibility in the design of new development and redevelopment projects, there are no minimum lot standards or setbacks.
- (b) Permitted principal uses.
 - (1) Art galleries or museums.
 - (2) Auditoriums or theaters.
 - (3) Banks or other financial institutions.
 - (4) Banquet facilities.
 - (5) Bed and breakfasts.
 - (6) Commercial day cares.
 - (7) Commercial recreation facilities.
 - (8) Funeral homes or mortuaries.
 - (9) Governmental facilities.
 - (10) Health or fitness centers.
 - (11) Hospitals.

- (12) Hotels or motels.
- (13)Institutions of higher education, including universities and business, career, or technology schools.
- (14)Instructional schools for art, dance, music, martial arts, or other disciplines.
- (15) Libraries.
- (16)Medical marijuana dispensary facilities, as permitted in section 30-118.
- (17) Meeting halls.
- (18) Microbreweries or microdistilleries.
- (19) Nursing homes.
- (20)Offices.
- (21) Parks, playgrounds, or recreation facilities.
- (22) Personal service establishments.
- (23) Police or fire stations.
- (24) Residential treatment facilities.
- (25) Residential uses, excluding manufactured homes.
- (26) Restaurants or bars.
- (27) Retail or rental establishments.
- (28) Small-scale light manufacturing and industrial facilities primarily utilizing artisans or digital machinery.
- (29) Transitional housing.
- (30)Veterinary clinics or animal hospitals, excluding livestock and kennels.
- (c) Permitted accessory uses.
 - Accessory structures and uses customarily incidental to the above uses, as permitted in section 30-106.
 - (2) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.
 - (3) Solar energy systems, as permitted in section 30-113.
- (d) Special uses.
 - (1) Any use not meeting the requirements of subsection (e) (1) of this section which would otherwise be a permitted use in this section.
 - (2) Excursion gambling boats or floating gambling facilities.

- (3) Helicopter facilities, in conjunction with a hospital.
- (4) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.
- (5) Marinas or docks.
- (6) Public utilities, except for buildings or accessory structures that are normal and customary in a zoning district which would allow other buildings or structures of the same nature as a use-by-right.
- (7) Telecommunication towers, as permitted in section 30-107.
- (8) The allowance of additional height up to a total of 60 feet, not to exceed five stories.
- (9) Vehicle fueling, service or repair facilities, excluding body or paint shops.
- (10)Wind energy conversion systems, as permitted in section 30-113.

(e) Standards.

- (1) All permitted uses shall be conducted entirely indoors
 except the following:
 - a. Drive-through or automatic teller machine (ATM) facilities associated with a bank or other financial institution.
 - b. Eating or drinking facilities.
 - c. Live musical performances or the playing of recorded music, provided that such activities do not violate other provisions of the city Code.
 - d. Mobile food or beverage service facilities, provided that such activities do not violate other provisions of the city Code.
 - e. Parking or loading facilities.
 - f. Parks or playgrounds.
 - g. Permitted accessory uses that are customarily conducted outdoors, in conjunction with a dwelling.
 - h. Public art.
 - i. Public recreation facilities.
 - j. Shipping containers, as permitted in subsection (c)(2) of this section.
 - k. Solar energy systems, as permitted in subsection (c) (3) of this section.

- 1. Temporary uses, as permitted in section 30-109.
- m. Walk-up windows for food or beverage service, provided that such activities do not violate other provisions of the city Code.
- n. Waste containers, subject to screening provisions as required elsewhere in the city Code.
- (2) Design standards for new buildings. New buildings shall be compatible with the general architectural character of the surrounding buildings in terms of setback, orientation, height, scale, massing, materials, and colors. New buildings shall not:
 - a. Disrupt an existing pattern of setbacks along a street;
 - b. Disrupt an existing pattern of buildings being oriented toward a street; or
 - c. Result in disproportionate height, scale, or massing relative to the surrounding buildings.
- (3) Design standards for exterior alterations and additions to existing buildings.
 - a. Exterior alterations and additions to existing buildings shall be compatible with the architectural character of the building being altered or added to in terms of setback, orientation, height, scale, massing, materials, and colors. Exterior alterations and additions shall not:
 - Remove, materially alter, or obscure significant character-defining features such as parapets, cornices, belt courses, corbels, quoins, and patterned brickwork;
 - Remove, materially alter, or obscure non-storefront wall openings in a manner that disrupts an existing wall opening pattern on a public-facing building elevation;
 - Reduce or expand non-storefront wall openings to fit replacement windows or doors, except for minor shimming; or
 - Replace double-sash windows or divided light windows with windows consisting of a single, undivided light.
 - Exterior alterations and additions to existing buildings shall be compatible with the general architectural character of the surrounding buildings in terms of setback, orientation, height, scale, massing,

materials, and colors. Exterior alterations and additions shall not:

- Disrupt an existing pattern of setbacks along a street;
- Disrupt an existing pattern of buildings being oriented toward a street; or
- Result in disproportionate height, scale, or massing relative to the surrounding buildings.
- (4) CBD design standards approval.
 - a. Except as provided for in subsection (e)(5) of this section, CBD design standards approval shall be required for any new building or any exterior alteration or addition to an existing building, excluding signs and ordinary maintenance and repair.
 - b. Application for CBD design standards approval shall be submitted to the city manager using a form provided by the city and contain all necessary information as determined by the city manager. Such application shall be processed administratively in accordance with procedures established by the city manager.
- (5) Certificate of appropriateness.
 - a. A certificate of appropriateness shall be required for any of the following:
 - Demolition in whole or in part of any building, excluding any building demolished by the city pursuant to chapter 7, article XIII of this code;
 - Painting of an unpainted surface on the exterior of any building, excluding new construction;
 - 3. Painting of an exterior wall and the roof, trim, or architectural details attached thereto or contained therein, in the same color, unless such condition already exists; or
 - 4. Addition or alteration of a mural on the exterior of any building. For the purposes of this section, the term "mural" means any sign or piece of graphic artwork that is painted or applied directly to a wall, roof, or other portion of a building.
 - b. Application for a certificate of appropriateness shall be submitted to the city manager using a form provided by the city and contain all necessary information as determined by the city manager. Such application shall be processed in accordance with the criteria and procedures set forth in section 30-74(j) through (r).

- (f) Height, area, width, density, setback, and open space requirements.
 - (1) Maximum height: 40 feet, not to exceed three stories.
 - (2) Minimum lot area: None.
 - (3) Minimum lot width: None.
 - (4) Maximum density: None.
 - (5) Minimum setbacks:
 - a. Front yard: None.
 - b. Rear yard: None.
 - c. Side yard: None.
 - (6) Minimum open space: None.

is hereby repealed in its entirety and a new Section 30-65, entitled "CBD, Central Business District", of Article III of Chapter 30 of the City Code, is hereby enacted in lieu thereof, in words and figures, to read as follows, to-wit:

Sec. 30-65. CBD, Central Business District.

- (a) Purpose. The CBD is the city's urban mixed-use district. It encompasses the downtown area and contains a wide range of uses and lot sizes. It also has the largest concentration of historic buildings. In order to preserve the unique character of the CBD, uses involving outdoor activities are limited to those that do not detract from the pedestrian-oriented nature and visual appeal of the district. New buildings, as well as exterior alterations and additions to existing buildings, are required to meet certain design standards to ensure compatibility. In order to accommodate existing lots and provide for flexibility in the design of new development and redevelopment projects, there are no minimum lot standards or setbacks.
- (b) Permitted principal uses.
 - (1) Art galleries or museums.
 - (2) Auditoriums or theaters.
 - (3) Banks or other financial institutions.
 - (4) Banquet facilities.
 - (5) Bed and breakfasts.
 - (6) Commercial day cares.
 - (7) Commercial recreation facilities.

- (8) Comprehensive marijuana dispensary facilities, medical marijuana dispensary facilities, or microbusiness dispensary facilities, as permitted in section 30-118.
- (9) Funeral homes or mortuaries.
- (10) Governmental facilities.
- (11) Health or fitness centers.
- (12) Hospitals.
- (13) Hotels or motels.
- (14) Institutions of higher education, including universities and business, career, or technology schools.
- (15) Instructional schools for art, dance, music, martial arts, or other disciplines.
- (16) Libraries.
- (17) Meeting halls.
- (18) Microbreweries or microdistilleries.
- (19) Nursing homes.
- (20) Offices.
- (21) Parks, playgrounds, or recreation facilities.
- (22) Personal service establishments.
- (23) Police or fire stations.
- (24) Residential treatment facilities.
- (25) Residential uses, excluding manufactured homes.
- (26) Restaurants or bars.
- (27) Retail or rental establishments.
- (28) Small-scale light manufacturing and industrial facilities primarily utilizing artisans or digital machinery.
- (29) Transitional housing.
- (30) Veterinary clinics or animal hospitals, excluding livestock and kennels.

(c) Permitted accessory uses.

- Accessory structures and uses customarily incidental to the above uses, as permitted in section 30-106.
- (2) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.

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

- (d) Special uses.
 - (1) Any use not meeting the requirements of subsection (e) (1) of this section which would otherwise be a permitted use in this section.
 - (2) Excursion gambling boats or floating gambling facilities.
 - (3) Helicopter facilities, in conjunction with a hospital.
 - (4) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.
 - (5) Marinas or docks.
 - (6) Public utilities, except for buildings or accessory structures that are normal and customary in a zoning district which would allow other buildings or structures of the same nature as a use-by-right.
 - (7) Telecommunication towers, as permitted in section 30-107.
 - (8) The allowance of additional height up to a total of 60 feet, not to exceed five stories.
 - (9) Vehicle fueling, service or repair facilities, excluding body or paint shops.
 - (10) Wind energy conversion systems, as permitted in section 30-113.
- (e) Standards.
 - (1) All permitted uses shall be conducted entirely indoors except the following:
 - a. Drive-through or automatic teller machine (ATM) facilities associated with a bank or other financial institution.
 - b. Eating or drinking facilities.
 - c. Live musical performances or the playing of recorded music, provided that such activities do not violate other provisions of the city Code.
 - d. Mobile food or beverage service facilities, provided that such activities do not violate other provisions of the city Code.
 - e. Parking or loading facilities.
 - f. Parks or playgrounds.
 - g. Permitted accessory uses that are customarily conducted outdoors, in conjunction with a dwelling.

- h. Public art.
- i. Public recreation facilities.
- j. Shipping containers, as permitted in subsection (c)(2)
 of this section.
- k. Solar energy systems, as permitted in subsection (c) (3) of this section.
- 1. Temporary uses, as permitted in section 30-109.
- m. Walk-up windows for food or beverage service, provided that such activities do not violate other provisions of the city Code.
- n. Waste containers, subject to screening provisions as required elsewhere in the city Code.
- (2) Design standards for new buildings. New buildings shall be compatible with the general architectural character of the surrounding buildings in terms of setback, orientation, height, scale, massing, materials, and colors. New buildings shall not:
 - a. Disrupt an existing pattern of setbacks along a street;
 - b. Disrupt an existing pattern of buildings being oriented toward a street; or
 - c. Result in disproportionate height, scale, or massing relative to the surrounding buildings.
- (3) Design standards for exterior alterations and additions to existing buildings.
 - a. Exterior alterations and additions to existing buildings shall be compatible with the architectural character of the building being altered or added to in terms of setback, orientation, height, scale, massing, materials, and colors. Exterior alterations and additions shall not:
 - Remove, materially alter, or obscure significant character-defining features such as parapets, cornices, belt courses, corbels, quoins, medallions, mosaics, and patterned brickwork;
 - Remove, materially alter, or obscure non-storefront wall openings in a manner that disrupts an existing wall opening pattern on a public-facing building elevation;
 - Reduce or expand non-storefront wall openings to fit replacement windows or doors, except for minor shimming; or

- Replace double-sash windows or divided light windows with windows consisting of a single, undivided light.
- b. Exterior alterations and additions to existing buildings shall be compatible with the general architectural character of the surrounding buildings in terms of setback, orientation, height, scale, massing, materials, and colors. Exterior alterations and additions shall not:
 - Disrupt an existing pattern of setbacks along a street;
 - Disrupt an existing pattern of buildings being oriented toward a street; or
 - Result in disproportionate height, scale, or massing relative to the surrounding buildings.
- (4) CBD design standards approval.
 - a. Except as provided for in subsection (e)(5) of this section, CBD design standards approval shall be required for any new building or any exterior alteration or addition to an existing building, excluding signs and ordinary maintenance and repair.
 - b. Application for CBD design standards approval shall be submitted to the city manager using a form provided by the city and contain all necessary information as determined by the city manager. Such application shall be processed administratively in accordance with procedures established by the city manager.
- (5) Certificate of appropriateness.
 - a. A certificate of appropriateness shall be required for any of the following:
 - Demolition in whole or in part of any building, excluding any building demolished by the city pursuant to chapter 7, article XIII of this Code;
 - Painting of an unpainted surface on the exterior of any building, excluding new construction;
 - 3. Painting of an exterior wall and the roof, trim, or architectural details attached thereto or contained therein, in the same color, unless such condition already exists; or
 - 4. Addition or alteration of a mural on the exterior of any building. For the purposes of this section, the term "mural" means any sign or piece of graphic

artwork that is painted or applied directly to a wall, roof, or other portion of a building.

- b. Application for a certificate of appropriateness shall be submitted to the city manager using a form provided by the city and contain all necessary information as determined by the city manager. Such application shall be processed in accordance with the criteria and procedures set forth in section 30-74(j) through (r).
- (f) Height, area, width, density, setback, and open space requirements.
 - (1) Maximum height: 40 feet, not to exceed three stories.
 - (2) Minimum lot area: None.
 - (3) Minimum lot width: None.
 - (4) Maximum density: None.
 - (5) Minimum setbacks:
 - a. Front yard: None.
 - b. Rear yard: None.
 - c. Side yard: None.
 - (6) Minimum open space: None.

ARTICLE 2. 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 3. It is the intention of the governing body and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Cape Girardeau, Missouri, and the sections of this Code may be renumbered to accomplish such intention.

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



TEXT TO BE DELETED IS SHOWN IN STRIKETHROUGH

TEXT TO BE ADDED IS SHOWN IN RED

ARTICLE AND/OR SECTION TITLES AFFECTED BY THIS AMENDMENT: None

Sec. 30-65. CBD, Central Business District.

- (a) Purpose. The CBD is the city's urban mixed-use district. It encompasses the downtown area and contains a wide range of uses and lot sizes. It also has the largest concentration of historic buildings. In order to preserve the unique character of the CBD, uses involving outdoor activities are limited to those that do not detract from the pedestrian-oriented nature and visual appeal of the district. New buildings, as well as exterior alterations and additions to existing buildings, are required to meet certain design standards to ensure compatibility. To In order to accommodate existing lots and provide for flexibility in the design of new development and redevelopment projects, there are no minimum lot standards or setbacks.
- (b) *Permitted principal uses.*
 - (1) Art galleries or museums.
 - (2) Auditoriums or theaters.
 - (3) Banks or other financial institutions.
 - (4) Banquet facilities.
 - (5) Bed and breakfasts.
 - (6) Commercial day cares.
 - (7) Commercial recreation facilities.
 - (8) Comprehensive marijuana dispensary facilities, medical marijuana dispensary facilities, or microbusiness dispensary facilities, as permitted in section 30-118.
 - (8)(9) Funeral homes or mortuaries.
 - (9)(10) Governmental facilities.
 - (10)(11) Health or fitness centers.
 - (11)(12) Hospitals.
 - (12)(13) Hotels or motels.
 - (13)(14) Institutions of higher education, including universities and business, career, or technology schools.
 - (14)(15) Instructional schools for art, dance, music, martial arts, or other disciplines.
 - (15)(16) Libraries.
 - (16) Medical marijuana dispensary facilities, as permitted in section 30-118.
 - (17) Meeting halls.
 - (18) Microbreweries or microdistilleries.
 - (19) Nursing homes.
 - (20) Offices.
 - (21) Parks, playgrounds, or recreation facilities.
 - (22) Personal service establishments.
 - (23) Police or fire stations.
 - (24) Residential treatment facilities.
 - (25) Residential uses, excluding manufactured homes.
 - (26) Restaurants or bars.

- (27) Retail or rental establishments.
- (28) Small-scale light manufacturing and industrial facilities primarily utilizing artisans or digital machinery.
- (29) Transitional housing.
- (30) Veterinary clinics or animal hospitals, excluding livestock and kennels.
- (c) *Permitted accessory uses.*
 - (1) Accessory structures and uses customarily incidental to the above uses, as permitted in section 30-106.
 - (2) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.
 - (3) Solar energy systems, as permitted in section 30-113.
- (d) Special uses.
 - (1) Any use not meeting the requirements of subsection (e)(1) of this section which would otherwise be a permitted use in this section.
 - (2) Excursion gambling boats or floating gambling facilities.
 - (3) Helicopter facilities, in conjunction with a hospital.
 - (4) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.
 - (5) Marinas or docks.
 - (6) Public utilities, except for buildings or accessory structures that are normal and customary in a zoning district which would allow other buildings or structures of the same nature as a use-by-right.
 - (7) Telecommunication towers, as permitted in section 30-107.
 - (8) The allowance of additional height up to a total of 60 feet, not to exceed five stories.
 - (9) Vehicle fueling, service or repair facilities, excluding body or paint shops.
 - (10) Wind energy conversion systems, as permitted in section 30-113.
- (e) Standards.
 - (1) All permitted uses shall be conducted entirely indoors except the following:
 - a. Drive-through or automatic teller machine (ATM) facilities associated with a bank or other financial institution.
 - b. Eating or drinking facilities.
 - c. Live musical performances or the playing of recorded music, provided that such activities do not violate other provisions of the city Code.
 - d. Mobile food or beverage service facilities, provided that such activities do not violate other provisions of the city Code.
 - e. Parking or loading facilities.
 - f. Parks or playgrounds.
 - g. Permitted accessory uses that are customarily conducted outdoors, in conjunction with a dwelling.
 - h. Public art.
 - i. Public recreation facilities.
 - j. Shipping containers, as permitted in subsection (c)(2) of this section.

- k. Solar energy systems, as permitted in subsection (c)(3) of this section.
- I. Temporary uses, as permitted in section 30-109.
- m. Walk-up windows for food or beverage service, provided that such activities do not violate other provisions of the city Code.
- n. Waste containers, subject to screening provisions as required elsewhere in the city Code.
- (2) Design standards for new buildings. New buildings shall be compatible with the general architectural character of the surrounding buildings in terms of setback, orientation, height, scale, massing, materials, and colors. New buildings shall not:
 - a. Disrupt an existing pattern of setbacks along a street;
 - b. Disrupt an existing pattern of buildings being oriented toward a street; or
 - c. Result in disproportionate height, scale, or massing relative to the surrounding buildings.
- (3) Design standards for exterior alterations and additions to existing buildings.
 - a. Exterior alterations and additions to existing buildings shall be compatible with the architectural character of the building being altered or added to in terms of setback, orientation, height, scale, massing, materials, and colors. Exterior alterations and additions shall not:
 - 1. Remove, materially alter, or obscure significant character-defining features such as parapets, cornices, belt courses, corbels, quoins, medallions, mosaics, and patterned brickwork;
 - 2. Remove, materially alter, or obscure non-storefront wall openings in a manner that disrupts an existing wall opening pattern on a public-facing building elevation;
 - 3. Reduce or expand non-storefront wall openings to fit replacement windows or doors, except for minor shimming; or
 - 4. Replace double-sash windows or divided light windows with windows consisting of a single, undivided light.
 - b. Exterior alterations and additions to existing buildings shall be compatible with the general architectural character of the surrounding buildings in terms of setback, orientation, height, scale, massing, materials, and colors. Exterior alterations and additions shall not:
 - 1. Disrupt an existing pattern of setbacks along a street;
 - 2. Disrupt an existing pattern of buildings being oriented toward a street; or
 - 3. Result in disproportionate height, scale, or massing relative to the surrounding buildings.
- (4) CBD design standards approval.
 - a. Except as provided for in subsection (e)(5) of this section, CBD design standards approval shall be required for any new building or any exterior alteration or addition to an existing building, excluding signs and ordinary maintenance and repair.
 - b. Application for CBD design standards approval shall be submitted to the city manager using a form provided by the city and contain all necessary information as determined by the city manager. Such application shall be processed administratively in accordance with procedures established by the city manager.
- (5) Certificate of appropriateness.
 - a. A certificate of appropriateness shall be required for any of the following:

- 1. Demolition in whole or in part of any building, excluding any building demolished by the city pursuant to chapter 7, article XIII of this Code;
- 2. Painting of an unpainted surface on the exterior of any building, excluding new construction;
- 3. Painting of an exterior wall and the roof, trim, or architectural details attached thereto or contained therein, in the same color, unless such condition already exists; or
- 4. Addition or alteration of a mural on the exterior of any building. For the purposes of this section, the term "mural" means any sign or piece of graphic artwork that is painted or applied directly to a wall, roof, or other portion of a building.
- b. Application for a certificate of appropriateness shall be submitted to the city manager using a form provided by the city and contain all necessary information as determined by the city manager. Such application shall be processed in accordance with the criteria and procedures set forth in section 30-74(j) through (r).
- (f) Height, area, width, density, setback, and open space requirements.
 - (1) Maximum height: 40 feet, not to exceed three stories.
 - (2) Minimum lot area: None.
 - (3) Minimum lot width: None.
 - (4) Maximum density: None.
 - (5) Minimum setbacks:
 - a. Front yard: None.
 - b. Rear yard: None.
 - c. Side yard: None.
 - (6) Minimum open space: None.

Staff:
Agenda:Ryan Shrimplin, AICP - City
Planner
5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

An Ordinance annexing land located at 126 Dogwood Street into the city limits of the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached ordinance annexes the property at 126 Dogwood Street into the city limits. A public hearing was held on April 7, 2025 to consider the proposed annexation and zoning of the property as R-1 (Single-Family Suburban Residential District). Ordinances for the zoning and ward boundary extension for the property are on this agenda as separate items.

BACKGROUND/DISCUSSION

On March 3, 2025, the City Council acknowledged receipt of an annexation petition for the property at 126 Dogwood Street. A public hearing was held on April 7, 2025 to consider the proposed annexation and zoning of the property as R-1 (Single-Family Suburban Residential District). An ordinance annexing the property is attached. Ordinances for the zoning and ward boundary extension for the property are on this agenda as separate items.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

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

STAFF RECOMMENDATION

Staff recommends approval of the ordinance annexing the property at 126 Dogwood Street.

PUBLIC OUTREACH

Notice of the City Council's public hearing was advertised in the Southeast Missourian on March 22, 2025. In addition, a sign containing the date, time, location, and subject of the public hearing was posted on the property.

ATTACHMENTS:	
Name:	Description:
□ <u>25-45_126_Dogwood_Annexation_Ordinance.doc</u>	Ordinance
Map 126_Dogwood_Streetto_be_Annexed.pdf	126 Dogwood Street - Annexation Map

BILL NO. <u>25-45</u>

ORDINANCE NO.

AN ORDINANCE ANNEXING LAND LOCATED AT 126 DOGWOOD STREET INTO THE CITY LIMITS OF THE CITY OF CAPE GIRARDEAU, MISSOURI

WHEREAS, Rose Run LLC has presented to the City Council of the City of Cape Girardeau, Missouri, a Verified Petition requesting annexation as the owner of all fee interest of record of a certain tract of land which it proposes to be annexed to the City of Cape Girardeau, Missouri; and

WHEREAS, a public hearing was held on Monday, April 7, 2025 after due notice was given in accordance with Section 71.012 RSMo; and

WHEREAS, at said public hearing all interested persons were allowed to present evidence regarding the proposed annexation; and

WHEREAS, the City Council has determined that the annexation is reasonable and necessary to the proper development of the City and, further, that the City has the ability to furnish normal municipal services to the tract to be annexed within a reasonable time; and

WHEREAS, the City Council has determined that the tract proposed to be annexed is contiguous and compact and adjacent to the existing corporate limits of the City of Cape Girardeau, Missouri, and further, the tract proposed to be annexed is in an unincorporated area.

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

ARTICLE 1. The corporate limits of the City of Cape Girardeau, Missouri, shall be extended so as to annex the following-described unincorporated tract of land, which is contiguous and compact and adjacent to the existing corporate limits of the City, and to extend the limits of the City over said tract as described herein below, to-wit:

126 Dogwood Street

All of Lot Number One (1) of Bradley Heights Subdivision, Cape Girardeau County, Missouri as shown on Plat recorded in Plat Book Seven (7) at Page Seven (7), Office of Recorder of Deeds, Cape Girardeau County, Missouri.

ARTICLE 2. The City Council of the City of Cape Girardeau, Missouri, does hereby find and determine that the annexation of the above-described unincorporated tract of land is reasonable and necessary to the proper development of the City and that the City has the ability to furnish normal municipal services to the tract to be annexed within a reasonable time. Further, the City Council hereby finds and determines that with respect to the tract to be annexed into the City of Cape Girardeau, Missouri, that all of the owners of all fee interest of record have requested such annexation by appropriate Petition.

ARTICLE 3. The City Clerk is authorized and directed to cause three (3) certified copies of this ordinance in its final form to be filed with the Clerk of Cape Girardeau County in accordance with Section 71.012 RSMo.

ARTICLE 4. 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 5. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF ____, 2025.

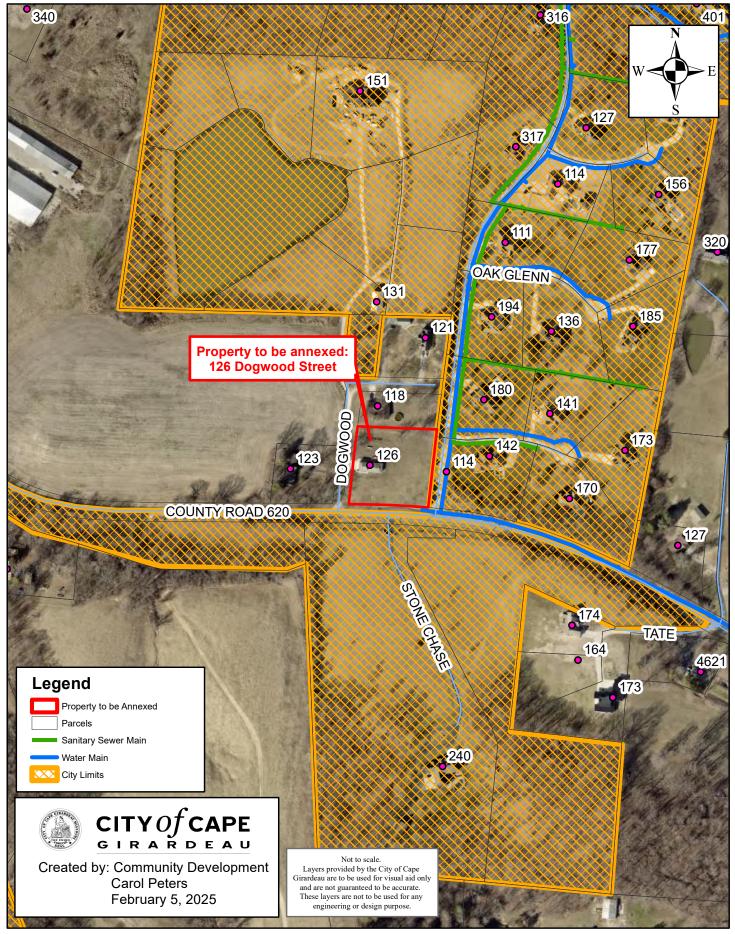
Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



126 Dogwood Street Annexation Request



Staff:
Agenda:Ryan Shrimplin, AICP - City
Planner
5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

An Ordinance extending the boundaries of Ward 4 to include property newly annexed into the city limits of the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached ordinance extends the boundaries of Ward 4 to include newly annexed property located at 126 Dogwood Street. A public hearing was held on April 7, 2025 to consider the proposed annexation and zoning of the property as R-1 (Single-Family Suburban Residential District). Ordinances for the annexation and zoning are on this agenda as separate items.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance extending the boundaries of Ward 4 to include the newly annexed property at 126 Dogwood Street.

ATTACHMENTS:	
Name:	Description:
□ <u>25-46_126_Dogwood_Ward_4_Boundary_Ext.doc</u>	Ordinance
Map126_Dogwood_Street_Ward_Boundary_Extension.pdf	126 Dogwood Street - Ward Boundary Extension Map

BILL NO. 25-46

ORDINANCE NO.

AN ORDINANCE EXTENDING THE BOUNDARIES OF WARD 4 TO INCLUDE PROPERTY NEWLY ANNEXED INTO THE CITY LIMITS OF THE CITY OF CAPE GIRARDEAU, MISSOURI

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

ARTICLE 1. The boundary of "Ward 4" is hereby amended by adding the legal description of the following property newly annexed into the City of Cape Girardeau, Missouri:

126 Dogwood Street

All of Lot Number One (1) of Bradley Heights Subdivision, Cape Girardeau County, Missouri as shown on Plat recorded in Plat Book Seven (7) at Page Seven (7), Office of Recorder of Deeds, Cape Girardeau County, Missouri.

ARTICLE 2. 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.

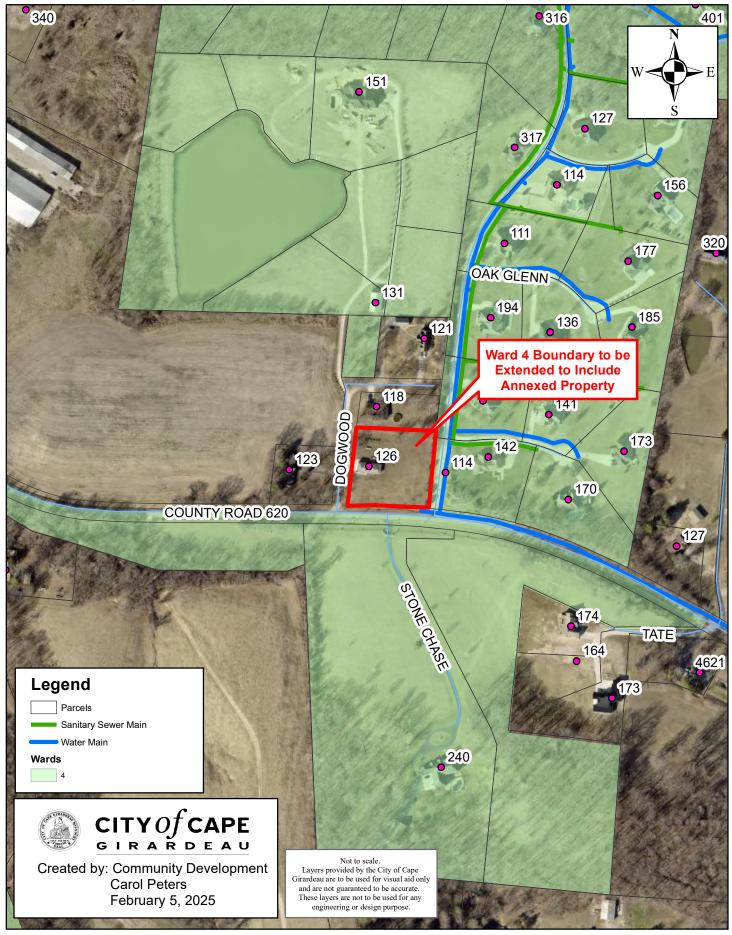
ARTICLE 3. It is the intention of the governing body and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Cape Girardeau, Missouri, and the sections of this Code may be renumbered to accomplish such intention.

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.



126 Dogwood Street - Ward Boundary Extension



Staff:
Agenda:Ryan Shrimplin, AICP - City
Planner
5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

An Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by zoning newly annexed property located at 126 Dogwood Street as R-1, Single-Family Suburban Residential District.

EXECUTIVE SUMMARY

The attached ordinance zones the property at 126 Dogwood Street as R-1 (Single-Family Suburban Residential District) upon annexation. A public hearing was held on April 7, 2025 to consider the proposed annexation and zoning of the property as R-1. Ordinances for the annexation and ward boundary extension are on this agenda as separate items.

BACKGROUND/DISCUSSION

On March 3, 2025, the City Council acknowledged receipt of an annexation petition for the property at 126 Dogwood Street. As part of the annexation process, the Planning and Zoning Commission was charged with making a recommendation to the City Council regarding how the property should be zoned upon annexation.

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

A public hearing was held on April 7, 2025 to consider the proposed annexation and zoning of the property as R-1. The attached ordinance zones the property as R-1 upon annexation. Ordinances for the annexation and ward boundary extension are on this agenda as separate items.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

In considering a zoning district for a property to be annexed, the Planning and Zoning Commission and the City Council must determine if the proposed zoning district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties. The subject property contains a single-family detached dwelling, as do several of the surrounding properties. R-1 (Single-Family Suburban Residential District) permits the existing use by right and is consistent with the Comprehensive Plan's Future Land Use recommendation for the property, making it reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its March 12, 2025 meeting, held a public hearing and recommended zoning the property as R-1 (Single-Family Suburban Residential District) upon annexation with a vote of 5 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

Notice of the City Council's public hearing was advertised in the Southeast Missourian on March 22, 2025. In addition, a sign containing the date, time, location, and subject of the public hearing was posted on the property.

ATTACHMENTS:	
Name:	Description:
□ <u>25-47_126_Dogwood_Zoning_R-1.doc</u>	Ordinance
Staff_Review-Referral-Action_Form.pdf	126 Dogwood Street - Staff RRA Form
<u>MapZoning126_Dogwood_Street.pdf</u>	126 Dogwood Street - Zoning Map
<u>Map - FLU - 126 Dogwood Street.pdf</u>	126 Dogwood Street - FLU Map
Sec. 30-57 R-1 Single-Family_Suburban_Residential_District.pdf	R-1 District Regulations

BILL NO. <u>25-47</u>

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI, BY ZONING NEWLY ANNEXED PROPERTY LOCATED AT 126 DOGWOOD STREET AS R-1, SINGLE-FAMILY SUBURBAN RESIDENTIAL DISTRICT

WHEREAS, the City Planning and Zoning Commission has recommended zoning all of the newly annexed property described in Article 1 of this ordinance as R-1, Single-Family Suburban Residential District; and

WHEREAS, Public Notice of such change was given as prescribed in Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, and a public hearing was held on Monday, April 7, 2025; and

WHEREAS, the City Council of the City of Cape Girardeau, Missouri has elected to zone the property described herein as set out below.

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

ARTICLE 1. Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri is hereby amended to zone the following newly annexed property as R-1, Single-Family Suburban Residential District:

126 Dogwood Street

All of Lot Number One (1) of Bradley Heights Subdivision, Cape Girardeau, Missouri as shown on Plat recorded in Plat Book Seven (7) at Page Seven (7), Office of Recorder of Deeds, Cape Girardeau County, Missouri.

ARTICLE 2. The City Council of the City of Cape Girardeau, Missouri hereby finds that the property described in Article 1 of this ordinance is at the present time particularly suitable for the purposes and uses of the R-1, Single-Family Suburban Residential District, and that such changes authorized hereby are reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties. ARTICLE 3. 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 thereof.

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



CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. <u>1477</u>

1963

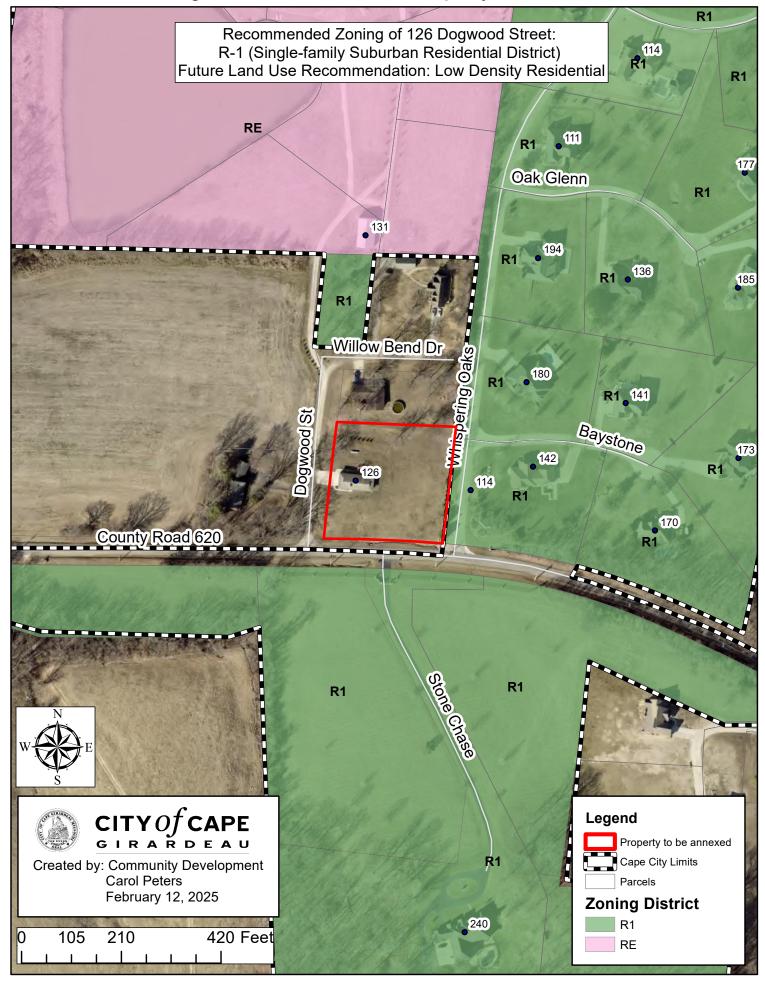
LOCATION: <u>126 Dogwood Street</u>

STAFF REVIEW & COMMENTS:

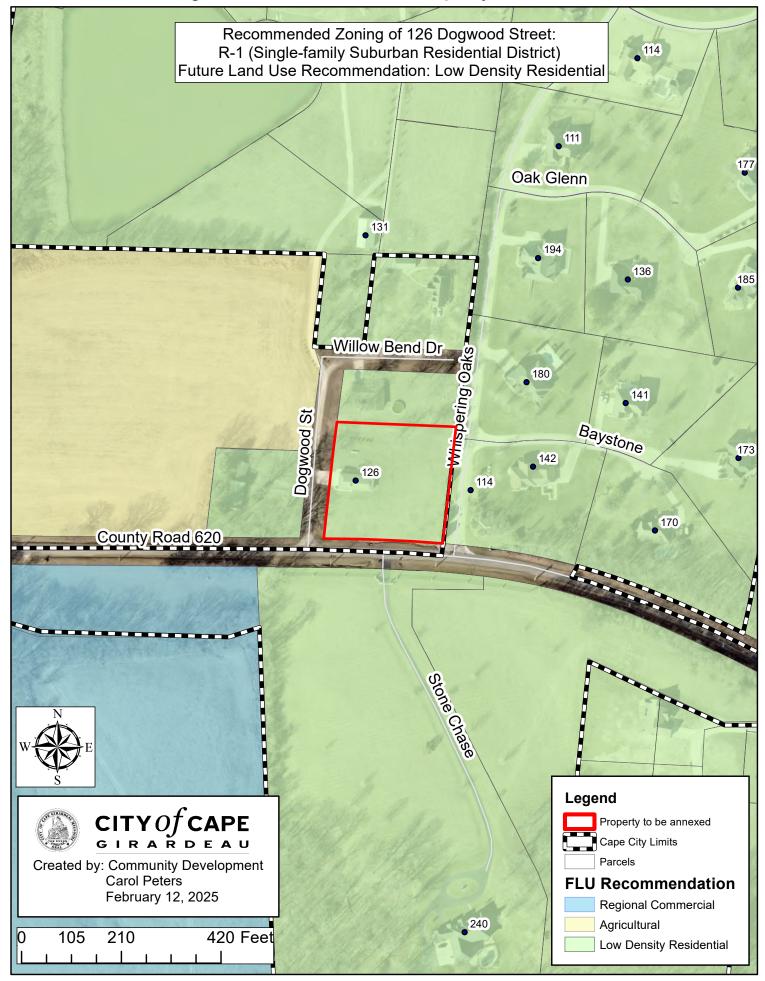
Contiguous property being annexed at 126 Dogwood Street to be placed into an appropriate zoning district. SEE STAFF REPORT FOR FURTHER INFORMATION.

City Planner St	2/2 6/25 Date	
City Attorney	2/4/25 Date	
CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:		
City Manager		
Sign Posting Date: <u>3-5-25</u>	& Zoning Commission Meeting Date: <u>3-12-25</u>	
RECOMMENDED ACTION: Favor Oppose Abstain Trae Bertrand Scott Blank Scott Blank Kevin Greaser Robbie Guard Derek Jackson Scott E COUNT: Scott E COMMENTING AT MEETING:	Gerry Jones Chris Martin Nick Martin Emily McElreath Oppose Abstain	
	Chris Martin Planning & Zoning Commission Secretary	
Posting Dates: Sign Newspaper	Council Action <u>3-22-25</u> Public Hearing Date: <u>4-7-25</u> Ordinance 2 nd & 3 rd Reading:	
VOTE COUNT: Favor	Oppose Abstain	
ORDINANCE #	Effective Date:	

Zoning Recommendation for Property to be Annexed



Zoning Recommendation for Property to be Annexed



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

- (a) Purpose. The R-1 district is intended primarily for single-family detached dwellings with a maximum density of four units per acre. It is designed to provide for quality single-family residential neighborhoods in a conventional subdivision setting, while encouraging a mix of housing styles, designs and development. Certain other structures and uses necessary to serve the area are allowed as permitted uses or through the approval of a special use permit, subject to restrictions intended to preserve and protect the single-family residential character of the district.
- (b) *Permitted principal uses.*
 - (1) Single-family detached dwelling, with only one dwelling per lot.
 - (2) Cluster subdivisions, as permitted in <u>chapter 25</u>.
 - (3) Golf courses; this shall not include separate miniature golf courses, driving ranges and other similar activities operated as a business.
 - (4) Public parks, playgrounds, and recreational facilities.
 - (5) Police and fire stations.
 - (6) Elementary and middle schools, or development centers for elementary and middle school age children with handicaps or development disabilities, on a minimum of five acres of land.
 - (7) Noncommercial, not-for-profit residential neighborhood facilities consisting of indoor and outdoor recreational facilities, offices of property owners' associations, and maintenance facilities operated by a neighborhood or community organization or a property owners' association.
 - (8) Home for eight or fewer unrelated mentally or physically handicapped persons, including no more than two additional persons acting as house parents or guardians who need not be related to each other or to any of the handicapped persons residing in the home, provided that:
 - a. The exterior appearance of the home and property shall reasonably conform to the exterior appearance of other dwellings and property in the neighborhood; and
 - b. Such home shall not be located closer than 370 feet to any other such home.
 - (9) A private residence licensed by the state division of family services or state department of mental health to provide foster care to one or more, but less than seven, children who are unrelated to either foster parent by blood, marriage or adoption, provided that all applicable building and safety codes are met, and an occupancy permit issued therefor.
- (c) Permitted accessory uses.
 - (1) Private garages, carports and accessory structures, as permitted in <u>section 30-106</u>.
 - (2) In home elderly care, with a maximum of three persons as permitted in section 30-114.
 - (3) Home occupations, as permitted in <u>section 30-108</u>.
 - (4) Home day cares, with no more than four unrelated children in a 24-hour period as permitted in section 30-111.
 - (5) Solar energy systems, as permitted in <u>section 30-113</u>.
 - (6) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.
- (d) Special uses.
 - (1) Home day cares, with five or more unrelated children in a 24-hour period, as permitted in <u>section 30-111</u>.
 - (2) Libraries, on a minimum of two acres of land.
 - (3) Cemeteries, on a minimum of ten acres of land.
 - (4) Wind energy conversion systems, as permitted in <u>section 30-113</u>.

- (5) Public utilities, except for buildings and accessory structures that are normal and customary in a zoning district which would allow other buildings of the same nature as a use-by-right.
- (6) Long-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
- (e) Height, area, bulk and setback regulations.
 - (1) Maximum height: 2½ stories not to exceed 35 feet.
 - (2) Minimum lot area: 10,000 square feet.
 - (3) Maximum density: Four units per one acre. Higher densities may be approved with a cluster subdivision, as permitted in <u>chapter 25</u>.
 - (4) Minimum lot width: 80 feet.
 - (5) Minimum yard requirements:
 - a. Front yard: 30 feet.
 - b. Rear yard: 25 feet.
 - c. Side yard: Six feet.
- (f) Parking regulations. Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in <u>section 25-46</u>. No parking, stopping, or standing of trucks or commercial motor vehicles licensed for a gross weight in excess of 24,000 pounds, except as provided in <u>sections 26-147</u> and <u>26-298</u>.

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

Staff:Jake Garrard, PE, City EngineerAgenda:5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

An Ordinance accepting a Permanent Water Line Easement from The Church of Jesus Christ of Latter Day Saints for property located at 4450 LaSalle Avenue in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

An Ordinance accepting a Permanent Water Line Easement from The Church of Jesus Christ of Latter Day Saints for property located at 4450 LaSalle Avenue in the City of Cape Girardeau, Missouri.

BACKGROUND/DISCUSSION

The Church of Jesus Christ of Latter Day Saints at 4450 LaSalle Avenue is building a new church. This prompted the need for a fire main extension with a fire hydrant to be brought up into their property for approx. 385 ft. This water main, hydrant, and other infrastructure will be turned over to the City as part of City infrastructure. For the City to maintain this water line and infrastructure, The Church of Jesus Christ of Latter Day Saints is granting a new water line easement to allow the City access to this new water main and infrastructure.

FINANCIAL IMPACT

None. The easement was donated. The property owner will pay for the cost of recording the new easement via engineering fees.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

The easement is necessary to enable the City, its agents, servants and assigns, to use said property to excavate, build, maintain, construct, operate, and repair Water Line Infrastructure in, on, upon, under or across said property, together with all the useful, necessary and proper adjuncts, appurtenances, and appliances in connection therewith.

STAFF RECOMMENDATION

Staff recommends approval of the attached Ordinance accepting a Permanent Water Line Easement from The Church of Jesus Christ of Latter Day Saints for property located at 4450 LaSalle Avenue.

ATTACHMENTS:	
Name:	Description:
□ <u>25-48_PWE_4450_LaSalle_LDS.doc</u>	Ordinance
Water_Line_Easement4450_LaSalle_Ave_CLDS.pdf	Easement Agreement
GOODEXHIBITThe_Church_of_Jesus_Christ_of_Latter-Day_Saints_Water_Main_Easement.pdf	Exhibit

BILL NO. <u>25-48</u>

ORDINANCE NO.

AN ORDINANCE ACCEPTING A PERMANENT WATER LINE EASEMENT FOR PROPERTY LOCATED AT 4450 LASALLE AVENUE, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

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

ARTICLE 1. The City of Cape Girardeau, Missouri, hereby accepts, and agrees to accept, a Permanent Water Line Easement from Church of Christ of Latter-Day Saints for property located at 4450 LaSalle Avenue, in the City of Cape Girardeau, Missouri, to wit:

THAT PART OF LOT TWO (2) OF LASALLE-CHURCH SUBDIVISION AS RECORDED IN DOCUMENT NO. 2022-11442 IN THE COUNTY LAND RECORDS, LOCATED IN UNITED STATES PRIVATE SURVEY NO. 790, TOWNSHIP 31 NORTH, RANGE 13 EAST, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 2 OF THE LaSALLE- CHURCH SUBDIVISION AS RECORDED IN DOCUMENT NO. 2022-11442 IN SAID COUNTY LAND RECORDS, THENCE WITH THE SOUTH LINE OF SAID LOT 2, NORTH 84°53'53" WEST, 367.27 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1820.00 FEET, A DISTANCE OF 7.06 FEET (THE CHORD OF SAID ARC BEARS NORTH 85°04'47" WEST, 7.06 FEET) TO THE POINT OF BEGINNING; THENCE NORTH 23°40'51" WEST, 42.99 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 49°21'34" EAST, 153.10 FEET; THENCE SOUTH 40°38'26" EAST, 20.00 FEET; THENCE SOUTH 49°21'34" WEST, 137.39 FEET; THENCE SOUTH 04°21'34" WEST, 23.10 FEET TO THE NORTH LINE OF AN EXISTING EASEMENT AS RECORDED IN SAID DOCUMENT; THENCE SOUTH 27°28'31" WEST, 12.84 FEET TO THE POINT OF BEGINNING.

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

1

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



PERMANENT WATER LINE EASEMENT 4450 LaSalle Ave

KNOW ALL MEN BY THESE PRESENTS: **CHURCH OF CHRIST OF LATTER-DAY SAINTS, a Missouri Not for Profit Corporation,** hereinafter referred to as GRANTOR, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to the **CITY OF CAPE GIRARDEAU, MISSOURI**, a Municipal Corporation, hereinafter called the "City", the right, privilege, permission and authority to enter on and upon the following described property which is solely owned by the undersigned located in the City and County of Cape Girardeau, Missouri, to-wit:

THAT PART OF LOT TWO (2) OF LaSALLE-CHURCH SUBDIVISION AS RECORDED IN DOCUMENT NO. 2022-11442 IN THE COUNTY LAND RECORDS, LOCATED IN UNITED STATES PRIVATE SURVEY NO. 790, TOWNSHIP 31 NORTH, RANGE 13 EAST, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 2 OF THE LaSALLE-CHURCH SUBDIVISION AS RECORDED IN DOCUMENT NO. 2022-11442 IN SAID COUNTY LAND RECORDS, THENCE WITH THE SOUTH LINE OF SAID LOT 2, NORTH 84°53'53" WEST, 367.27 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1820.00 FEET, A DISTANCE OF 7.06 FEET (THE CHORD OF SAID ARC BEARS NORTH 85°04'47" WEST, 7.06 FEET) TO THE POINT OF BEGINNING; THENCE NORTH 23°40'51" WEST, 42.99 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 49°21'34" EAST, 153.10 FEET; THENCE SOUTH 40°38'26" EAST, 20.00 FEET; THENCE SOUTH 49°21'34" WEST, 137.39 FEET; THENCE SOUTH 04°21'34" WEST, 23.10 FEET TO THE NORTH LINE OF AN EXISTING EASEMENT AS RECORDED IN SAID DOCUMENT; THENCE SOUTH 27°28'31" WEST, 12.84 FEET TO THE POINT OF BEGINNING.

Said right, privilege, permission and authority to enter in and upon said property above described is granted for the purpose of enabling the City, its agents, servants and assigns, to use said property for the management of water infrastructure for the purpose of enabling the City of Cape Girardeau, Missouri, its agents, servants and assigns to excavate, build, maintain, construct, operate, and repair said water utilities from time to time, in, on, upon, or across said described property, together with all the useful, necessary and proper adjuncts, appurtenances, manholes, and appliances in connection therewith.

This easement and the right, privilege, permission and authority herein granted is perpetual and shall run with the land and be binding upon the successors, heirs and assigns of the respective parties. The undersigned covenant that it is the owner in fee simple of the above described property and has the legal right to convey same.

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

CHURCH OF CHRIST OF LATTER-DAY SAINTS

Signature

Printed Name and Title

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

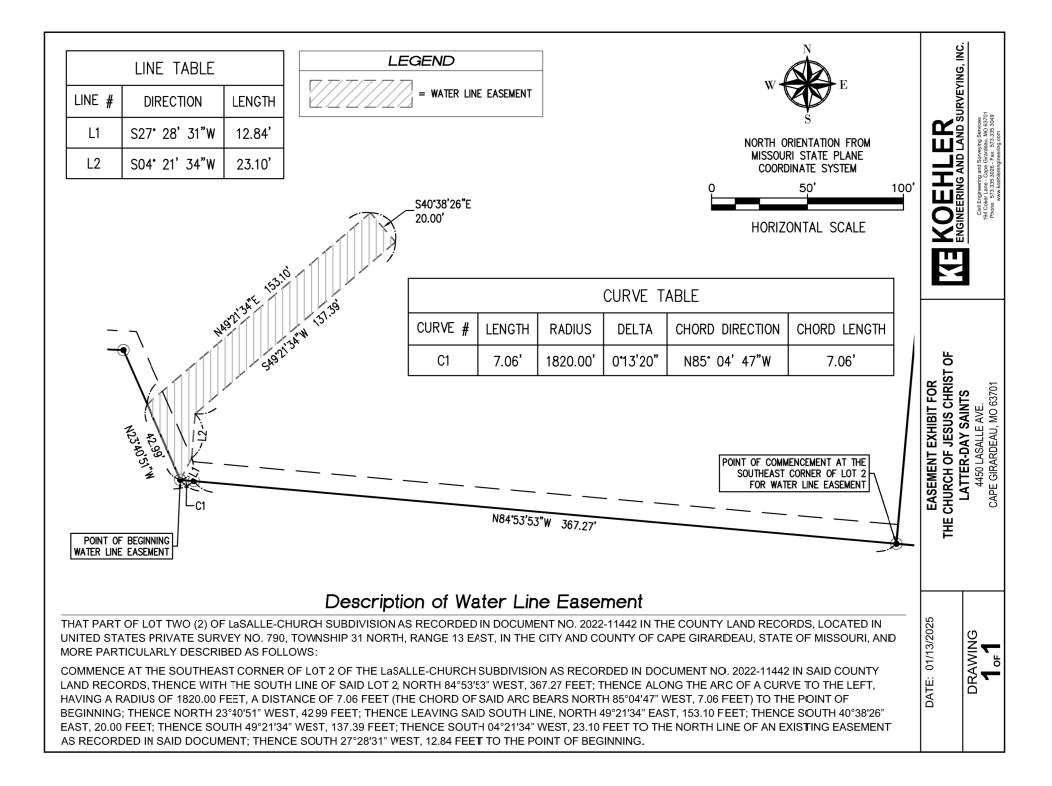
BE IT REMEMBERED, that on this _____ day of ______, 20____ before me, the undersigned notary public, personally appeared ______, who being by me duly sworn, did state that he/she is the authorized representative for CHURCH OF CHRIST OF LATTER-DAY SAINTS, a Missouri Not for Profit Corporation, and that the within instrument was executed on behalf of said Organization, and acknowledged that he/she 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:

Notary Printed Name



AGENDA REPORT Cape Girardeau City Council

SUBJECT

State Block Grant Agreement with the Missouri Highways and Transportation Commission to fund Air Service Promotion and Marketing at the Cape Girardeau Regional Airport, in the City of Cape Girardeau, Missouri, Project No. AIR 256-077A-1.

EXECUTIVE SUMMARY

The funding from this block grant agreement will fund 90% of marketing efforts for improvement and promotion of the scheduled passenger air service at the Cape Girardeau Regional Airport (CGI). The funds will be used for airline service promotion/marketing in an effort to increase passenger enplanements. The total project cost is \$203,856 with the City required to match 10%, or \$20,386. MODOT's 90% funding will be \$183,470.

This project period shall be from January 1, 2023, to December 31, 2025.

BACKGROUND/DISCUSSION

This air service promotion funding will allow Airport/City staff to provide air service promotion and assist with marketing the airport and all of the services it provides including, commercial Air Service. Advertising the airport and commercial airline service has proven successful in previous years, especially in 2019, when the airline reached over 10,000 enplanements for the first time in over 20 years. Reaching this milestone upgraded CGI to primary airport status and eligibility for \$1 million in grant funds.

With the recent transition to Chicago O'hare (ORD) by Contour, it is essential the airport markets the jet service well to increase ridership This is especially important in this post-COVID era, where the landscape of travel has changed considerably.

FINANCIAL IMPACT

The immediate financial impact of this grant for the City is the 10% match to the \$203,856 grant, which totals \$20,386.

The hopeful and potential positive impact to the City is that usage of these marketing funds results in returning our enplanements to 2019 levels so that we continue as a primary airport, eligible to receive \$1 million in Airport Improvement Program grant funds.

STAFF RECOMMENDATION

It is recommended the City Council approve an ordinance allowing the City Manager to execute the attached Block Grant Agreement, Project No. AIR 256-077A-1, with the Missouri Highways and Transportation Commission, in the amount of \$203,856 to fund the promotion of scheduled passenger air service at the Cape Girardeau Regional Airport.

ATTACHMENTS:	
Name:	Description:
<u>25-49_MODOT_Air_Service_Promotion_Grant.doc</u>	Ordinance
Air_Service_Promotion_Grant_2025_AIR_256-077A-1.pdf	Agreement

BILL NO. 25-49

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A GRANT AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TO FUND AIR SERVICE PROMOTION AND MARKETING AT THE CAPE GIRARDEAU REGIONAL AIRPORT

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

Article 1. The City Manager is hereby authorized to execute, on behalf of the City, a State Block Grant Agreement between the City of Cape Girardeau and the Missouri Highways and Transportation Commission, to fund Air Service Promotion and Marketing, Project No. AIR 256-077A-1, at the Cape Girardeau Regional Airport. The City Clerk is hereby authorized to attest to said document and to affix the seal of the City thereto. 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 Ordinance.

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

PASSED AND APPROVED THIS _____ day of _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



CCO Form: MO02 Approved: 08/09 (AMB) Revised: 02/25 (MWH) Modified: Sponsor City of Cape Girardeau Project No. AIR 256-077A-1

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AIRPORT AID AGREEMENT FOR AIR SERVICE PROMOTION

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

WITNESSETH:

WHEREAS, the Sponsor has applied to the Commission for a grant of funds under §305.230.4(1)(m) RSMo; and

WHEREAS, the Commission has agreed to award funds available under §305.230.4(1)(m) RSMo to the Sponsor with the understanding that such funds will be used for a project pursuant to this Agreement for the purposes generally described in the Sponsor's grant application/request dated September 9, 2024, and specifically described as follows:

Shall be for Air Service Promotion and Marketing only.

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

(1) <u>PURPOSE</u>: The purpose of this Agreement is to provide financial assistance to the Sponsor under §305.230 RSMo.

(2) <u>AMOUNT OF GRANT</u>: The amount of this grant is One Hundred Eighty-Three Thousand Four Hundred Seventy Dollars (\$183,470); provided, however, that in the event state funds available to the Commission under §305.230 RSMo are reduced so that the Commission is incapable of completely satisfying its obligations to all the Sponsors for the current state fiscal year, the Commission may recompute and reduce this grant. The designation of this grant does not create a lump sum quantity contract, but rather only represents the amount of funding available for qualifying expenses. In no event will the Commission provide the Sponsor funding for work that is not actually performed. The release of all funding under this Agreement is subject to review and approval of all project expenses to ensure that they are qualifying expenses under this program.

(3) <u>AMOUNT OF MATCHING FUNDS</u>: The amount of local matching funds, and/or other resources, to be furnished by the Sponsor is Twenty Thousand Three Hundred Eighty-Six Dollars (\$20,386). The Sponsor warrants to the Commission that it has sufficient cash on deposit, or other readily available resources, to provide the local matching funds to complete the project.

(4) <u>PROJECT TIME PERIOD</u>: The project period shall be from January 1, 2023, to December 31, 2025. The grant funds in paragraph (2) not expended or duly obligated during the project time period shall be released for use in other projects under §305.230 RSMo. The Sponsor shall not submit a Request for Reimbursement (**RFR**) after the project time period date. A RFR submitted after the grant end date will not be reimbursed.

(5) <u>TITLE EVIDENCE TO EXISTING AIRPORT PROPERTY</u>: By signing this Agreement, the Sponsor certifies that it holds satisfactory evidence of title to all existing airport property and avigation easements.

(6) <u>CONTROL OF AIRPORT</u>: The Sponsor agrees to continue to control the airport, either as owner or as lessee, for twenty (20) years following receipt of the last payment from this grant. Applicable agreement periods are as follows:

(A) Land interests - Fifty (50) years.

(B) Improvements - Useful life, as determined by the Commission.

(7) <u>WITHDRAWAL OF GRANT OFFER</u>: The Commission reserves the right to amend or withdraw this grant offer at any time prior to acceptance by the Sponsor.

(8) <u>PAYMENT</u>: Payments to the Sponsor are made on an advance basis. The Sponsor may request incremental payments during the course of a project or a lump sum payment upon completion of the work. However, this advance payment is subject to the limitations imposed by subparagraph (B) under this paragraph of this Agreement.

(A) The Sponsor may request payment at any time subsequent to the execution of this Agreement by both parties. Requests for reimbursement shall be supported with invoices. After the Sponsor pays incurred costs, copies of checks used to pay providers must be submitted to the Commission.

(B) It is understood and agreed by and between the parties that the Commission shall make no payment which could cause the aggregate of all payments under this Agreement to exceed ninety percent (90%) of the maximum state (Aviation Trust Fund) obligation stated in this Agreement or eighty-one percent (81%) of actual total eligible project cost, whichever is lower, until the Sponsor has met and/or performed all requirements of this grant Agreement to the satisfaction of the Commission.

(C) Within ninety (90) days of final inspection of the project funded under this grant, the Sponsor shall provide to the Commission a final payment request and all financial performance and other reports as required by the conditions of this grant.

(D) If the Commission determines that the Sponsor was overpaid, the amount of overpayment shall be remitted to the Commission.

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

(10) <u>FINANCIAL SUMMARY</u>: Upon request of the Commission, the Sponsor shall provide to the Commission a financial summary of the total funds expended. The summary must show the source of funds and the specific items for which they were expended.

(11) <u>NONDISCRIMINATION CLAUSE</u>: The Sponsor shall comply with all state and federal statutes applicable to the Sponsor relating to nondiscrimination, including, but not limited to, Chapter 213, RSMo; Title VI and Title VII of the Civil Rights Act of 1964 as amended (Title 42 United States Code (**USC**) §2000d and §2000e, *et seq.*); and with any provision of the "Americans with Disabilities Act" (42 USC §12101, *et seq.*).

(12) <u>CANCELLATION</u>: The Commission may cancel this Agreement at any time for a material breach of contractual obligations by providing the Sponsor with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the Sponsor.

(13) <u>LACK OF PROGRESS</u>: Any lack of progress which significantly endangers substantial performance of the project within the specified time shall be deemed a violation of the terms of this Agreement. The determination of lack of progress shall be solely within the discretion of the Commission. The Commission shall notify the Sponsor in writing once such a determination is made.

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

(15) <u>APPLICABLE LAWS AND REGULATIONS</u>: This Agreement shall be construed according to the laws of the State of Missouri. Each party shall comply with all applicable federal, state, and local laws, regulations, and ordinances. Additionally, each party shall adhere to all accepted industry standards, processes, and procedures relevant to the performance of their obligations under this Agreement. A violation of this paragraph constitutes a material breach of the Agreement.

(16) <u>WORK PRODUCT</u>: All documents, reports, exhibits, etc. produced by the Sponsor at the direction of the Commission and information supplied by the Commission shall remain the property of the Commission.

(17) <u>CONFIDENTIALITY</u>: The Sponsor shall not disclose to third parties confidential factual matters provided by the Commission except as may be required by statute, ordinance or order of court, or as authorized by the Commission. The Sponsor shall notify the Commission immediately of any request for such information.

(18) <u>NONSOLICITATION</u>: The Sponsor warrants that it has not employed or retained any company or person, other than a bona fide employee working for the Sponsor, to solicit or secure this Agreement, and that it has not paid or agreed to pay any company or person, other than a bona fide employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, the Commission shall have the right to annul this Agreement without liability, or in its discretion, to deduct from this Agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

(19) <u>DISPUTES</u>: Any disputes that arise under this Agreement shall be decided by the Commission or its representative.

(20) <u>INDEMNIFICATION</u>: To the extent allowed or imposed by law, the Sponsor shall defend, indemnify, and hold harmless the Commission, including its members and Missouri Department of Transportation ("MoDOT" or "Department") employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the Sponsor's wrongful or negligent performance of its obligations under this Agreement.

(21) <u>NOTIFICATION OF CHANGE</u>: The Sponsor shall immediately notify the Commission of any change in conditions or law which may significantly affect its ability to perform the project in accordance with the provisions of this Agreement.

(22) <u>AMENDMENTS</u>: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the Sponsor and the Commission.

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

(24) <u>BANKRUPTCY</u>: Upon filing for any bankruptcy or insolvency proceeding by or against the Sponsor, whether voluntarily, or upon the appointment of a receiver, trustee, or assignee, for the benefit of creditors, the Commission reserves the right and sole discretion to either cancel this Agreement or affirm this Agreement and hold the Sponsor responsible for damages. (25) <u>COMMISSION REPRESENTATIVE</u>: The Commission's chief engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(26) <u>AIRPORT USE</u>: The Sponsor agrees to operate the airport for the use and benefit of the public. The Sponsor further agrees that it will keep the airport open to all types, kinds, and classes of aeronautical use on fair and reasonable terms without discrimination between such types, kinds, and classes. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Commission. Otherwise, at no time shall the airport be closed to accommodate a nonaeronautical event or activity.

(27) <u>SAFE OPERATION OF AIRPORT</u>: The Sponsor agrees to operate and maintain in a safe and serviceable condition the airport and all connected facilities which are necessary to serve the aeronautical users of the airport other than facilities owned or controlled by the United States. The Sponsor further agrees that it will not permit any activity on the airport's grounds that would interfere with its safe use for airport purposes. Nothing contained in this Agreement shall be construed to require that the airport be operated for aeronautical uses during temporary periods when snow, ice, or other climatic conditions interfere with safe operations.

[Remainder of Page Intentionally Left Blank]

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

Executed by Sponsor on		(date).
Executed by Commission on		(date).
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION	CITY OF CAPE GIRARDEAU	
Ву:	Ву:	
Title:	Title:	
Attest:	Attest:	
Secretary to the Commission	Ву:	
	Title:	
Approved as to Form:	Approved as to Form:	
Commission Counsel	Ву:	
	Title:	
	Ordinance No	

Staff:Jake Garrard, PE, City EngineerAgenda:5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

An Ordinance accepting two (2) Permanent Utility Easements from Thomas Joseph Mogelnicki and Karen Sue Mogelnicki, as co-Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017 at a parcel located along Hopper Rd behind 3556 Pheasant Cove Drive in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

An Ordinance accepting 2 Permanent Utility Easements from Thomas Joseph Mogelnicki and Karen Sue Mogelnicki, as co-Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017 at a parcel located along Hopper Rd behind 3556 Pheasant Cove Drive to provide the City future utility needs as well as access to utilities for maintenance and repair of existing utilities when needed.

BACKGROUND/DISCUSSION

The City of Cape Girardeau is preparing to sell a parcel of land located behind 3556 Pheasant Cove Drive. As part of this sale, the purchaser will be required to grant the City 2 Permanent Utility Easements to ensure continued access to the property for the purpose of maintaining and repairing underground infrastructure. This easement will allow the City to perform necessary operations related to the utility systems, preserving their functionality and supporting long-term service needs for the area.

FINANCIAL IMPACT

None. The easement was donated. The property owner will pay for the cost of recording the new easement via engineering fees.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

The easements are necessary to enable the City, its agents, servants and assigns, to use said property to excavate, build, maintain, construct, operate, and repair Utility Infrastructure in, on, upon, under or across said property, together with all the useful, necessary and proper adjuncts, appurtenances, and appliances in connection therewith.

STAFF RECOMMENDATION

Staff recommends approval of the attached Ordinance accepting a Permanent Utility Easement from the property owner.

ATTACHMENTS:	
Name:	Description:
25-50_ACCEPT_Easements_Mogelnicki_3556_Pheasant_Cove-Hopper.doc	Ordinance
Utility_EasementsHopper_Rd_Parceldoc	Easement Agreement
Good <u>EXHIBIT</u> <u>Utility_ESMTS_to_Acquire_Hopper_Rd_City_Parcel.pdf</u>	Exhibit
Good Legal Description_for_Utility_Esmts Needed_to_Sell_City_Owned_Triangular_Parcel.docx	Legal Description
□ <u>april_7.jpg</u>	Map of area

BILL NO. 25-50

ORDINANCE NO.

AN ORDINANCE ACCEPTING TWO PERMANENT UTILITY EASEMENTS FROM THE TRUSTEES OF THE MOGELNICKI FAMILY REVOCABLE TRUST DATED DECEMBER 27, 2017 FOR PROPERTY LOCATED ADJACENT TO 3556 PHEASANT COVE DRIVE, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

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

ARTICLE 1. The City of Cape Girardeau, Missouri, hereby accepts, and agrees to accept two Permanent Utility Easements from the trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017 for property located adjacent to 3556 Pheasant Cove Drive, in the City of Cape Girardeau, Missouri, described as follows:

ONE (1) TEN (10) FOOT WIDE AND ONE (1) TWENTY FOOT (20) WIDE PERMANENT UTILITY EASEMENTS, BOTH BEING FROM A PART OF A TRACT OF LAND MORE SPECIFICALLY DESCRIBED IN DEED BOOK 1044, AT PAGE 119 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, AND ALSO BEING A PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI. SAID EASEMENTS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

UTILITY EASEMENT 1

A ten (10) foot wide Permanent Utility Easement laying wholly South of and adjacent to the Northern Boundary Line of said deed recorded in Deed Book 1044, at Page 119, said line being the same as the Southern Right of Way Line of Hopper Road, and being the same line with the following courses from said deed: A non-tangent curve concave to the Northeast, having a central angle of 02° 47' 55" and a radius of 1430.00 feet, from which point a radial line bears N 02° 47' 55" E; Thence along said curve in an Easterly direction 69.85 feet; Thence S 90° 00' 00" E, 247.17 feet. Said 10 foot wide easement sides to be prolongated or shortened to match the Western and Eastern Boundary Lines of said tract of land described in Deed Book 1044, at Page 119. Said Easement contains 3,099 square feet more or less.

UTILITY EASEMENT 2

A twenty (20) foot wide Permanent Utility Easement laying wholly East of and adjacent to the Western Boundary Line of said deed recorded in Deed Book 1044, at Page 119 and being the same line with a bearing and distance of N 34° 27' 00" W, 216.84 feet which runs between the Northwest Corner of Lot 76 of Clarkton Place Subdivision Phase III as recorded in the land records of the County Recorder's Office in Plat Book No. 16 at Page 43 and the Southern Right of Way Line of Hopper Road as now existing. Said 20 foot wide easement sides to be prolongated or shortened to match the Southern Right of Way Line of Hopper Road and the Northern Lot Line of said Lot 76. Said Easement contains 4,374 square feet more or less.

ARTICLE 2. 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



PERMANENT UTILITY EASEMENTS

KNOW ALL PERSONS BY THESE PRESENTS: Thomas Joseph Mogelnicki and Karen Sue Mogelnicki, as co-Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey to the CITY OF CAPE GIRARDEAU, MISSOURI, a Municipal Corporation organized and existing under the laws of the State of Missouri, hereinafter referred to as the "City", three permanent utility easements on, over and across the following described property, which is solely owned by the undersigned and located in the City and County of Cape Girardeau, State of Missouri, to wit:

SEE ATTACHED EXHIBIT A

Said easements are granted for the purpose of allowing public access on, over and across the above-described property, and for the purpose of enabling the City as well as its agents, servants, and assigns to use said property to excavate, build, and construct certain utility improvements in, on, upon, or across said property, together with all of the useful, necessary, and proper adjuncts, appurtenances, and appliances in connection therewith.

This easements and the right, privilege, permission and authority herein granted is perpetual and shall run with the land and be binding upon the successors, heirs and assigns of the respective parties.

This area left intentionally blank.

Signature page to follow

The undersigned covenants that it is the owner in fee simple of the above-described property and has the legal right to convey the same.

IN WITNESS WHEREOF, the undersigned has executed this easement on this _____ day of ______, 20_____.

Thomas Joseph Mogelnicki and Karen Sue Mogelnicki, as co-Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017

Thomas Joseph Mogelnicki, co-Trustee

Karen Sue Mogelnicki, co-Trustee

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

On this _____ day of ______, 20____, before me personally appeared Thomas Joseph Mogelnicki and Karen Sue Mogelnicki, as co-Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017, known by me to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as the free act and deed of said Trust for the purposes therein stated.

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

My Commission Expires:

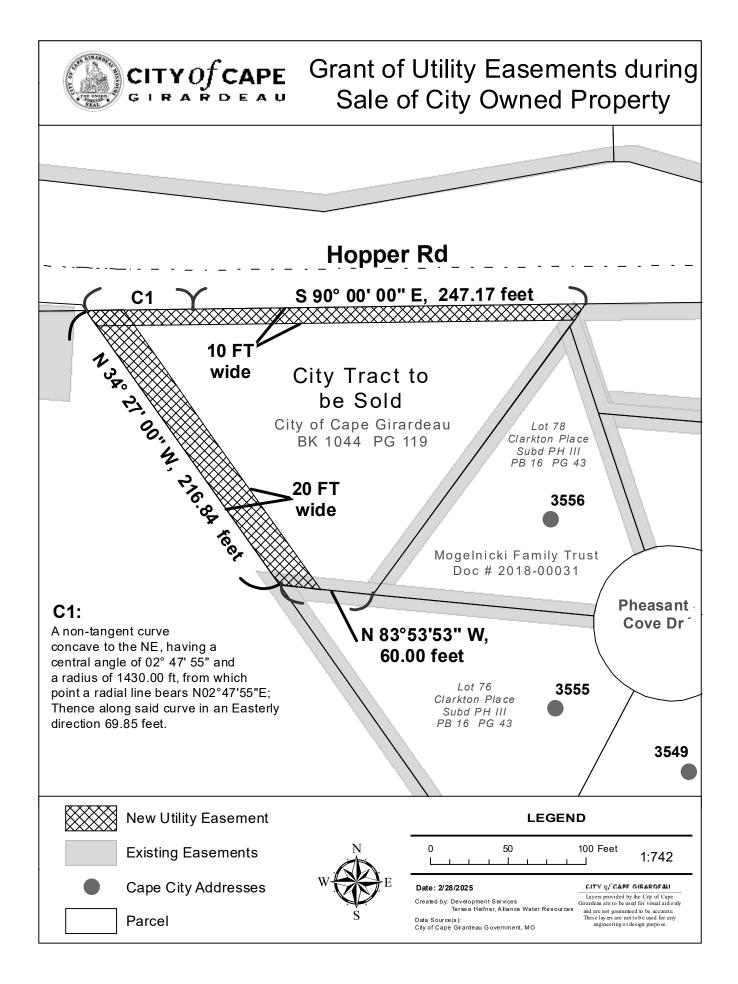
Notary Public

EXHIBIT A

ONE (1) TEN (10) FOOT WIDE AND ONE (1) TWENTY FOOT (20) WIDE UTILITY EASEMENT, BOTH BEING FROM A PART OF A TRACT OF LAND MORE SPECIFICALLY DESCRIBED IN DEED BOOK 1044, AT PAGE 119 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, AND ALSO BEING A PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI. SAID EASEMENTS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A ten (10) foot wide Utility Easement laying wholly South of and adjacent to the Northern Boundary Line of said deed recorded in Deed Book 1044, at Page 119, said line being the same as the Southern Right of Way Line of Hopper Road, and being the same line with the following courses from said deed: A non-tangent curve concave to the Northeast, having a central angle of 02° 47' 55" and a radius of 1430.00 feet, from which point a radial line bears N 02° 47' 55" E; Thence along said curve in an Easterly direction 69.85 feet; Thence S 90° 00' 00" E, 247.17 feet. Said 10 foot wide easement sides to be prolongated or shortened to match the Western and Eastern Boundary Lines of said tract of land described in Deed Book 1044, at Page 119. Said Easement contains 3,099 square feet more or less.

Also, a twenty (20) foot wide Utility Easement laying wholly East of and adjacent to the Western Boundary Line of said deed recorded in Deed Book 1044, at Page 119 and being the same line with a bearing and distance of N 34° 27' 00" W, 216.84 feet which runs between the Northwest Corner of Lot 76 of Clarkton Place Subdivision Phase III as recorded in the land records of the County Recorder's Office in Plat Book No. 16 at Page 43 and the Southern Right of Way Line of Hopper Road as now existing. Said 20 foot wide easement sides to be prolongated or shortened to match the Southern Right of Way Line of Hopper Road and the Northern Lot Line of said Lot 76. Said Easement contains 4,374 square feet more or less.

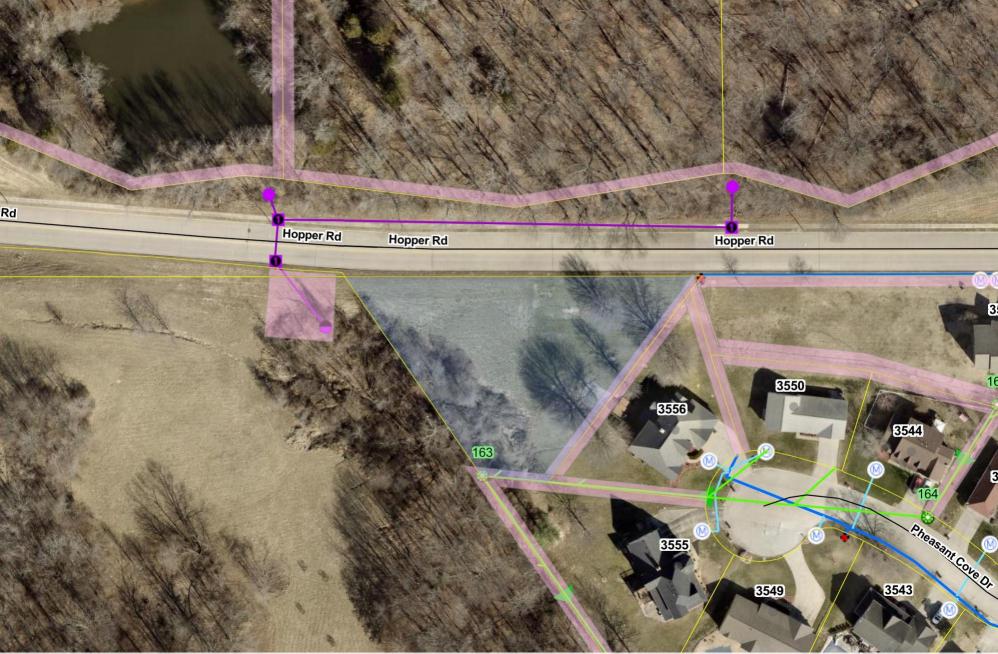


Legal Description for the 2 Utility Easements to be Granted by new property owners: Mogelnicki Family Trust

ONE (1) TEN (10) FOOT WIDE AND ONE (1) TWENTY FOOT (20) WIDE UTILITY EASEMENT, BOTH BEING FROM A PART OF A TRACT OF LAND MORE SPECIFICALLY DESCRIBED IN DEED BOOK 1044, AT PAGE 119 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, AND ALSO BEING A PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI. SAID EASEMENTS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A ten (10) foot wide Utility Easement laying wholly South of and adjacent to the Northern Boundary Line of said deed recorded in Deed Book 1044, at Page 119, said line being the same as the Southern Right of Way Line of Hopper Road, and being the same line with the following courses from said deed: A non-tangent curve concave to the Northeast, having a central angle of 02° 47' 55" and a radius of 1430.00 feet, from which point a radial line bears N 02° 47' 55" E; Thence along said curve in an Easterly direction 69.85 feet; Thence S 90° 00' 00" E, 247.17 feet. Said 10 foot wide easement sides to be prolongated or shortened to match the Western and Eastern Boundary Lines of said tract of land described in Deed Book 1044, at Page 119. Said Easement contains 3,099 square feet more or less.

Also, a twenty (20) foot wide Utility Easement laying wholly East of and adjacent to the Western Boundary Line of said deed recorded in Deed Book 1044, at Page 119 and being the same line with a bearing and distance of N 34° 27' 00" W, 216.84 feet which runs between the Northwest Corner of Lot 76 of Clarkton Place Subdivision Phase III as recorded in the land records of the County Recorder's Office in Plat Book No. 16 at Page 43 and the Southern Right of Way Line of Hopper Road as now existing. Said 20 foot wide easement sides to be prolongated or shortened to match the Southern Right of Way Line of Hopper Road and the Northern Lot Line of said Lot 76. Said Easement contains 4,374 square feet more or less.



Staff:Jake Garrard, PE, City EngineerAgenda:5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

An Ordinance vacating the City's interest in part of a Utility Easement at 3556 Pheasant Cove Drive in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached Ordinance vacates the City's interest in part of an existing 7 ½ ft wide Utility Easement along the westernmost property line of 3556 Pheasant Cove Drive. The easement was granted as part of the Clarkton Place Subdivision Phase III plat, recorded in PB 16, PG 43 in Cape Girardeau County, Missouri. 3556 Pheasant Cove Drive being Lot 78 of said subdivision.

A Public Hearing to consider the vacation was held on April 7, 2025.

BACKGROUND/DISCUSSION

The City of Cape Girardeau owns a piece of land along Hopper Rd acquired during the Hopper Road Phase 1 Extension project of 2008. The neighbor bordering the property inquired with the City about purchasing the land. Notice was given in the Southeast Missourian, 1 bid was submitted and accepted. The neighboring property at 3556 Pheasant Cove Drive was the winning bid. After the sell takes place, there would be an erroneous, unnecessary easement along the old property line cutting right through the middle of the back yard of the new, combined lots for 3556 Pheasant Cove Drive.

The easement has no existing infrastructure in it. Notification of the potential vacation was sent to external Utility Companies on Feb. 11, 2025. All companies responded to the affirmative that they did not have infrastructure in this easement and they did not need the easement to exist for the future.

The part of the easement being vacated is shorten so as not to vacate the necessary easement areas running along both sides of the properties side lot lines.

Thomas Joseph Mogelnicki and Karen Sue Mogelnicki, as co-Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017, owners of 3556 Pheasant Cove Dr., will be donating 2 new Utility Easements to the City of Cape Girardeau as a conditional action item for the agreement of sale of the City Owned Property along the western and northern sides of the property being sold. These new easements would take care of the needs of the City for access to construct, maintain, and/or repair sewer and water infrastructure in the area.

FINANCIAL IMPACT

The Property owner at 3556 Pheasant Cove Drive will pay the recording fees for the vacation ordinance.

STAFF RECOMMENDATION

Staff recommends approval of the attached Ordinance vacating the City's interest in a part of a 7 ½ ft wide Utility Easement along the rear property line, being Lot 78 of Clarkton Place Subdivision Phase 3, at 3556 Pheasant Cover Drive in the City of Cape Girardeau, Missouri.

PUBLIC OUTREACH

An advertisement for a Notice of Public Hearing appeared in the Southeast Missourian on March 20, 2025, and a Public Hearing was held on April 7, 2025 to consider the vacation.

ATTACHMENTS:				
Name:	Description:			
25-51_VACATE_Easements_Mogelnicki_PheasantCove-Hopper.doc	Ordinance			
Good EXHIBIT ESMT_Vacation_3556 Pheasant_Cove_Dr.pdf	Exhibit			
Publisher_s_Affidavit_and_INVOICE_Ad_for_PH_Vacation_Hopper_Rd_ESMT.pdf	Affidavit to Publish			
□ <u>Good</u> <u>Legal_Description_for_Esmt_Vacation3556_Pheasant_Cove.docx</u>	Legal Description			
D <u>april_7.jpg</u>	Map of area			

BILL NO. 25-51

ORDINANCE NO.

AN ORDINANCE VACATING THE CITY'S INTEREST IN PART OF A SANITARY SEWER, UTILITY AND DRAINAGE EASEMENT ALONG THE REAR OF 3556 PHEASANT COVE DRIVE, 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 April 7, 2025, at which time all interested parties were afforded the opportunity to speak in favor of or in opposition to the proposed vacation of said easement; 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 the easement in question is not necessary or needed for the purpose for which it was dedicated and established, and

WHEREAS, it is in the public interest that said easement 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 easement be vacated.

ARTICLE 2. The City's interest in the following-described easement is hereby vacated:

Sanitary Sewer, Utility And Drainage Easement

All that part of a Sanitary Sewer, Utility and Drainage Easement as shown along the rear of Lot 78 of Clarkton Place Subdivision Phase III as recorded in the land records of the County Recorder's Office in Plat Book No. 16 at Page 43 in the City and County of Cape Girardeau, Missouri and being more particularly described as follows: Part of a seven and one half (7.5) foot wide easement platted along the rear lot line of said Lot 78. Said rear lot line having a bearing and distance of N 36° 16' 34" E, 215.20 feet of said Clarkton Place Subdivision Phase 3. The length of the vacated easement along the rear lot line to be shortened or terminated at the edge of the existing 7.5 foot wide easement area along and adjacent to both side lot lines of said Lot 78. Said easement vacation area being approximately 1,443 square feet more or less.

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



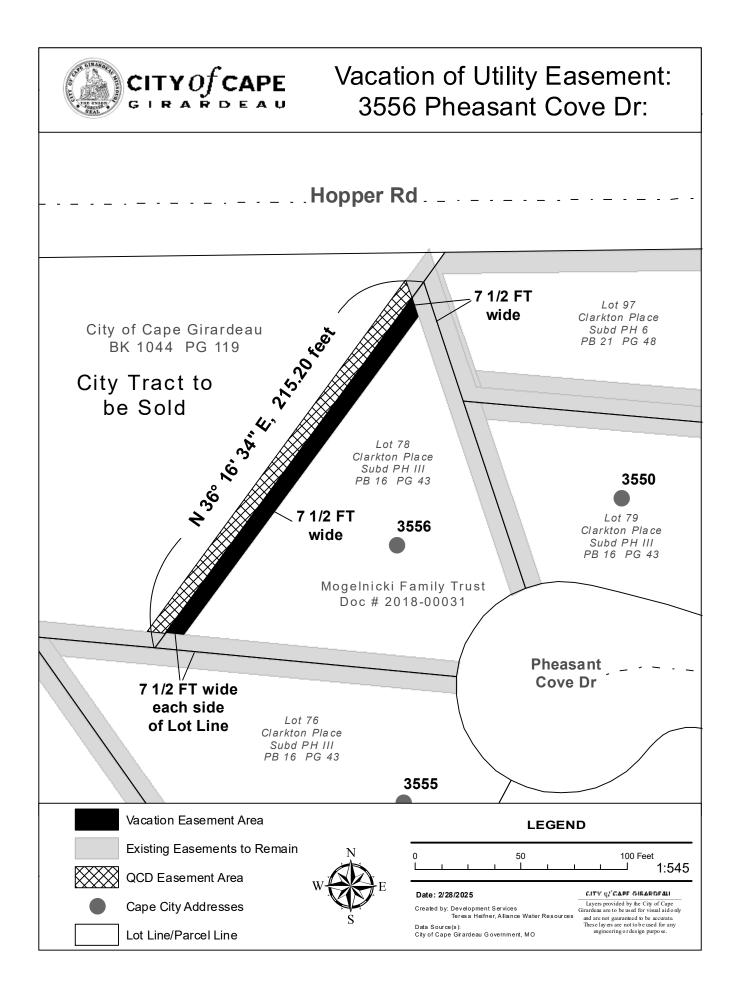
STATE OF MISSOURI))) ss. COUNTY OF CAPE GIRARDEAU)

On this _____ day of _____, 2025, before me personally appeared Stacy Kinder, to me personally known, who, being by me duly sworn, did say that she is the Mayor of the City of Cape Girardeau, Missouri, a Municipal Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the seal of said City and that said instrument was signed and sealed on behalf of said City by authority of its City Council, and acknowledged said instrument to be the free act and deed of said City.

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

My Commission Expires:

Notary Public



Concord PUBLISHING HOUSE, INC.

Invoice No.	CP20444
Campaign No.	7787
Campaign Desc.	Public Hearing - Vacation of Easement
Invoice Date	3/20/2025
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

City Of Cape Girardeau Account No: 102961

advertiser

Account No: 10296

please remit payment to

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

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

57.30
1 of 1
57.30
57.30
3/20/2025

Product	Start	End	Description	Ad Size(s)	P.O. Number	Page #	Rate	Amount
Southeast Missourian	3/20/2025	3/20/2025	Legal Liner	2 Columns x 2.292 Inches			57.30	57.30

invoice no.	ce no. invoice date sales rep(s)		
CP20444	3/20/2025	Layton Lipke - Classified	
bill-	o	advertiser	
City Of Cape ATTN: Accour 44 North Lorin P. O. Bo	ts Payable nier Street	City Of Cape Girardeau Account No: 102961	
Cape Girardeau Account No	· source at an		

PAYMENT REMITTANCE

SEND PAYMENT TO

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

PLEASE PAY THIS AMOUNT

\$ 57.30

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

Page 1 of 1 Invoice CP20444

CPH Legal / Public Hearing - Vacation of Easement

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:

3/20/2025

(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 Statues of Missouri, 1929, as amended, and approved on May 14, 1931, as appears in the Laws of Missouri, 1931 at page 303.

Subscribed and sworr e this 20 Mar 2025

of Missouri

Ndtary F

Qualified and commissioned for a term expiring

Publication Fee: \$57.30

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, April 7, 2025 at 5 p.m., in the City Hall Council Chambers, City Hall, 44 N. Lorimier St, Cape Girardeau, Missouri, to consider vacating part of the City's interest in:

A utility easement behind 3556 Pheasant Cove Drive in the City of Cape Girardeau, MO.

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

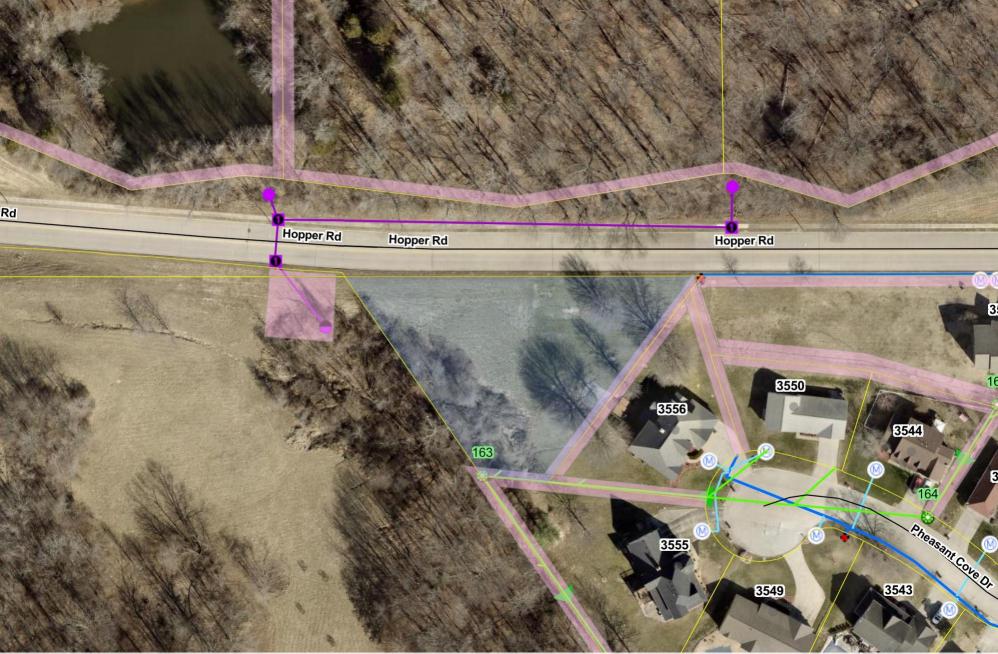
> Gayle L. Conrad City Clerk City of Cape Girardeau

(March 20, 2025)

Legal Description for an Easement Vacation at 3556 Pheasant Cove Dr.

All that part of a Sanitary Sewer, Utility and Drainage Easement as shown along the rear of Lot 78 of Clarkton Place Subdivision Phase III as recorded in the land records of the County Recorder's Office in Plat Book No. 16 at Page 43 in the City and County of Cape Girardeau, Missouri and being more particularly described as follows:

Part of a seven and one half (7.5) foot wide easement platted along the rear lot line of said Lot 78. Said rear lot line having a bearing and distance of N 36° 16' 34" E, 215.20 feet of said Clarkton Place Subdivision Phase 3. The length of the vacated easement along the rear lot line to be shortened or terminated at the edge of the existing 7.5 foot wide easement area along and adjacent to both side lot lines of said Lot 78. Said easement vacation area being approximately 1,443 square feet more or less.



Staff:Jake Garrard, PE, City EngineerAgenda:5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

An Ordinance authorizing the Mayor to execute a Quit Claim Deed to Thomas Joseph Mogelnicki and Karen Sue Mogelnicki, as co-Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017 for an easement behind the property at 3556 Pheasant Cove.

EXECUTIVE SUMMARY

The attached ordinance quit claims an easement along the rear property line at 3556 Pheasant Cove in the City of Cape Girardeau to Thomas Joseph Mogelnicki and Karen Sue Mogelnicki, as co-Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017.

BACKGROUND/DISCUSSION

The City of Cape Girardeau owns a piece of land along Hopper Rd acquired during the Hopper Road Phase 1 Extension project of 2008, being PIN: 15-913-00-01-056.00-0000.

The City of Cape Girardeau obtained an appraisal for the parcel, for fair market value.

There was an advertisement published in the Southeast Missourian newspaper on January 21, 2025 to advertise the sale of this parcel. Bids were accepted through February 21, 2025 with an invitation for the public to send bids for purchase of the parcel. Only one bid was received and by default awarded the right to purchase the parcel.

Upon completion of the purchase, Thomas Joseph Mogelnicki and Karen Sue Mogelnicki, as co-Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017 will be donating 2 Utility Easements to the City of Cape Girardeau for access to install, maintain, and/or repair utilities. Additionally, the City will be vacating interest in an existing easement at the current westernmost property line of 3556 Pheasant Cove Drive.

The easement has no existing infrastructure in it. Notification of the potential vacation was sent to external Utility Companies on Feb. 11, 2025. All companies responded to the affirmative that they did not have infrastructure in this easement and they did not need the easement to exist for the future.

The part of the easement being vacated is shortened so as not to vacate the necessary easement areas running along both sides of the properties side lot lines.

FINANCIAL IMPACT

The Property owner at 3556 Pheasant Cove Drive will pay the recording fees for the Quit Claim Deed ordinance.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

Thomas Joseph Mogelnicki and Karen Sue Mogelnicki, as co-Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017 will be donating and granting 2 Utility Easements over the property they are acquiring. 1 along the Hopper Rd right of way and 1 along the far western side of the property being acquired. There are not current plans for expansion of utilities in these 2 locations. They just set the property up for future needs for the extension of the sewer and water systems.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance authorizing the Mayor to execute a Quit Claim Deed to Thomas Joseph Mogelnicki and Karen Sue Mogelnicki, as co-Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017 for an easement located behind 3556 Pheasant Cove in the City of Cape Girardeau, Missouri.

ATTACHMENTS:	
Name:	Description:
<u>25-52_Execute_QCD_TO_Mogelnicki.doc</u>	Ordinance
QCDCity_to_Mogenicki_Trust_ESMT_3556_Pheasant_Cove_Dr.doc	Quit Claim Deed
□ <u>Good</u> EXHIBITESMT_QCD_HopperRdCityParcel.pdf	Exhibit

BILL NO. <u>25-52</u>

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED TO THE TRUSTEES OF THE MOGELNICKI FAMILY REVOCABLE TRUST DATED DECEMBER 27, 2017 FOR AN EASEMENT BEHIND THE PROPERTY AT 3556 PHEASANT COVE, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

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

ARTICLE 1. The Mayor, for and on behalf of the City of Cape Girardeau, Missouri, is hereby authorized to execute a Quit Claim Deed to the Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017, for the release of a Sewer, Utility and Storm Drainage Easement for property located at 3556 Pheasant Cove Drive, more particularly described as follows:

Sewer, Utility and Storm Drainage Easement

All that part of a Sewer, Utility and Storm Drainage Easement deeded to the City of Cape Girardeau, Missouri from Bobby G. and Jane K. Clark and recorded in Book 611, at Page 923 in the Cape Girardeau County Land Records in the City and County of Cape Girardeau, Missouri and being more particularly described as follows:

Part of a seven and one half (7.5) foot wide easement platted along, adjacent, and external to the perimeter rear lot line of Lot 78 as shown on Clarkton Place Subdivision Phase III, a subdivision recorded in the land records of the Cape Girardeau County Recorder's Office in Plat Book No. 16 at Page 4. Said rear lot line of subdivision having a bearing and distance of N 36° 16′ 34″ E, 215.20 feet. The length of the 7.5 foot wide easement area being released along, adjacent and external to the rear lot line of said Lot 78, at both ends, is to terminate at and be offset by seven and one half (7.5) feet from a prolongation line of the side lot lines of said Lot 78. Said side easement termination edge is therefore running congruent with the prolongation of the existing, internal Sanitary Sewer, Utility and Drainage Easement of Lot 78 along the side lot lines as granted on said Clarkton Place Subdivision Phase III. Said Easement

area being deeded is approximately 1,516.40 square feet, more or less.

ARTICLE 2. 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



QUIT CLAIM DEED

THIS QUIT CLAIM DEED is made this _____ day of _____, 2025, between the **CITY OF CAPE GIRARDEAU**, **MISSOURI**, a Municipal Corporation of the State of Missouri, (the "Grantor"), and **Thomas Joseph Mogelnicki and Karen Sue Mogelnicki, as co-Trustees of the Mogelnicki Family Revocable Trust dated December 27, 2017** (the "Grantee").

WITNESSETH, that the Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, to it paid by the Grantee, the receipt whereof is hereby acknowledged, does by these presents, Remise, Release and forever Quit Claim, unto the Grantee, the following described Lots, Tracts or Parcels of land, lying and being situate in the City and County of Cape Girardeau and State of Missouri, to-wit:

All that part of a Sewer, Utility and Storm Drainage Easement deeded to the City of Cape Girardeau, Missouri from Bobby G. and Jane K. Clark and recorded in Book 611, at Page 923 in the Cape Girardeau County Land Records in the City and County of Cape Girardeau, Missouri and being more particularly described as follows:

Part of a seven and one half (7.5) foot wide easement platted along, adjacent, and external to the perimeter rear lot line of Lot 78 as shown on Clarkton Place Subdivision Phase III, a subdivision recorded in the land records of the Cape Girardeau County Recorder's Office in Plat Book No. 16 at Page 4. Said rear lot line of subdivision having a bearing and distance of N 36° 16' 34" E, 215.20 feet. The length of the 7.5 foot wide easement area being released along, adjacent and external to the rear lot line of said Lot 78, at both ends, is to terminate at and be offset by seven and one half (7.5) feet from a prolongation line of the side lot lines of said Lot 78. Said side easement termination edge is therefore running congruent with the prolongation of the existing, internal Sanitary Sewer, Utility and Drainage Easement of Lot 78 along the side lot lines as granted on said Clarkton Place Subdivision Phase III. Said Easement area being deeded is approximately 1,516.40 square feet, more or less.

TO HAVE AND TO HOLD the same, with all the rights, immunities, privileges and appurtenances thereto belonging, unto the Grantee, and its successors and assigns, FOREVER, so that neither the Grantor, nor its successors and assigns, nor any other person or persons for it or in its name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises or any part thereof, but they and every one of them shall, by these presents, be excluded and forever barred.

(Signatures on following page)

IN WITNESS WHEREOF, the Grantor has executed this Quit Claim Deed on the above date.

CITY OF CAPE GIRARDEAU, MISSOURI

Stacy Kinder, Mayor

ATTEST:

City Clerk

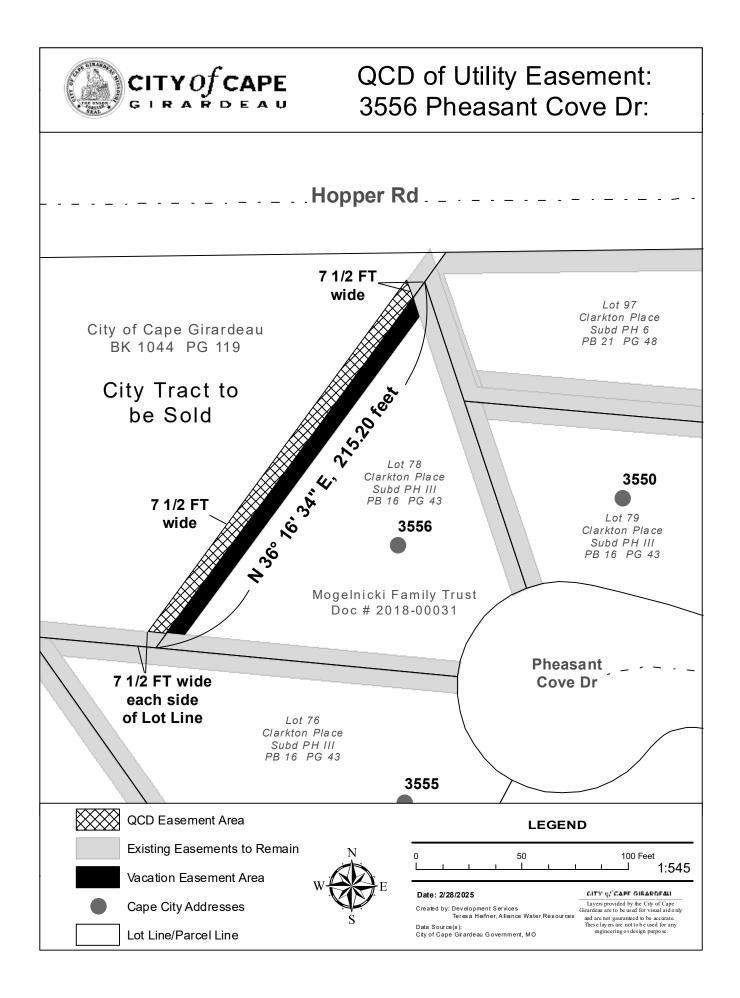
STATE OF MISSOURI)) SS. COUNTY OF CAPE GIRARDEAU)

BE IT REMEMBERED, that on this _____ day of ______, 2025, before me, the undersigned notary public, personally appeared Stacy Kinder, Mayor of the City of Cape Girardeau, Missouri, a Municipal Corporation of the State of Missouri, to me known 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 WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the State and County aforesaid, the date first above written.

_____, Notary Public

My Commission Expires:



AGENDA REPORT Cape Girardeau City Council

SUBJECT

The City of Cape Girardeau City Council considers calling an election and placing on the ballot at the August 5, 2025, General Election a proposal to amend the City Charter such that the annual limitation of fee increases for water, sewer or solid waste does not exceed 15%.

EXECUTIVE SUMMARY

Currently, in accordance with Section 6.13 Fee Limitations of the City Charter, the City shall not increase water, sewer, or solid waste fees by more than 5% in any given fiscal year.

The ballot measure is necessary because the 5% limitation results in revenues from fees that are not sufficient to support, operate and maintain our water system. In addition, revenues are not sufficient to pay for capital improvement costs required to continue providing the quality and quantity of water our citizens and visitors to the City of Cape Girardeau require.

A yes vote increasing the Fee Limitation of the City Charter would allow the City to establish water, sewer, or solid waste fees by ordinance that are needed, on a fiscal basis, to adequately fund and provide these services to the citizens of Cape.

BACKGROUND/DISCUSSION

In November of 2024, the City had a ballot proposal to increase water fees more than the Charter limitation of 5%, and at the same time proposed an ordinance to increase the Water Rates for the City of Cape Girardeau. That ballot measure did not pass.

With the current proposed Charter amendment, the City will be able to modify water rates annually by ordinance such that the water system can be operated, maintained, and the investment in capital improvements needed to insure future reliability of the system can be incurred. The proposed new Charter limitation would, however, place an annual limitation of not more than an increase of 15% in water fees.

The water study commissioned by the City (attached) reported that our current rates were modest and below the affordability index. The study also reports that without rate increases larger than 5%, attempting to make needed improvements will completely deplete reserves and result in negative reserves by 2027.

The necessary improvements to our water system infrastructure can be funded by modest water rate increases. Current water rates are below the national, state, and regional averages. In addition, regionally and nationally water rates have been increasing.

Without modification to the Charter limitation, the City will not be able to establish reasonable water rates that will fund our ongoing expenses and capital improvement needs.

FINANCIAL IMPACT

The City operates the water system as an Enterprise Fund. This type of fund is required to cover the cost of providing services, including capital costs, with fees and charges. Pricing policies of the water fund should be established at rates that support operating, maintaining and improving the water system. The City of Cape Girardeau, at the current water rates and with the current 5% annual limitation increase, cannot sustain operations and maintenance and also fund planned capital improvements.

Water Treatment Plan Improvements and distribution system improvements totaling \$56.5M have been identified and are projected to occur during the next 10 years. In addition, the next phase of potential improvements have been identified and are projected to total \$63.5M.

STAFF RECOMMENDATION

The team of staff members that have studied the matrix of issues and available solutions for the City, recommends moving forward with the improvements to the City water system, and funding those improvements by amending the City Charter limitation to 15% resulting in the ability to establish annual water rates by ordinance while keeping the water rates in the City reasonable for the customers. This adjustment is critical to protect the reliability of our water system and ensure that we can continue meeting the City's needs.

ATTACHMENTS:		
Name:	Description:	
25-53_Charter.Fees.Amend.Election.Ord.docx	Ordinance	
Image: Timeline_Water_System_Projects.docx	Timeline Water System Projects	
Water_Usage_History_(MGD).docx	Water Usage History	
Cape_Girardeau_MO_Rate_Analysis_Report_2024-76-28-2024.pdf	Water Rate Study	
<u>Recent_Utility_Water_Rate_Increases_in_Missouri.docx</u>	Recent Water Rate Increases in Missouri	

BILL NO. 25-53

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF CAPE GIRARDEAU, MISSOURI, AMENDING THE CHARTER OF THE CITY; CALLING AN ELECTION IN THE CITY ON THE QUESTION OF AMENDING THE CHARTER; DESIGNATING THE TIME FOR HOLDING SAID ELECTION; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO GIVE NOTICE TO THE COUNTY CLERK OF SAID ELECTION

WHEREAS, the City of Cape Girardeau, Missouri (the "City") is a municipal corporation and Charter City located in Cape Girardeau County, Missouri, being duly created, organized and existing under the laws of the State of Missouri; and

WHEREAS, Article VI, Section 6.13 of the City Charter provides that the City "shall not increase water, sewer or solid waste collection fees by more than five (5) percent, in any given fiscal year" with exceptions including for issuance of bonds or in the event of emergencies; and

WHEREAS, past increases of the City's water, sewer and solid waste collection fees have failed to keep pace with increasing costs, such that the City Council has determined continuing with a fee increase limitation of five percent per year will necessitate unacceptable reductions in the levels of water, sewer, and solid waste collection services the City provides to its residents; and

WHEREAS, Article XI, Section 11.06 of the Charter authorizes the City Council to propose amendments to the Charter and sets forth the process required for consideration of such amendments; and

WHEREAS, before any Charter amendment shall become effective, it must be approved by a majority of the qualified electors voting at an election to be held not less than sixty days after the passage of this Ordinance; and

WHEREAS, the City Council has determined it is necessary for ensuring continuation of adequate levels of water, sewer, and solid waste collection services to seek voter approval to change the five percent per year limitation in Article VI, Section 6.13 of the City Charter to fifteen percent per year; and WHEREAS, the City Council calls for this item to be placed on the ballot at the August 5, 2025 Election for a vote of the qualified voters of the City.

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

ARTICLE 1. Pursuant to Article XI, Section 11.06 of the Charter, the City Council hereby proposes an amendment to the Charter to delete the phrase "five (5) percent," in Article VI, Section 6.13 of the Charter and replace it with the phrase "fifteen (15) percent," and further hereby orders an election to be held in the City of Cape Girardeau, Missouri, for the purpose of submitting such amendment to the qualified electors of the City.

ARTICLE 2. The following question is hereby submitted to the qualified voters of the City, to be voted on at the Election hereby called and to be held in the City on Tuesday, August 5, 2025. The ballot question shall contain substantially the following language:

Article VI, Section 6.13 of the Charter of the City of Cape Girardeau generally prohibits the City from increasing water, sewer or solid waste collection fees by more than five (5) percent per fiscal year. Shall this general limitation be amended from five (5) percent to fifteen (15) percent, for the purpose of funding improvements and maintenance needed to deliver these services?

🗌 Yes 🗌 No

If the above question in this article shall be approved by a majority of the qualified voters thereon, the amendment shall become a part of the Charter effective upon certification of such election result.

ARTICLE 3. The City Clerk is hereby authorized and directed to notify the Cape Girardeau County Clerk (the "Election Authority") of the adoption of this ordinance no later than 5:00 P.M. on the tenth Tuesday prior to the election or such other date as required by the Election Authority or by law, and to include in said notification all the terms and provisions required by Chapter 115 RSMo., and to take such other steps as may be required so that an election may be lawfully conducted. The form of the Notice of Election for said election, a copy of which is attached hereto as $\underline{Exhibit A}$ and incorporated as if fully set out herein, is hereby approved. The Election Authority shall conduct such election according to law and certify the results thereof.

ARTICLE 4. Said election shall be held at such places in such wards and precincts as the Election Authority may direct, and shall follow the procedures prescribed by said Election Authority. The election shall be held in conformity with the Missouri Constitution and the laws of the State of Missouri, and in accordance with all applicable ordinances adopted by the City Council of the City.

ARTICLE 5. 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 6. This ordinance will 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 A

NOTICE OF GENERAL ELECTION CITY OF CAPE GIRARDEAU, MISSOURI

Notice is hereby given to the qualified voters of the City of Cape Girardeau, Missouri that the City Council has called an election to be held in said City on Tuesday, August 5, 2025, commencing at 6:00 A.M. and closing at 7:00 P.M. on the question contained in the following sample ballot.

OFFICIAL BALLOT GENERAL ELECTION CITY OF CAPE GIRARDEAU, MISSOURI AUGUST 5, 2025

Article VI, Section 6.13 of the Charter of the City of Cape Girardeau generally prohibits the City from increasing water, sewer or solid waste collection fees by more than five (5) percent per fiscal year. Shall this general limitation be amended from five (5) percent to fifteen (15) percent, for the purpose of funding improvements and maintenance needed to deliver these services?

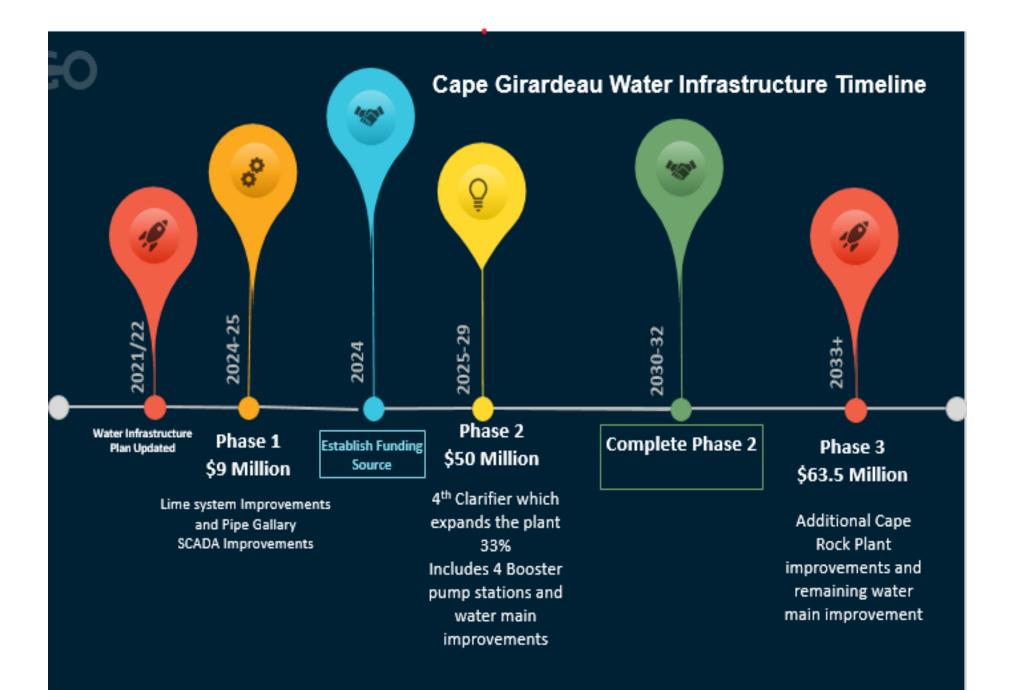
Yes

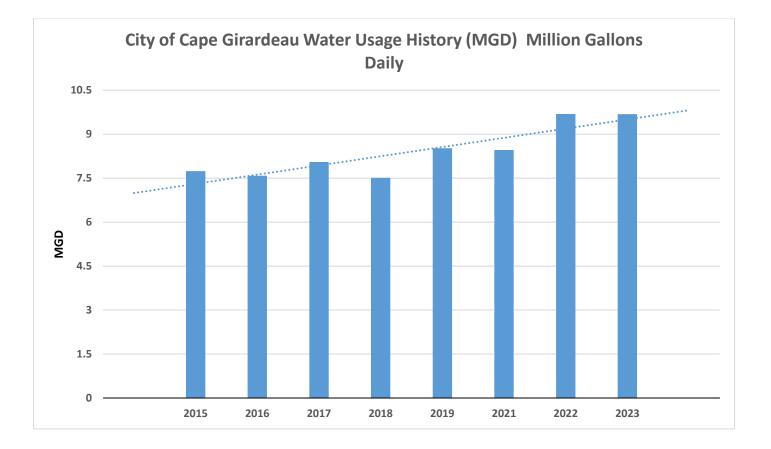
No

If you are in favor of the question, place an "X" in the box opposite "Yes".

If you are opposed to the question, place an "X" in the box opposite "No".

4





Creating Informed Ratesetting Decisions

June 28, 2024

Ms. Stacy Kinder, Mayor City of Cape Girardeau 44 North Lorimier Cape Girardeau, MO 63701

Subject: Water Rate Analysis Report

Dear Mayor Kinder:

Attached is the City's rate analysis report. Before I address the report, I want to speak to everyone who will read this.

Casey Brunke and Erica Bogenpohl were my primary contacts with the City early on. Later, Lisa Mills became my primary contact. I asked for many kinds of data and information, some of them quite complicated. My contacts were amazing – prompt, accurate, and just wonderful to deal with. But they had fantastic support, I am sure. Others helped me either directly or through them – Stanley Polivick, Kendra Boos, Mary Thompson, Gayle Conrad, and Trisha Holloway, that I know of. All of them made data gathering go so well and pleasantly, in fact. That does not happen often. I am sure you and the Council recognize the expertise and value of City staff. I hope citizens and ratepayers will also get a glimpse of just how well they are being served by these folks. Without them, and without their accurate assistance, my analysis work would not be possible.

Now, on to the report.

The report and the included rate models cover a lot of technical ground, and that is just the tip of the analysis iceberg. I am confident Ms. Mills can answer Council members' questions about the report, the modeling, the analysis process and other things. But should you need something from me, filter questions to me through Ms. Mills and I will answer them all. I can meet with the Council again, if you think that would be useful. But I doubt that is necessary. I am confident you have the tools needed to proceed to new, completely adequate and appropriate rates very soon.

Finally, I am sure you and Council members know of other cities and utilities that also need rate setting help. As you run into these folks at municipal league and other meetings and venues, I hope you will tell them about my services. I get much of my business from referrals by past clients. I hope to be able to trace several future clients back to my work with Cape, as well.

Best regards, GettingGreatRates.com

Carl E. Brown President

Enclosure

Creating Informed Ratesetting Decisions

Water Rate Analysis Report Cape Girardeau, Missouri

Prepared June 28, 2024

Carl Brown, President GettingGreatRates.com, LLC

Contents

Index of Model Tables and Charts
Executive Summary
The Models' Names and Descriptions4
Table A: Model Comparisons
Special Notes5
What is Presented in This Report, What is Not, and Why5
Your Current Rates Are Modest5
City Charter Restricts Rate Increases and Rate Restructuring5
System Development Fees for New Connections, and Surcharges
Introduction
About the Partial Restructure Model, Generally
Partial Restructure Model Discussion10
Meter Size-based Rates10
Declining Unit Charge10
Expected Incomes
Expected Operating Costs10
Capital Improvements and Expected Balances10
Repair and Replacement Scheduling11
Target Reserve Levels
What if Expenses in the Model Miss the Mark Someday?11
Rate Affordability12
How to Implement the Partial Restructure Model Rates14
Table B: Rates From the Partial Restructure Model 14
Closing15
Conclusion
Appendix A: Rate Analysis Methodology and Related Issues
The Governing Body's Job is Broad and Critical17
Rate Setting Resources Beyond This Report
Recommendations for Policy and General Issues18
Cost-based Rate Calculations
Principles

Index of Model Tables and Charts

Table	Description	n Partial Restructure Model	
	Cover Page	31	
1	Current Rates	37	
2	Volume Usage	40	
3	Incomes	46	
4	Costs	47	
5	CIP	49	
6	Replacement-Detailed	N.A.	
7	Replacement Annuity	N.A.	
8	Cost Classification	51	
9	Marginal Cost Classification	53	
10	Rate Calculation	55	
11	AWWA Meter Study	N.A.	
12	Capacity Costs	N.A.	
13	Capacity Fees	N.A.	
14	Capacity Fee Revenues	N.A.	
15	Minimum Charge Calculation	N.A.	
16	Minimum Charge Revenues	N.A.	
17	Financial Indicators	61	
18	Bill Comparisons 63		
Chart			
1	Operating Ratio	70	
2	Coverage Ratio 70		
3	Residential Users' Bill 71		
4	Affordability 71		
5	Working Capital vs. Goal 72		
6	Cash Value Before Inflation 72		
7	Cash Value After Inflation	73	
8	Total Reserves	73	

Executive Summary

This analysis calculated water rates for the City of Cape Girardeau in many different structures that produce different revenue. This report presents one of those scenarios and references two others. The included scenario, the partial restructure scenario, would pay all system improvement costs and accomplish some rate restructuring. Not included but often referenced is the 5% across-the-board increase scenario. This one adheres to the current structure and stays within the City Charter rate increase limitation. But that set of rates would not produce enough revenue to fund all planned system improvements. A third scenario, also not included, is the full restructure scenario. That one is like the partial restructure scenario except it depicts fully restructured rates. That much restructuring was deemed by City Management to be too aggressive at this time. None of the scenarios would have the City borrow for improvements because the City does not have available borrowing capacity for those improvements.

The Models' Names and Descriptions

The included model is called, "Cape Girardeau, MO, Water Rates Model 2024-14, Partial Restructure." Later this model will just be called "the Model." Other than the degree of restructuring, this model is the same as the Full Restructure Model.

Only referenced is the "Cape Girardeau, MO, Water Rates Model 2024-13, Full Restructure" model. As the name describes, this one includes a robust restructuring to incorporate a full slate of cost-to-serve rate features. Later this model will just be called the "Full Restructure Model."

Also referenced only is the "Cape Girardeau, MO, Water Rates Model 2024-15, 5% Acrossthe-board Increase" model. Later this model will just be called the "5% ATB Model." This model simply increases the current rates by five percent across-the-board and will not produce enough revenue to pay for all needed improvements.

Table A: Comparisons of the Included Models					
Model	Rate Adjustment Type	Total Reserves in 10th Year	Affordability Index in Year Starting 7/1/2024	Affordability Index in Year Starting 7/1/2025	
Water Rates Model 2024- 14, Partial Restructure	Cost-to-serve restructuring	\$10,169,911	0.76%	1.02%	
Water Rates Model 2024- 15, 5% Across-the-board Increase	Across-the- board Increase	-\$24,078,996	0.76%	0.78%	

Table A: Model Comparisons

Special Notes

What is Presented in This Report, What is Not, and Why

Analysis models that considered all critical issues were prepared. I prepared more than a dozen major models and many other minor ones. Each model arrived at a set of rates and fees that paid all system costs, or only part of those costs in the case of rate increases limited by the City Charter. To present all the models and explain their differences would be quite confusing to report readers and decision makers. Thus, only one model with rates that are viewed as most doable is included. The partial rates restructuring model covers conditions, rates and fees, and many structures and considerations which I recommend as best practices. It does not include some of the more aggressive restructuring in the "Full Restructure" model because City management believes those features are not doable in your case at this time. And the "Five Percent Across-the-board Increase" model will not produce adequate revenue. Therefore, those two models are only briefly described in this narrative report but not included.

Why include the Partial Restructure rates model and only reference the other two models?

I believe it is important for the City Council to know what rates they should soon adopt and why – the near-term, doable rates.

I believe the Council should know what may be preferable for future rates and fees – long-term rates goals that you may or may not get to someday. Those are the Full Restructure rate model rates.

And I believe it is critical for the Council, citizens and ratepayers to know what simply will not work, given the needs of the utility. That is the current paradigm of rate increases limited to five percent across-the-board every year. You are moving into a period of system refurbishment and improvement that cannot be done with a five percent rate increase. Without larger rate increases, if you attempt to make the needed improvements, by 2027 the utility's reserves will be completely depleted and then go deeper and deeper into negative territory.

Your Current Rates Are Modest

The test year rates were modest when considered against the primary affordability indicator, the "Affordability Index," or "AI." Nationally it is thought the average AI for water is 1.0 percent. That means, the "average" household using 5,000 gallons of water per month pays 1.0 percent of its income to pay the water bill.

In Cape Girardeau, for a five-eighth inch meter residential customer the test year AI was 0.71 percent. With the rates that fully fund system improvements and reserves, the AI would rise to 1.04 percent in fiscal year 2025.

City Charter Restricts Rate Increases and Rate Restructuring

Note: I am not an attorney, so I cannot, and I will not interpret law. However, being a rate analyst, I can tell you what would happen to rates and system improvements if <u>you</u> interpreted the City Charter in certain ways.

Recently I was informed the City has a rate increase restriction in the City Charter that says rates may not be increased during any year by more than five percent. There are also a few "work around" caveats, too. This restriction is interesting, and it is a problem for a few reasons:

- First, analyzing rates since 2005, I have never run into that situation before. Perhaps such restrictions existed elsewhere and a few of my client utilities did not remember they have such a restriction, or they just did not abide by it. However, I doubt that is the case because there are people regular citizens and ratepayers who know of and remember when there are limitations on a utility's powers, and they bring it up when it appears the utility is about to "break the rules." I suspect your rates restriction is not common.
- Second, as described to me by the finance director, that restriction prevents increasing any customer's bill by more than five percent per year. Thus, rates could not be restructured in any meaningful way to make them fairer, even if the overall revenue increase was less than five percent. Your rates need restructuring to make them fairer.
- That restriction does not consider the fact that rates have been increased during years in the past by less than five percent and at the same time, system improvement needs have been accumulating. That is the "perfect storm" of utilities you should not feel like you are facing this alone. It is common. Were rates increased five percent each year, they may have been adequate to cover system improvement needs as they were occurring. Thus, the utility is now in a hole where system improvement needs are great and user charge rates are far too low to cover them.
- The restriction does not take into account the fact the City has no available borrowing capacity for system improvements. Any improvements made must be funded with grants, if available, and system income and reserves.
- The restriction would leave over \$24 million of system improvements undone.

My recommendation is this. Revise the City Charter to remove this restriction entirely. Short of removing the increase restriction entirely, you could allow citizens vote to allow an exception, given the current situation.

System Development Fees for New Connections, and Surcharges

For my client utilities that are growing at a reasonable or strong pace, and the City is growing rapidly, I recommend meter size-based system development fees. Many call these new connection fees. And I recommend setting those fees as high as competition with nearby cities and areas will allow. City staff advised me, unfortunately, that the City is already a new connections fee price leader in the area, so I assume you will continue with the current set of system development fees. City staff also advised that adjusting the minimum charge structure markedly at this time would also be problematic, so that restructuring is left out for now. That makes Tables 12 through 16 of the Model unnecessary, so they have been left out of the report.

Introduction

The City is growing rapidly, which is good. Growth increases water usage, increasing costs, but increasing revenues, too. Growth also requires more complicated and simply bigger facilities to supply growing use, and greater capacity to serve. The modeling and report cover the rates-related parts of these issues, and others.

As for me, your rate analyst, I have analyzed rates as a consultant since 2005, completing 379 analyses since then. Before that, from 1991 to 2005, I did similar work, as well as grant and loan coordination work, for the Missouri Department of Natural Resources. My experience is deep. I calculated your rates with due diligence using the best methodologies and reasoning I can. I trust my expertise and the results I get. You should, too. You can adopt the rates recommended in this report and all should turn out well for you.

But it is reasonable for you to be curious about my methodologies and why and how I employ them. "Trust but verify" is a reasonable attitude for you to have because rate setting is one of your most critical

Appendix A summarizes my rate analysis methodologies, theories, and general issues.

and criticized tasks. You need to get it right. Just summarizing my methodologies requires a lot of discussion, therefore, I left that discussion out of the main part of the report. I placed those discussions in Appendix A, starting on page 17.

If you have a basic working knowledge of rate setting, and if you consider the logic of what follows, you should be able to read on and learn what you need to know to set rates appropriately and confidently. If, however, you read something that you do not understand and you want to understand it, go to Appendix A. I likely covered the issue there. If I did not and if the issue is important to you, just call and I will talk you through it.

Now, to the specifics of your rates situation and my analysis and recommendations.

Currently, the water user charge rate structure can be summarized like this: Minimum charges rise with meter size and there is no usage allowance. Those are good pricing practices.

Unit charges are in two tiers – the unit charge for the first tier of volume (lower volumes) is higher than for higher volumes in the second tier. Those are called "declining" rates. That structure merits more discussion, which appears in the "Meter Size-based Rates" subsection that soon follows.

This report is the culmination of a process where I submitted information and data requests to my primary City contacts. Initially they were Casey Brunke, Public Works Director; and Erica Bogenpohl of Alliance Water, the contract operations firm for the The rate analysis modeling covered 12 years, as follows:

- The "test year" is the one-year period from which data was used as the starting place for the analysis. We almost always use the last completed fiscal year as the test year. That is what we did in your case, too.
- The modeling was started and completed during the next year. In the model tables, this is called, "0 Year."
- For the next ten years, the modeling used budget figures, capital improvement cost estimates, etc. when available. Those normally cover one or two future years. For the remainder of the ten projection years, we increased incomes, costs, etc. by expected inflationary factors.

City's water system. Most recently, it has been Lisa Mills, the City's Finance Director. Others behind the scenes assisted but I coordinated all communications through these primary contacts.

Rate analysis takes a large amount of data, and it is common to "home in" on the optimal set of conditions and rates as the analysis reveals them. As I received information and data, I modeled the utility's finances and rates and submitted drafts for review and feedback. My contacts reviewed those drafts to assure accuracy, and when needed, they corrected data.

I prepared and submitted a draft final report. Again, contact reviewed and gave me feedback. This is, hopefully, the final report.

The report is in two parts. The first part is this narrative report that tells readers what could be done to the utility's rates and why and interprets much of the mathematical modeling. The second is a printout of the modeling.

Finally, I note that the current rate structure has the unit charge declining as use goes higher. I do not see that structure much these days and only rarely do I recommend it. I do not recommend it in your case, either.

As you read this report, please keep this in mind. The report does not *direct* the City to do anything. Actions you take or do not take are strictly up to you. The report is meant to inform and educate so you can make well-informed decisions about actions to take. And the report and models are not legal recommendations. For legal issues consult your attorney.

About the Partial Restructure Model, Generally

The Model was built to match the system's financial statements and other data as much as possible. Because incomes and expenses in standard financial statements, and other data, are seldom grouped in such a way as to enable the required rate calculation methodology, the Model does not always match financial statements.

For modeling purposes, it does not matter whether funds are held in the general system account, a debt service sinking fund, repair and replacement account, etc. Therefore, the Model accounts for funds in a more simplified way than most utilities do it. When it comes to segregating funds, staff knows best how to do that, so the Model does little in this regard and leaves the segregating up to staff.

Ratepayers ask, "Why should I pay more?"

Nearly every ratepayer served by every one of my client systems wants to keep their current (lower) rates. No one wants to pay more for their water than someone "down the road." That is human nature. We are wired that way, and that is not a bad thing.

Nearly all my client systems have system improvements they need to make. They cannot fund them out of current revenues. That is why they have a backlog of improvement needs. Quite simply, rates need to go higher, so improvements can be done. While your rates may go higher than those in other systems nearby, that is likely a temporary situation. Those other systems have a backlog of improvement needs. Once they start to attack that problem, their rates will go up, too.

Saying this will not make anyone feel good about higher rates. But this situation is going on nearly everywhere. Maybe not on the same schedule as you, but their day is coming, too. A special note about Chart 2, page 70. The blue line drops to zero in the last year. That looks alarming, but debt will cease that year. When there is no debt, there is no coverage ratio.

Several line graph charts in the Model graphically depict some things which would be difficult to pick out of the tables. In all the charts, the **blue line** represents what would happen under the **modeled** rates and the **red line** under the **current** rates. Financial trends for the red lines are (generally) bad. Those for the blue lines are (generally) good. Review the definitions section of the Model to learn the meaning of terms used in the charts.

I will say it simply, like this. Chart 8 depicts reserve levels under the existing rates (red line) and the modeled rates (blue line). When the blue line goes up, that is a good thing for the utility. When the red line goes down, that is a bad thing, at least, if you were to decide to keep your current rates for very long.

In contrast to Chart 8, Charts 3 and 4 in the Model depict user rates. When the Chart 3 and 4 blue lines go up, meaning rates are going up, customers do not like that. But the utility will be better funded as a result and that benefits ratepayers because it makes their utility more resilient and able to make improvements that will serve them better. Utility effectiveness is the first priority. Efficiency (low cost, as customers view it) is the second priority. Customers <u>want</u> efficiency but they <u>must have</u> effectiveness.

One thing you will notice in viewing Chart 5 is this. Only the red line (current rates) and the black line (goal amounts) show up. That means the blue line, the proposed rates line, is taking the same path as the line depicting the goal or the current rates. That is because, in the Model, I programmed all funds that exceed what is needed to meet the working capital goal to "spill over" into the CIP and Debt Service fund reserve. Thus, both the recommended and current rates satisfied the goal for a couple of years, but the current rates are now falling short, and that trend will continue without rate increases.

Chart 8 spells the difference between the two sets of rates. The modeled rates will generate more revenue over time and, thus, produce stronger total reserves.

As you set and later reset rates, I suggest you follow the guidance I give in my book, "How to Get

Where do the current rates trend lines come from?

Comparison of the chart trend lines between the current rates (red) and the modeled rates (blue) are useful to planning and action.

My modeling template models incomes, expenses, capital improvement plans and much more, resulting in a set of system development fees and user charge rates that will pay all costs well into the future.

In the background the template also runs a second analysis that assumes the above things but assumes the current rate and fee structures will continue for the next ten years and apply to customers as the customer base grows.

Thus, the results of that "background" analysis can be compared to the "foreground" analysis. That enables an "apples to apples" comparison of what likely will happen under the current rates versus what likely will happen under the modeled rates. Often, the best course of action is then very easy to see.

Great Rates." This book is one of the rate setting resources I mentioned earlier.

The remainder of this report directly addresses the analysis findings and my recommendations.

Partial Restructure Model Discussion

Meter Size-based Rates

You currently assess meter size-based minimum charges and new connection fees. You should continue that practice, but adjust some of the rates, so they will be cost-based. Tables 11 through 16 of the Model cover calculation of these fees. These tables are not included because management considers changing minimum charges and system development fees at this time too much change to manage.

Declining Unit Charge

The declining unit charge would be eliminated for residential customers but retained for commercial customers.

Expected Incomes

Table 3, page 46, shows the various past incomes and future incomes to expect, as well as several other things related to revenues. Near the top of the table, the growth rate in new connections, which goes hand in hand with system development fees, was 207 during the test year. It varied some over the next two years and I assumed it will stabilize at about the level it appears new connections are headed for this year, about 135 per year. Management intends to hold system development fees (tap fees) steady and set minimum charges in proportion to the current minimum charges. Since Tables 11 through 16 calculate both those types of fees and rates, and are not needed in your situation, they have been left out of the modeling.

Expected Operating Costs

Table 4, page 47, shows expected operating costs. I expect most operating costs will inflate by four percent per year. However, chemicals to treat water, electricity to pump water and similar costs that are flow-related or billing-related will also increase by the rate of growth in new connections and use. Those items are highlighted green.

To make calculation of a few financial indicators accurate and simple, I do not include as "operating costs" those costs associated with building and financing capital improvements. Those costs are covered in Table 5.

Capital Improvements and Expected Balances

Capital improvement costs are going to rise dramatically and be a major driver of higher rates, regardless of the rate structure you choose. Table 5, page 49, shows capital improvement needs, costs, and revenue sources to pay those costs. Though rates in the Model will be higher to pay these costs, rates will still be affordable after adjustment. More will be said about that in the Rate Affordability subsection to follow.

The City is in the process of making significant, long-term system improvements. The City's plan is detailed. In Table 5, highlighted green, are improvement needs the City updated just last week. Fortunately, CIST tax revenues will moderate the net cost. I assumed you will use the full water allotment of that tax for water improvements funding starting this year.

Repair and Replacement Scheduling

Most equipment repair and replacement (R&R) items are imbedded in various costs, especially the depreciation item, in Table 4, page 47. However, the utility schedules fleet R&R separately, which I also entered in the table near the bottom. This is where I normally display the long-term annual cost of overall R&R, but I used it to display your fleet R&R instead. Doing that made my Tables 6 and 7 unnecessary, so those tables have been left out of the Model.

Target Reserve Levels

According to your test year balance sheet, your total reserves were a bit low for a system of your size. In the following, I show you what I normally recommend for systems of your size and what I also recommend for you:

- 1. Unobligated cash and cash equivalent reserves equal to at least 25 percent of the annual operating costs, not including debt service and general administration costs;
- 2. A 20-year repair and replacement (R&R) schedule reserve, in the 20th year equal to at least two times the average year's cost of R&R. Your cash and cash equivalents reserves need to cover this, too, and
- 3. Capital improvement and debt reserves at the end of the tenth year, after debt is paid, equal to that year's debt payments plus cash-paid capital improvement expenses.

These targets produce total reserves in the tenth year of slightly over \$20 million. City management opted for lower but still prudent reserves, to keep the rates lower. In this Model on the bottom of Table 17, page 61, and several of the charts at the end of the Model you can see the reserves balance in the tenth year is projected at slightly over \$10 million. *Chart 8, page 73, graphically shows how reserves will perform over the next ten years.* Note that reserves drop a lot in the tenth year. That is because of one very large system improvement assumed for that year. If system improvement costs come in more like the average after the tenth year, reserves will turn around and resume climbing after that one large expense.

What if Expenses in the Model Miss the Mark Someday?

First, missing the mark is a certainty. Eventually, the projected expenses will miss the mark. That is why analysis needs to be redone periodically. With time, things change. If you adopt the Model's rates, then in a future year it turns out the Model failed to accurately predict the expenses you experience, what should you do? That depends upon which way (higher or lower) your expenses went, and how much they differed from what was predicted. It may also depend upon which expense(s) varied because that could markedly affect cost structure, and therefore, rate structure. And it will depend upon what happened to revenues, too.

- Your "fix" for a situation may be to continue with future rate adjustments as recommended. Not all "misses" need to be addressed. Some right themselves.
- Or it may be to speed up or slow down future inflationary increases to get revenues and reserves back on track.
- Or it may be to do a proportional increase to minimum and unit charges based upon the percentage that the experienced expenses are higher or lower than those in the Model.
- Or it may be to give me a call if you are not clear about how to make the needed adjustments.

My suggestion is this. When in doubt, err on the side of calling me for advice. I can usually talk folks through how to make the appropriate adjustment and I do not charge for that.

If your new situation requires modeling, I probably will request a fee for that. In that case, would estimate the hours needed to do the analysis adjustment and I would propose to do that at the hourly rate I used to calculate the fees for the original project. Most such projects, including the reporting out, take a day or less to do, so they rarely go over \$1,000.

If "getting back on track" is a problem several or many years into the future, many issues could then be in play. In that case, it is time for a new rate analysis.

The critical point is this. Do not hesitate to make the recommended rate adjustments because you are not positive it will work out. Make the adjustments and then track how it works out through the years. If you get concerned about something later, just call. I cannot say, "I have seen it all." But I have seen a lot. I probably can work you through any rate setting situation you will experience.

Rate Affordability

I calculate each rate analysis client's rate affordability, measured by the Affordability Index. For most utilities, it is a very useful tool to assess how "cheap" or "expensive" their rates will be. The Affordability Index is also used by many grant and loan programs to determine if an applicant will be awarded a grant, how much grant, an interest subsidized loan or no funding assistance at all.

In Cape Girardeau, personal income growth, as determined by the Census Bureau, averaged 2.73 percent per year over the last 20 years through 2019. Incomes and income growth rates are shown in the top left corner of Table 3, page 46.

Residential water use for in-City, five-eighth inch meter customers averaged 3,656 gallons (489 cubic feet) per month. That is lower than the national use benchmark for affordability of 5,000 gallons per month. Thus, affordability of the current bill and the bill under the modeled rates for your average residential use will be lower than the Affordability Index in Table 17, page 61. But the Affordability Index is still a useful indicator. The Affordability Index is also shown graphically in Chart 4, page 71.

In the table, the Affordability Index calculation for the test year was 0.71 percent. That means, a 5,000 gallon per month residential customer earning at the City-wide median household income level paid 0.71 percent of their monthly household income to pay their monthly water bill. The national average is thought to be approximately 1.0 percent, so your <u>current rates are lower than the national</u> <u>average</u> on that basis.

Affordability Index: The monthly charge for (typically) 5,000 gallons of residential service divided by the median monthly household income for the area served by the system. An index of 1.0, meaning a household pays one percent of its income to pay its bill for 5,000 gallons of service, is generally considered affordable. The Affordability index is a primary factor in determining grant and loan eligibility and grant amount.

Under the modeled rates, this customer's Affordability Index would go up to 1.02 percent, right at the national average. Table 18, page 63, shows "before and after" bills for customers using different volumes of water.

How to Implement the Partial Restructure Model Rates

In the following, I summarize most things you would need to do to get set on this course of rates:

- 1. You must solve the current City Charter restriction on rate increases to pursue these rates. If you can do that...
- 2. Table B lists the rates and fees derived from the Model. I call this set of adjustments the "initial rate adjustment."

Table B: Rates From the Partial Restructure Model

Table B: Minimum and Unit Charges; and No Usage Allowance, Calculated by the Cape Girardeau, MO, Water Rates Model 2024- 14, Partial Restructure			
		• •	er <u>100</u> Cu. Ft. for These Ranges
Rate Class, Meter Size in Inches	Monthly Minimum Charge	0 - 5,999 Cu. Ft.	6,000 Cu. Ft. or More
Res, 5/8 Inch	\$17.45	\$3.9613	\$3.9613
Res, 3/4 Inch	\$20.15	\$3.96	\$3.96
Res, 1 Inch	\$27.19	\$3.96	\$3.96
Res, 1.5 Inch	\$50.89	\$3.96	\$3.96
Res, 2 Inch	\$68.51	\$3.96	\$3.96
Res, 3 Inch	\$128.34	\$3.96	\$3.96
Com, 5/8 Inch	\$17.45	\$3.96	\$3.0518
Com, 3/4 Inch	\$20.15	\$3.96	\$3.05
Com, 1 Inch	\$27.19	\$3.96	\$3.05
Com, 1.5 Inch	\$50.89	\$3.96	\$3.05
Com, 2 Inch	\$68.51	\$3.96	\$3.05
Com, 3 Inch	\$128.34	\$3.96	\$3.05
Com, 4 Inch	\$211.94	\$3.96	\$3.05
Com, 6 Inch	\$442.81	\$3.96	\$3.05
Hydrant Meter - RC1110	\$128.34	\$3.96	\$3.05
Government - RC1115	\$0.00	\$0.00	\$0.00
Fire Line 4 Inch - RC5000	\$17.42	N.A.	N.A.
Fire Line 6 Inch - RC5005	\$34.90	N.A.	N.A.
Fire Line 8 Inch - RC5010	\$52.42	N.A.	N.A.

3. The calculations assumed you would have made the initial rate adjustments early enough to begin charging at the new rates starting with the bills that will be payable on or about July 1, 2024. Of course, that will not happen, so make the adjustments as soon as you can. Also, you will need to satisfy all Statutory requirements for making rate adjustments in advance of billing at the adjusted rates.

4. Inflationary increases should start the year following the initial adjustments. I assumed you will need to raise all minimum and unit charges by 5.0 percent that year and every following year, too.

Closing

If you adopt these rates and fees, and if future costs, growth, and other assumptions come to pass, you will build prudent reserves and fully fund the utility for years to come. Those rates will bill customers more fairly for the service they use than the current rate structure. Of course, keep in mind that your future capital improvement costs are going to increase. Future analysis would be useful as a planning tool for those improvements as they come into focus.

This combination of initial adjustments will result in an overall increase in water revenues needed to fund the improvements in your capital improvements plan.

Conclusion

"Conclusion" is a misnomer here. This report provides information to help the City make decisions. Thus, it begins the process by which you will initially adjust rates and fees and take other actions. I will continue to help you as you do that, so always feel free to call me to discuss any concerns you have as the years pass. Having the Model available to track your progress and determine the effect of condition changes later, I should be able to test changes easily and advise you quickly.

As time passes you will need to adjust rates incrementally as modeled in this report and as described in more detail in my book. Eventually, you will start this cycle over.

As you take on the initial adjustments, keep the following in mind.

- Everyone impacted by the City's water rates should at least be made aware of the results of this report.
- My default recommendation is to give any customer as much information as they want. If they want a copy of the full report, give them that.
- Give the media a copy of the full report so they can quote the report directly and accurately rather than be forced to "figure things out." Much of this is complex. Few people know how to, or have the time to, calculate utility rates. Make it easy for everyone to get the facts right.
- For most customers, what would happen to their bills is as much as they will care to know about this analysis. To satisfy those information needs, the City can publicize the current and modeled rates and/or the bill comparisons.
- A few customers will want to know more, especially high-volume customers. Give them the full report if that is what they want.
- A good way to accomplish these things is to post the report on the City's Web site, Facebook page or other social media, so everyone can see for themselves what the report says. Publicize the posting widely and publicly. Information is a good thing. *Being seen* as trying hard to get information out to folks is also a good thing.

You engaged me to pay a visit to the Council and I did that a few weeks ago. I could visit again, if you think that will be productive. But it seems City staff are quite capable of presenting this report and answering most questions. My conclusions and recommendations are laid out clearly in this report, so I suspect the main things that need to be resolved are best done by City staff.

Still, call on me whenever it seems useful because I want to see you reach the rate setting goal line – fairly structured and completely adequate rates.

Appendix A: Rate Analysis Methodology and Related Issues

This appendix covers many issues related to rate analysis and rate setting generally, and specifically to how I do rate analysis. But first, I thank governing bodies for the valuable service they give to us.

The Governing Body's Job is Broad and Critical

The report covered my findings. Based on those findings, I made rate and fee setting recommendations. I may have offered some options, too. However, and this is important, <u>my</u> job is only to advise. The governing body's job is to set rates, among many other things.

Utility management requires the governing body to consider rates-related issues:

- How would the recommended rate structure and overall level of the rates affect ratepayers and funding of system needs?
- How different is the recommended structure compared to the current rate structure, meaning, how much "rate shock" would the recommended rates create for some customers?
- How might the governing body prudently reduce system costs, delay capital improvements, obtain grant or other outside funding for improvements and do many other things to reduce the need for additional revenue?
- And even if rate increases are not a problem, how might the utility be managed differently to reduce costs and be more efficient?

Those are just a few issues related to rate setting the governing body must consider. The job of the governing body is a big one, covering much more than rate setting. The members of the governing body have intimate knowledge of "conditions on the ground," community needs and ratepayer feelings. I only got a glimpse of such things. As the governing body considers those, and many other things, it will decide how to set rates and fees. My analyses and recommendations should be helpful as they do that, but my charge is only to advise, not direct.

All ratepayers and utility customers should be thankful that people from the community stepped forward and joined the governing body to do that critical work. Without such civic-minded people making utility services function well, quite literally, community-based living would not be possible. It is common for some citizens these days to not believe officials and even work against "government" at all levels. That is unfortunate because local government officials make it possible for the rest of us to live and work where we do.

To the governing body members, I say a heartfelt, "thank you." I feel privileged to advise you and I trust you to seek the best overall outcome for your citizens and utility customers.

Now, on to issues that related more narrowly to rate analysis and rate setting.

Rate Setting Resources Beyond This Report

Over the years, I have found that several topics are common to many utilities. Others can be important to a utility at certain times in their development. Rather than cover such issues here, I cover them in separate guides and a rate setting book, all available for FREE download at https://gettinggreatrates.com/Freebies. Following is a listing and descriptions of a few those guides and resources:

- 1. How to Get Great Rates[©] (e-book) The book focuses on basic rate setting issues. It is most applicable to smaller, simpler systems.
- 2. Rate Setting Best Practices Guide[©] This guide expands upon the book to cover affordability, sustainability, bill assistance programs, meter size-based system development fees and minimum charges, how to acquire rate analysis services, and more.
- 3. Rate Setting Issues Guide© is just that.
- 4. Replacement Scheduler[©] is a spreadsheet application that enables users to build their own equipment repair and replacement schedule, which calculates the annuity (savings amount) needed to fund all items in the schedule.
- 5. CIP Planner[©] is a similar spreadsheet application for capital improvements planning.

The two spreadsheets were extracted from my rate analysis model template and made a bit more user-friendly for do-it-yourselfers. I encourage my rate analysis clients to use these two sheets so they can make repair and replacement and capital improvement plans more formal, more forward looking and less reactive. Plus, the sheets make data gathering easy for clients and me.

There are other guides and resources on this site. All are FREE, so check them out.

Recommendations for Policy and General Issues

Many of the following things you probably are already aware of or are already doing, but they are worth repeating. A comprehensive list of rate setting best practices is presented in the "Rate Setting Best Practices Guide," cited above.

Whether your entity is a city, town, district, or utility authority, you can use the following as a checklist of "to-do" tasks for rate setting and rate analysis. If a reference you see in the following does not quite fit your situation, consider how you can apply the information to your special situation:

1. It is easy to export data from a robust, user-friendly billing program. Your staff gathered volume usage data from that program for my analysis work. For you to examine payment history and problems, usage trends, new connection trends, the effects of usage allowances and other rate structures on revenue generation, and many other issues, you must have a billing program that is user-friendly and robust. If your current billing

program is not as usable as you would like, I recommend you acquire a program that is. A good first contact to research billing programs is your state rural water association.

- 2. You should charge for the various services staff perform for customers and others. These include various services you provide in the field, such as after-hours service, meter disconnects and reconnects, special meter readings, etc. Just driving to a customer's site takes a minimum amount of time. That is time the staff person cannot perform other duties. To assess appropriate fees:
 - a. You should periodically determine how long it takes to drive to and back from the average site and to perform each service.
 - b. Determine how much it costs the utility per hour, on average, to have staff perform these services. Include staff wages, benefits, taxes, use of utility vehicles, tools, and minor equipment, etc.
 - c. Include a fair amount to cover the time that office staff devotes to working on these services to track them, bill for them, etc.

In almost all cases, these estimated costs should be recovered with fees for the various services. In addition, set a minimum that you will charge for showing up. In that minimum fee, grant a certain amount of time spent on-site, such as 10 minutes for a special meter reading or 30 minutes for a meter change-out.

In essence, set your fees in the same way plumbers and similar technicians do – a set fee for showing up, which buys the customer a set amount of time, and an hourly rate if the job takes longer than the show up charge will cover.

While accounting for time and other investments in the various services staff perform is important, do not make the costing tracking process burdensome. For many services you likely can just estimate staff time occasionally and charge fees based upon those estimates.

- 3. Retain required funds in interest bearing debt service and debt reserve accounts when required by your lender(s).
- 4. Have me or another rate analyst of your choosing conduct a full rate analysis again when the *actual* financial performance and my *projection of future* performance diverge enough to make a new analysis worthwhile. Conditions should dictate rate analysis timing. Most utilities benefit from rate analysis on about a five-year cycle or when total costs have risen by 20 percent. But if you are planning to do significant capital improvements that were not previously included in the rate modeling, or when actual improvement costs or funding plans have changed significantly compared to those that were modeled, those factors call for a new rate analysis as soon as you can get it done.

- 5. Fully adopt management strategies that are included in what is commonly called, "advanced asset management." These strategies can yield better service and reduced costs for a utility, especially those looking to build new facilities or replace existing facilities soon. At a basic level, you can use my free spreadsheet tools called, "CIP Planner©" and "ReplacementScheduler©" to do capital improvement and equipment repair and replacement scheduling, costing, and annuity calculations. These functions are at the core of asset management and may be all, or nearly all the "asset management" a small, simple system needs to do. Download these tools and others from <u>https://gettinggreatrates.com/Freebies</u>.
- 6. As a reminder, check with your attorney for language and legality of all issues discussed in this report.

Cost-based Rate Calculations

To give you a synopsis of rate analysis, as I do it, and to make it easier for you to read and understand my findings and recommendations, a tutorial on my methodology is in order. Most situations are simple enough that I do not need to use all these methods, but it will serve you well to know the breadth of my methodology.

When I analyze rates for a government-owned water-based utility, and other utilities that are empowered to assess cost-of-service rates, I use the cost-needs approach. The approach is exhaustively described in the American Water Works Association's "M1 Manual, Principles of Water Rates, Fees and Charges," Seventh Edition. This manual, in use since the 1960s and periodically updated, is considered by many to be the "Bible" of water rate setting best practices.

While the manual focuses on water rate setting and uses terms, units of measure and other things specific to water, the principles and approaches work just as well for electric, sewer, stormwater, trash collection and other utilities and services that are paid for with rates and fees. One just needs to use the appropriate units of measure and a few conventions common to the other types of utilities and services when applying these principles to them.

The cost-needs approach is a static (one year) rate calculation. One could do a new rate study every year to arrive at the rates to assess each year, spread over many years. But that is a lot of work or expense with very little practical benefit to be gained.

Important Terms

The cost-needs approach results in rates that are called, "cost-to-serve" or "cost-ofservice" rates. Simply stated, the costs for a targeted budgeting period, usually a year during the next five years, are classified as "fixed," "variable," "capacity-to-serve," or some combination of the three.

- Fixed costs are converted to a base minimum charge.
- Variable costs are converted to a unit charge.
- Capacity costs are converted to some combination of system development fees and surcharges to the base minimum charge.

A typical rate study considers the rates needed to fund one year, usually the coming fiscal year. Utilities need to plan farther into the future than that, so I calculate rates for ten years into the future, hence, the more accurate term of rate "analysis" rather than a rate "study." Most utilities are better served by getting a rate analysis when rate restructuring may be in order or when rates will need to go up markedly. During the years in between rate analyses, it is simple and convenient to just raise all significant rates and fees by an across-the-board percentage, which should have been specified by the analyst. Such increases may be aimed at keeping up with inflation. Or they may be designed to achieve other goals. In whatever way these increases are to be done, they were planned for in the analysis and described in the foregoing report.

To guide utilities to do future increases well, I expand the cost-needs approach by projecting costs, revenues, rates, and other criteria ten years into the future. That gives each utility a "road map" of what they can expect in the future, so they can reset rates appropriately.

Because I intend for utilities to reset rates on their own for some years into the future, and I want those rates to be "fair enough" to serve them well, I calculate the initially restructured rates so that they take future across-the-board increases into account. This is how it works.

Based on my calculations, the initially adjusted rates will be closer to a "cost-to-serve" structure than the current rates. And as across-the-board increases are applied, rates will move even closer to a cost-to-serve structure until the year used for cost classification has arrived, which normally is four to five years in the future. After that, additional across-the-board increases will move the rate structure further away from cost-toserve. Eventually, a new rate analysis should be done to make the structure fair again. For most moderate sized utilities, that is about five years into the future. For most smaller utilities, that may be eight or more years away.

To arrive at cost-to-serve rates in a future year, I must choose an appropriate year for cost classification.

- The best year may be the first year after a big capital improvement is planned to be finished because the debt service for that improvement probably will have already started.
- Or, if costs are expected to inflate uniformly, the best year may simply be five

Rate Analysis, in a Nutshell

At its simplest, rate analysis helps a utility arrive at rates and fees that are adequate – they will pay all the utility's costs. The next level of complexity is to arrive at rates that, on an average cost basis, will enable the utility to recover fixed and variable costs "fairly." Most small water and sewer utilities need analysis only to this level of complexity – doing more than that results in rates that are impractical for small systems.

Another level of complexity includes calculation of meter size-based minimum surcharges and system development (connection) fees. Another includes calculation of rates on a "marginal" cost basis, for special groups of customers. Yet another level is marginal cost basis calculation of rates for individual customers, such as a wholesale customer. These facets of analysis result in accurate but complex rate structures; appropriate for the larger utility with diverse customers.

Analysis can and should provide a sound basis for advising the utility to "go or don't go" concerning various actions it might take. Some of these actions are purely financial. Some, like the decision to enter into, or not enter into, a wholesale supply agreement, for example, include "hassle factor" and other non-financial issues. And because such are agreements are made for nearly forever, a mistake made in the beginning can hamstring a utility for years or decades to come. Regardless of system size, thorough analysis should always be before entering into such done agreements.

years in the future, the year in which most utilities should consider having a new rate analysis done anyway.

There are some basic steps to arrive at cost-to-serve rates. Calling these "steps" implies that I do one and then move on to the next. In practice, most steps are affected by, and affect, what happens in other steps. Therefore, they are all done in concert with the others.

That said, here are the basic steps:

 Cost Classification: Operating costs are placed into different categories – fixed, variable, peak flow capacity, and sometimes others. I classify costs projected for a year in the future, usually within five years of the present. And I use a year that appears to be typical of what the utility can expect in the future.

For all utility types, operating cost classification is done in Table 8 of the model(s) that will follow in this report. The core notion of cost-to-serve rates is this: The basic minimum charge assessed to all customers should recover the sum of all fixed costs; and the average unit charge should recover the sum of all variable costs.

System capacity costs can, and usually should be recovered on a cost basis, too. That is a bit complicated and will be covered shortly.

Back to recovery of operating costs, near the bottom of Table 8 in the foregoing report, you will see the "Average Fixed Cost/User/Month" and the "Average Variable Cost to Produce/1,000 gallons (or other units)." These are the basic minimum charge and the average unit charge based on the costs expected in that future year. The same model template is used for calculating rates for the various utility types. The main difference for those analyses is the measurement method for unit charges.

An aside, but an important one in my mind, is this. The M1 Manual describes how to calculate cost-to-serve rates down to the customer <u>class</u> level. If a rate analyst classifies costs to that level and the utility sets rates that achieve that result, it can correctly be said that the utility has cost-to-serve rates. Those rates will be fairly structured, but only at the customer <u>class</u> level.

I classify costs to the <u>customer</u> level. Thus, rates that I calculate are cost-to-serve to the <u>customer</u> level. My reasoning for doing this is, rate structure fairness if felt at the customer level, not at the customer class level. <u>Customers</u> pay utility bills. Classes do not.

- 2. Capacity costs: In the ideal, capacity costs should be assessed on a cost-to-be-<u>able</u>-toserve basis, but these costs are a long-term proposition. No one knows at present what the cost of capacity is because those costs unfold over decades. Thus, the dollar cost of capacity can only be estimated, but that is not a problem. The key is, whatever one estimates capacity will cost, or whatever portion of capacity a utility desires to recover with capacity charges, that cost should be divvied out to new connections and current customers on a fair basis. The following goes to that goal.
 - The American Water Works Association has done excellent research on the sustainable peak flow capacity of different water meter sizes and types, so I generally use the flow capacity of each meter size and type as the basis for divvying water and sewer peak flow capacity costs. That math is lengthy, so

it is spread out over Tables 11 through 16 of the model(s) in the report. The notion of capacity applies to all utility services, so:

- When I calculate water and sewer rates where meters are used, I use meter flow capacity as the capacity share criterion.
- When I calculate electric rates, I use what is commonly called the "demand" exerted on the wholesale power supplier. If the client produces its own power, I use the demand measured by the client's metering system.
- When I calculate sanitation (trash collection) rates, I use the cubic foot capacity of the various bin and dumpster sizes times the number of pickups per month of each as the capacity criterion. Thus, for trash collection services except for the rare ones that actually weigh trash as it is collected, the capacity of bins times the pickup frequency becomes a component of the unit charge for each customer.
- Stormwater capacity is like trash collection in that impervious surface area is the usual capacity, and unit charge criterion. Square footage or the equivalent of impervious surface area appears in the rates as the unit charge analogue.
- 3. Future cost projections: I project costs ten years into the future. Generally, this is done by applying an expected inflationary factor to each cost. But it is also common that some costs, like the cost of debt service needed to build a new treatment plant in

two years, will change future costs markedly. Such cost changes are estimated, then entered into the model in the year in which they are expected to occur. Some expenses, like postage, treatment chemicals and electricity for production, treatment, and distribution, rise with inflation plus growth in the customer base and use. Those are increased in future years by inflation <u>and</u> growth.

4. Reserves: Reserve goals are set through the tenth year. Those goals will only be met if (primarily) rates are set high enough and/or (secondarily) grants and subsidized loans are large enough to enable the utility to generate net revenues over the modeling period. The amount or percentages and types of reserves are dependent upon each utility's needs, so that is discussed in the foregoing report.

For the techie reader, the analysis model we use – a Microsoft Excel spreadsheet application we call, "CBGreatRates" – is usually 3.8 mega-bites in size. Each rate analysis includes one of these sheets.

For a 1,000-connection utility, for example, we use another spreadsheet, 12.1 megabites in size, to sort and calculate customer volume use. We use one of these sheets for each rate class. There are usually five or so for the simplest rates. Each of these sheets is linked to the client's usage data file, usually a few mega-bites in size, for importing usage data. Thus, an analysis for a 1,000 connection utility totals 65 or so mega-bites in size.

For some of our larger client utilities with more rate classes and more customers, total size of all the linked spreadsheets runs over 250 mega-bites. We run computers with lots of RAM and memory but some of the calculations for a larger utility can take around 60 minutes to run. When usage data sheet runtimes get long, we usually switch to a database format application to speed up the heavy number crunching.

- 5. Calculate rates: The full suite of rates needed to fully fund the utility and do it fairly is a dynamic set of calculations, too complex to completely explain here. And each situation requires variations on this theme. I will leave out some details, so this is the "Cliff's Notes" version of rate calculation:
 - Capacity cost recovery is calculated first. Likewise, penalties collected, and other non-user charge fee incomes are calculated. These revenues are deducted from the total revenue needed to arrive at the revenues needed from user charge fees.
 - Next, the across-the-board future rate increase rate (a percentage) is set. In the future, starting about one year after the initial rate adjustments have been done, rates will increase annually by this percentage. The revenue needed from the initial rate adjustments, here called the "net revenue need," will come from the revenues generated by the initial rate adjustments. (In truth, future inflationary revenue increases, plus interest earnings on balances accrued are dependent upon the rates that are initially set, so most "precalculated" revenue streams are adjusted dynamically as initial rate revenues rise or fall.)
 - The calculated bases for fixed costs and variable costs (Table 8) establish a ratio of the revenues that each rate component would generate in a cost-to-serve structure.
 - To increase (or very rarely decrease) overall revenues to satisfy the net revenue need, each revenue stream is increased or decreased by the same percentage. Thus, the revenue streams remain in the same ratio to each other. That means they retain their cost-to-serve proportions.
 - Once the overall revenue increase (or decrease) is established:
 - The base minimum charge is "back calculated" from the adjusted minimum charge revenue amount. (Every customer, regardless of their meter size, pays the base minimum charge.) The meter sizebased surcharge, for water and sewer systems, is added to the base minimum charge to arrive at the full minimum charge for each meter size. (Similar math is done for other utility types.)
 - The average unit charge is calculated from the unit charge revenue amount. If inclining or declining rates are to be assessed, or if there is to be a usage allowance, unit charge revenues are calculated dynamically based on those variations.

- The resulting rates are the starting user charge rates the initial adjusted rates – what you will (hopefully) adopt initially. In later years, you will increase these starter rates and fees across-the-board by the inflationary factor, generally to keep them tracking with rising costs.
- After examining balances projected for future years, the future inflationary increase rate may be raised or lowered to enable the utility to accrue appropriate balances either sooner or later. That, of course, will result in initial rate adjustments that would need to be either lower or higher, respectively, to offset the change to the future adjustments rate.
- Finally, it is common for managers and decision-makers of utilities to want to "tweak" rates into a different structure, timing of adjustment or in other ways. Having built the model to handle "on-the-fly" adjustments, I model their preferences to arrive at the rates needed to fund the utility as they desire.
- 6. Reporting out: The culmination of all this data gathering, calculations and more ends up in a rate analysis report like the report this appendix is attached to. The report covers everything that seems to be important and gives the client my recommendations and guidance on how to adjust rates now, and in the future.

If desired by the client, I present the report, my findings and recommendations, and answer questions, usually at a Council or Council meeting. Before COVID-19 that was always done in person or rarely by phone call into their Board or Council meeting. During COVID-19, that was almost always done by remote video. After COVID-19, these meetings are being done either way, as the client desires. Many of my client systems are small and their management had not yet adopted on-line meetings. COVID has changed that. Many of my "meetings" now are done on-line, even with very small utilities. Cutting out my travel saves them a lot.

Cost-to-serve rates are considered by many, including me, to be the most mathematically fair and defensible rate structure. While I previously described how I do such calculations, I will now tell you what I consider to be "fixed" costs, "variable" costs and "capacity-to-serve" costs:

- *Fixed operating costs are those that are related to the fact that you have customers.* For every customer, the utility incurs one increment of this type of cost. Billing is the simplest, purest example of a fixed cost. Whether a customer uses a lot of the commodity or none, it (almost always) takes the same work, equipment, software and more to calculate their bill, "send it out" and collect the money.
 - Another part of the minimum charge will likely be a surcharge intended to recover all or part of peak flow or unusual capacity costs. These are almost always based upon water meter size because the larger a meter is, the greater

is its capacity to sustainably pass peak flows. This peak flow capacity relates well to the cost of building infrastructure "big enough" to handle peak flows. Thus, *capacity costs are related to the fact that a particular customer has a certain capacity to demand flow or service, regardless of how much flow or service they actually use.* These surcharges are added to the base minimum charge to arrive at the full minimum charge for each meter size.

- Larger systems invariably have more large meter customers and that makes surcharging the larger meters worthwhile and fair.
- However, small systems with few "unusual" customers and few meters larger than one inch often find it expedient to consider even peak flow capacity cost to be a fixed cost, equally sharable by all customers. At some point, there is more to be gained from administration simplicity than exact rate structure fairness.
- **Unit charges are related to the volume of service received.** While unit charges can be structured in various ways, the revenues they generate should be adequate to pay those costs that are related to the flow that customers use.

There are three unit charge structures that I commonly recommend, depending on the situation:

• Some systems need "conservation rates," or, their administrations simply like the notion of encouraging customers to use less of the utility's services. In this rate

If you are going to err either on the side of complex rates that precisely assess costs to each customer or simpler rates that round off some of the accuracy corners but are easier to administer, choose simple rates. structure, the unit charge goes up as volume used goes up. Most of us respond to, or at least we think twice about it, when we are assessed a higher price to buy more of something. Conservation rates are most appropriate in areas with limited water supplies or in a utility that is bumping up against its capacity to produce water.

• Most systems use, and should use, level unit charges – a unit charge that is the same regardless of how much volume a customer uses. With level unit charges, customers are assessed unit charges on an average unit cost basis. Such rates are the easiest to calculate, they are the easiest for a clerk to explain to a complaining customer on the phone and the revenues such rates will produce next year are the easiest to accurately predict. Most water utilities, and almost all sewer utilities assess level unit charges.

• The last major unit charge structure is called, "declining" rates. These are the reverse of conservation rates. I often call them, "use encouragement" rates. It is popular these days for many to belittle those who do not conserve resources at every opportunity. Declining rates are often scorned for that reason. However, if a system has an ample water supply and ample infrastructure to produce and distribute it, doing so will not cause unintended bad (mostly environmental) consequences; and if the governing body wants to encourage high use (which often entails such users hiring more or better paid workers), declining rates can make good sense. Declining rates are most appropriate in areas that have many high-volume industrial users or folks in that area want to attract such users. Declining rates seem to be most common in the industrial east, but they seem to be less popular everywhere these days. However, keep this in mind. One can accurately calculate the average unit charge and "prove up" that rate case. One cannot do the same with inclining or declining rates.

To complicate the aforesaid just a bit, rate setting is first about recovering costs. Job one of utility rates is to pay the utility's costs. But usually, proper rate setting is also about building adequate reserves; funding a capital improvements program (CIP); catching up on needed equipment repair and replacement (R&R); and covering similar needs. Thus, these soon-to-be-experienced costs or likely-to-be-experienced costs need to be factored into rates and fees, as well. Because time marches on and costs usually inflate over time, rate setting should account for the need for future incremental increases to cover inflation. And you cannot just assume that because the utility needs more revenue that your ratepayers will be glad to pay higher rates. Rate affordability, and the public's perception of affordability, must be addressed, too.

Even the simplest rates situation requires some complex and integrated calculations to account for these factors. For that reason, I build a spreadsheet for each analysis that depicts, in virtual reality, the utility's real-life financial and rates situation.

These models are dynamic. When the initial rate increase is set higher, future inflationary increases can be lower. When minimum charges are set lower, unit or other charges need to be set higher to make up the shortfall. When future expenses need to be higher, or lower, or of a different nature, the Model adjusts rates and fees accordingly. Such modeling enables me to do dynamic "what-if" scenario calculations. That enables me to arrive quickly at the "best fit" rates for each utility. Usually but not always, the client goes with what I recommended.

Coincidentally, such a dynamic model makes it easy to calculate rate and other changes over the next two or three years, too. If a change does not affect the cost structure drastically, I can do the same for almost any cost or rate change. If one, two or three years from now, you discover your costs or incomes will be different from what you and I had assumed, you can call me up, tell me what is different, I will enter the changes into the model(s) and re-run the rates. If the change is small and quick to model, I do that for no charge. If it is more complex and will take some time and usually a written report, I do those projects on an hourly basis. Fees for those usually come in at \$500 – \$1,000. Some clients find that to be a very accurate and cost-effective way to maintain good rates.

Truth be told, I have been building my template model since 2005. It is the starting place for all my analyses. The template is so robust that I can set a few "switches" here and there, build in a few things that are unique to a new client's situation and soon, I am modeling rates tailored to their needs.

Two final thoughts on the rate modeling and adjustment topic:

• Almost always, rate adjustments include bill increases. Thus, time is money, often big money, to the utility. A rate increase delayed is a rate increase that must be even higher to reach the same reserve target. Get to know this report well but do not spend months mulling it over. Time will not make your rate setting task easier. Proceed deliberately but quickly and make the needed changes. If you cannot make all the needed changes at the same time, make

Temptation Happens

I could build a static model that arrived at what I thought was the best rates outcome for a client. If the client asked for something different, I would be tempted to tell the client that, "In my experience, blah blah, blah, that would not be a good thing to do." Based on my experience, I probably would be right, but that tack would be self-serving – it would save me work.

- Half the reason I build dynamic models is to be able to show the client the outcome of what they asked for and that usually proves up the case for what I originally recommended.
- The other half reason is, when I model what the client asked for, I sometimes find that indeed, it is doable and may even be superior to the solution I assumed was best.

Assumptions based upon deep experience are useful. But facts and good math are a great training experience for a rate analyst.

those that you can as soon as you can. Then, get around to the rest as soon as you can.

- You will get complaints about customers' bills going up. I do not want to be dismissive, but in my experience, most of the time, when the math is laid out for all to see, most people are understanding. Cost-to-serve rate analysis does not arrive at unfair rates. It arrives at fair rates. Who doesn't want fair rates? Well, those who are paying cheaper than fair rates. If they can convince those who are subsidizing them to keep subsidizing them, even those the analysis shows that is not fair, more power to them. But generally, cost-to-serve rates win the day.
 - These statements do not mean "do-it-yourself" rate adjustments are always unfair or insufficient, or that "rate analyst" calculated rate adjustments always are fair and sufficient. I always try to calculate and advocate for rates that are fairly structured. But over time, costs and other conditions change, so even cost-to-serve rates I have calculated will become unfair after some years.
 - A good blend of fair rates and a low cost to achieve them is this. You get a rate analysis done occasionally and adjust accordingly. For a few years after that, do-it-yourself across-the-board increases will keep revenues tracking with inflation. Eventually, you analyze again.

Please keep the above summary of cost-based rate calculations in mind as you read on.

Principles

I use several guiding principles when I help systems set their utility rates, fees, and policies. I considered these principles as I prepared the foregoing rate analysis report and the model(s) that follow:

- 1. Water, sewer, and all other utilities are businesses, regardless of who owns them. The first order of business is, stay in business. Your customers want you to do that. They do not want their investments in homes and businesses to be left high and dry without utility services to support them.
- 2. The second order of business is, perform in a business-like manner. First, be effective. If you do nothing else, be effective. Next, be as efficient as is reasonably possible. Efficiency tends to foster lower rates, which ratepayers like. Effectiveness and efficiency fight against each other. In most utility services and situations, effectiveness trumps efficiency. It does not benefit water customers if you pump lots of water cheaply if that water will make them sick, or if too much of it leaks out of holes in the pipe. Customers also gain more benefit from water rates that are a bit higher than they would like, but those extra funds enable the utility to be sustainable.
- 3. If a service costs the utility money, the utility should recover that cost from the most logical "person" if that makes good business and community administration sense. For example, generally "growth should pay for growth." Developers should fairly pay for their consumption of utility capacity obligated to what they build by paying commensurate system development fees. Likewise, service users should pay for what they use. Each class of users should pay their fair share of service costs. Ideally, each individual user should do that, too.
- 4. It sometimes contradicts point number 3 above, but if adjusting a rate, fee or policy will turn currently "good" customers into "bad" customers, or discourage development that the community desires, you should consider the necessity of making the change carefully before doing it. For example, while it may be

As you consider rate adjustments, always keep this customer in mind:

The "little old lady, widowed, retired, living alone on Social Security." Treat her badly, or just be seen as treating her badly, and you lose the goodwill contest. Lose goodwill and you may never get it back.

warranted, raising the minimum charge markedly to your residential customers may make it very difficult for fixed, low-income customers to pay their utility bill. That may cause more of them to pay late or not pay at all. That may trigger the utility's attorney to write collection letters to those customers and eventually require shutoff of service. Thus, in the attempt to generate more net revenue by raising rates, net revenues may go down due to non-payment and payment collection costs. Likewise, stifling development with uncompetitive system development fees costs a utility in the form of additional paying customers that choose to "build down the road." That forces existing customers to pay all the costs of the utility rather than sharing them with new customers.

- 5. While cost-based rates are the most demonstrably fair rate structure, purely cost-to-serve rates can be impractical for some utilities. Consider this:
 - a. A large city has thousands of customers served by a wide range of meter sizes and those customers have a wide range of service use. That city needs rates that are cost-based and, necessarily, those rates will be complicated. Such rate complexity is worthwhile because the utility's situation is complicated.
 - b. In contrast, a small town serves few customer. Those customers usually have only a few meter sizes and few of them use high volumes of service. That town would not be well-served by complicated rates. Simpler rates are better for them.

However, both should still get a cost-to-serve rate analysis at least occasionally, so even if they adopt something else, they will know what you are giving up.

That is probably more than you care to know about rate analysis but if I did not answer all your questions, just give me a call, or drop me an e-mail.

Cape Girardeau, MO, Water Rates Model 2024-14, Partial Restructure

This model assumes rates will be restructured somewhat to be closer to a costto-serve structure. It assumes all capital improvement costs will be paid with cash, no loans, and the rate increase restriction in the City Charter will be resolved to temporarily enable a higher overall rate increase.

> June 28, 2024 This rate analysis model was produced by Carl E. Brown, GettingGreatRates.com 1014 Carousel Drive, Jefferson City, Missouri 65101 (573) 619-3411 https://gettinggreatrates.com <u>carl1@gettinggreatrates.com</u>

Note: This document is a print out of the spreadsheet model used to calculate new user charge and other rates and fees for the next 10 years. These calculations are complex and are based upon many conditions and assumptions. These issues, and others, are described in a narrative report that accompanies this model.

CBGreatRates© Version 8.2

Definitions

Affordability Index	The monthly charge for (typically) 5,000 gallons of residential service divided by the median monthly household income for the area served by the system. An index of 1.0, meaning a household pays one percent of its income to pay its bill for 5,000 gallons of service, is generally considered affordable. Affordability index is often a factor in determining grant and loan eligibility and grant amount.
Analysis Year	The year following the "test year." Generally, rate analysis is done during the year following the "test year" and intial rate adjustments are done later still during the analysis year or sometime during the following year once the analysis shows how rates should be adjusted. See related "test year."
Capacity Cost (also see System Development Charge)	The cost incurred to design and build the infrastructure needed to provide a utility service. As the infrastructure ages and wears out from use, it must be refurbished and replaced, which is a continual capacity cost. Capacity costs are recovered in various ways - connection fees, system development fees, regular user charges and others. The cost of that capacity and the nature of the costs - base flow capacity versus peak flow capacity - should determine the way these costs are recovered.
Capital Improvement Plan or Program (CIP)	A schedule of anticipated capital improvements. These are the more expensive items such as treatment plants, lines and other expensive infrastructure that generally requires bond or grant funding.
Capital Improvement Reserves	Cash reserves dedicated to funding the CIP
Comprehensive Rate Analysis	A thorough examination of a system's operating, capital improvement, equipment replacement and other costs, revenues, current rates, number of users and their use of the system, growth rates and all other key issues surrounding the system. This examination will determine how rates and fees should be set in the future to cash-flow the system properly, to build appropriate reserves and to be fair to ratepayers. It also will determine how policies should be adjusted to enable the system to operate well now, operate well in the medium-range future (about 10 years) and prepare for expected and expectable events such as capital improvements and equipment replacement.
Connection Charge	See system development fee
Conservation (Inclining) Rates	Unit charges that go up as the volume used goes up
Cost-to-produce	There are several ways to define and calculate cost-to-produce. Each is acceptable for different purposes. Generally, cost-to-produce is the total of all variable costs required to get service to a utility's customers during one year divided by the total units of service delivered during that year. This calculation will yield the <u>average</u> cost-to-produce. In a proportional to use rate structure, this is the unit charge. See "Cost Calculations" at the bottom of Table 19.
Cost-to-serve, or Cost-of- service Rates	Rates where, at the customer class level, fixed and variable costs caused by each customer class are paid by that class primarily with minimum and unit charges, respectively. However, this analysis model takes it one step further and calculates cost-to-serve rates at the individual customer level.
Cost Types; Fixed and Variable	The two main types of costs are fixed - those that are related to the fact that someone is a customer; and variable - those that are related to the volume of the commodity delivered to customers. Generally, fixed costs should be recovered with minimum charges and variable costs with unit charges.
Coverage Ratio (CR)	Incomes available to pay debt divided by the amount of the debt for that year. A CR of 1.0 is "break-even." Most systems should have a CR greater than 1.25.
Current Position	For purposes of this report, for one year, the sum of all incomes and undedicated reserves minus all current financial obligations for that year. Future obligations (next year's loan payments) and depreciation are not included. Current position, often called "cash and cash equivalents," is a good measure of liquidity.
Declining Rates	Rates where unit charges go down as the volume used goes up
Fire Sprinkler Systems and Related Costs	Generally, fire suppression in businesses is provided by a built-in system of fire sprinklers. "Service" to such systems is primarily in the form of peak flow capacity availability to fight a fire. Capacity costs money, so larger, more sophisticated water systems should assess at least part of such costs to fire suppression systems. Small water systems usually do not charge separately for these costs, and that is reasonable.
Fixed Cost	Accounting considers a cost that does not change to be a fixed cost. That definition does not work fairly for rate setting purposes. For rate setting, a fixed cost is one that is related to the fact that you have customers. The simplest example is billing, because the utility incurs billing costs not in relation to the volume of service a customer consumes. Rather, those costs are equal for all customers, or they are so close to being equal for all customers that one likely could not justify such a cost being different for one customer compared to other customers.

Definitions

	Deminions
Flat Rates	Rates where all users pay exactly the same fee regardless of the volume of service they use
Equivalent Dwelling Unit (EDU) or Equivalent Residential Unit (ERU)	This definition is for water and sewer service. Based upon number of water using fixtures, average flow, potential flow or similar criteria; the consumption rate of the average single family home is rated at one ERU. All other types of customers are then compared on this basis and multiples or parts of an ERU are assigned to each for billing purposes.
Equivalent Residential Unit (ERU) for Stormwater	This definition is for stormwater. As compared to water and sewer, that are concerned with water flow, one ERU of stormwater service is the average square footage of impervious surface of a single family home. Then, larger and non-residential properties are rated by their multiples or parts of an ERU of impervious surface area for the purpose of billing for stormwater impact costs. When there is a large variation in single family home size and impervious surface area, some cities and similar places use the smaller size range of homes as their ERU standard and assess larger homes at multiples of that ERU basis, as well.
Incremental Rate Increases (Inflationary Increases)	Rate increases done, generally annually, following the initial rate adjustment. The usual goal of such increases is to keep the system's incomes on track with inflation. Such increases are usually small, in the two to five percent per year range.
Initial Rate Adjustments	Rate adjustments done in response to the comprehensive rate analysis. Generally, the goal of such adjustments is to establish rates that cover the system's short-term expected costs and do it with a structure that is fair to ratepayers. Initial adjustments should be followed in subsequent years with incremental rate increases.
Inflow & Infiltration (I&I)	In a sewer system, water that gets into the collection system by way of illicit connections (inflow) such as gutter downspouts, plus leaks in manholes and sewer lines (infiltration)
Infrastructure	Most commonly thought of as the hard assets, such as buildings, treatment plants and lines needed to provide service to customers connected to the system. In reality, staff, software and other "soft" assets should be thought of as infrastructure, as well because the hard assets cannot run well or run for long without staff.
Life-cycle Cost	The total cost to design, build, operate, maintain and eventually dispose of, or decommission, an asset. One asset may cost less to build but it may be more expensive to operate and maintain, yielding a higher total life-cycle cost. Life-cycle cost is an important consideration of asset management.
Marginal Costs	The parts of a utility's costs that are unavoidable in the course of serving a particular customer, a group of customers, more volume to all customers or some other marginal use of the system. Such customer(s) or extra use could be added at a discounted but still profitable fee, if desired. Generally marginal costs are less than the average costs but when extra use requires a system upsizing, they can be greater. These costs are especially useful when considering selling service at wholesale or charging "snow birds" while they are away, for example.
Minimum Charge	This rate, charge or fee goes by other names. "Base charge" and "availability charge" are common. This is the periodic fee paid for having water, sewer or other commodity service made available to the customer to use. Most common is a monthly or quarterly minimum charge. Generally, this charge should recover fixed costs.
Mixed Costs	Fixed and variable costs are defined elsewhere. Costs that are mixed are those that are a blend of fixed and variable. For example, a utility hires staff and provides them benefits partly just to have staff on hand to deal with line breaks, equipment breakdowns and other problems. But most staff time and related costs are incurred because the utility is doing what it was designed to do - provide water or other commodity services to customers. Two gross examples illustrate the extremes of staff costs. In one small water system with one operator, the operator sits around in the shop all day, every day with nothing to do. The cost of that operator is fixed and should be shared by all customers equally in a minimum charge. Another water system has one operator, but that operator works all day, every day operating and maintaining the system. That operator is enabling the system to do what it was designed to do - provide a commodity - so that operator's time and related costs should be considered variable and recoverable through unit charges. In reality, staffing and many other costs are a blend of fixed and variable costs, so they should be consider partly a fixed cost and partly a variable cost.
Operating Costs	Definitions and calculations vary. For rate setting purposes operating costs are costs incurred because a system is operated. Such costs are usually recovered primarily through unit charges.
Operating Reserves or Working Capital	Analogous to current position, this is the net revenues generated during "profitable" years and retained to fund operating costs during times when costs exceed incomes.
Operating Revenues	Revenues collected in the form of user fees and similar operating cost-related fees
Operating Ratio (OR)	Current incomes divided by current expenses, not including debt. An OR of 1.0 is "break even." Most systems should have an OR of 1.25 or higher.
Payback Period	In this case, time required for the investment made to get this analysis done to return that investment through increased user and other fees.

Definitions

Peak Flow Capacity or Demand	The volume of service that a user could demand for a short period of time at full volume use. In water systems, and generally in sewer systems, too, the peak flow capacity limiting factor is usually the size of the customer's meter or service line. In electric systems, demand for each commercial and industrial customer (and sometimes others) is usually calculated annually based upon the peak energy usage during a defined short period.
Proportional to Use Rates	Rates where the minimum charge recovers all fixed costs, the unit charge recovers all variable costs, the unit charge is the same for all volume sold, and there is no usage allowance in the minimum charge. This rate structure is similar to and often the same as cost-to-serve rates.
Replacement Schedule	A timetable that describes equipment replacement and important repairs that are too infrequent and/or too expensive to cover as annual operating costs but not so expensive that they need to be covered as capital improvements.
Replacement Reserves	Cash reserves used to fund the Replacement Schedule
Return on Investment	In this case, the dollar amount or percentage of revenue gain enabled by this rate analysis. Related to payback period.
Snow Bird	A customer, usually residential, that goes away during part of the year. Most commonly, these are people of "means" who live in the north who "fly south" for the winter. But, this category includes everyone who is absent for a significant part of the year but returns to their permanent residence.
Stormwater	Precipitation that falls on and then leaves a site, flows elsewhere, potentially causing or adding to flooding and often carries with it sediment and pollutants.
Stormwater Management	The practice of reducing and mitigating off-site stormwater flows and impacts.
System Development Charge or Fee	Fee assessed to pay for at least part of the cost to build system capacity. For purposes of this model, all charges related to connecting new customers will be "rolled together" into a system development charge, usually including a charge that buys a new customer system capacity. This combined charge may be a few ' hundred dollars for a residential customer, if little or no capacity costs are included. If capacity costs are included, it could be many thousands of dollars for a large industrial customer. Similar terms in common use include "tap-on fee," "connection fee or charge," "hook-up fee," "impact fee," "availability charge," and "capacity charge."
Test Year	The one year period from which data was gathered to be the basis of the rate analysis, the starting place, which is usually the last completed fiscal year. See related "analysis year."
Unit Charge	This rate, charge or fee goes by other names, too. It is the rate paid for water, sewer or other commodity per unit of measurement, like per 1,000 gallons or per 100 cubic feet. Generally, this charge should recover variable costs.
Usage Allowance	The volume, if any, that is "given away" with the minimum charge. Most systems give away no volume. Those that give away an unlimited volume have what are called "flat rates" - a minimum charge only.
User Fee, User Charge, User Rates	Fees assessed to customers for use of the system. This does not include system development charges, late payment penalties or other types of charges.
Variable Cost	Accounting and rate setting agree on this definition. For rate setting, a variable cost is one that rises and falls as the customer uses the commodity. The simplest example is electricity used to treat and move water around. While the power company assesses a minimum charge and demand charges to the water or other utility that is "signed up" for electric service, the majority of the electric bill rises and falls with the volume of water produced by that utility. Therefore, variable costs should be recovered with unit charges.
Water Loss and Unbilled-for Water	Measured by volume or percent, the part of a water system's net water production that does not reach customers or is not billed to customers. This loss also includes billable volume lost due to under-registering customer meters. "Unbilled-for water" includes water loss, but it also includes water actually given away at no charge.
Working Capital, Net Income	The amount left in the operating fund after paying all costs due during that month, year or other time period.
Working Capital Goal or Operating Reserves Goal	The desired operating fund reserve, in dollars or percent, at a stated point in time. Small systems (1,000 connections) generally should target 35 percent or greater. Larger systems can target a lower percentage. The goal for each system should be based upon the needs of that system and the risk the customers are willing to take.

Table and Chart Descriptions

The tables and charts of this model tell a story about the rates and finances of the utility.

The tables you first see in this model depict utility data, like the rates that were being assessed to customers during the test year, the volume of service those customers used, how much income the utility collected, what its costs were, and more. This data came from utility records. In addition, the tables in this model go beyond the utility's historical data and include projections of incomes that will be generated by the new rates, future expenses as they grow with inflation and other forward-looking features.

Tables in the middle part of the model primarily calculate new rates and fees that will generate enough revenue to pay the utility's costs over time.

The tables in the last part of the model show the results of new rates and fees. Those include the rates themselves, surcharges to rates, if appropriate, the affordability of the new rates, and reserves generated by the new rates. Many of these results as shown graphically in charts at the end of the model.

As you progress through the model, keep this story in mind. You probably understand much the math performed by the model. There is some you likely do not recognize, and that is OK. Just know that new, adequate rates were calculated based upon the utility's historical data, projected into the future.

A final note: When a numbered table or chart listed below is not in the package, that was not a mistake. It simply means that table or chart from our master program was not needed in this situation, so it was bypassed and left out.

Now, here are descriptions of the tables and charts.

Name	What Each is or Does
Definitions (List)	The meaning of terms used in this report and in rate setting generally
Return on Investment (Calculation)	A summary of financial outcomes enabled by the proposed rates
Table 1 - Rates	User rates in effect at the end of the test year. Unless rates were recently changed, these are the current rates.
Table 2 - Test Year Usage	Compilation of actual volume of service used by customers during the test year
Table 3 - Basic User Data and Operating Incomes	Basic user statistics and operating revenues, projected for 10 years, based on the assumption the modeled rates and future inflationary increases will ber adopted
Table 4 - Operating Costs and Net Income	Operating costs projected for 10 years
Table 5 - Capital Improvements Program (CIP)	Capital improvements and how they will be paid over next 10 years, including debt service
Table 6 - Equipment Replacement Schedule - Detailed	If applicable, detailed schedule of equipment replacements for next 20 years
Table 7 - Equipment Replacement Annuity Calculation	If applicable, calculation of the annual annuity (yearly savings amount) needed to pay for all equipment replacements as they come due and ending with the desired balance
Table 8 - Average Cost Classification	Sumation of a target year's costs and calculation of the "cost-of-service" rate structure basis for recovery of fixed costs and variable costs. Unless directed to do otherwise, this analysis developed cost-to-serve rates based on cost classification in this table.
Table 9 - Marginal Cost Classification	If applicable, calculation of costs incurred to serve a specified type of customer
Table 10 - Initial Rate Adjustments and Resulting Revenues	These are the modeled user rates and the resulting "blended" revenues they, and the current rates, will generate during the rate adjustment year
Table 11 - AWWA Safe Operating Flow by Meter Size	If applicable, this table calculates the meter equivalent ratio, which is used for calculating peak flow capacity-based system development fees, surcharges and revenues in Tables 13 through 16 for water meters, and when applicable, capacity costs for fire sprinklers.
Table 11B - Fire Sprinkler Peak Flow Capacity Factor	If applicable, this table shows peak flow capacity shares of various size fire sprinkler systems.

Table 12 - Flow Capacity Costs	If applicable, calculation of the various costs to build base and peak flow capacity to serve customers, when such fees will be based on water meter size
Table 12B - Capacity Costs Attributable to Fire Sprinkler Systems	If applicable, nearly the same as Table 12, except it applies to fire suppression systems.
Table 13 - System Development Fees	If applicable, calculation of meter size-based system development fees needed to recover costs calculated in Table 11, when such fees will be based on water meter size.
Table 13B - System Development Fees for Fire Sprinkler Systems	If applicable, nearly the same as Table 13, except it applies to fire suppression systems
Table 14 - Revenues From System Development Fees	If applicable, calculation of total fee revenues that would be generated during one full year at the fees in Table 13.
Table 14B - Revenues From System Development Fees for Fire Sprinkler Systems	If applicable, nearly the same as Table 14, except it applies to fire suppression systems
Table 15 - Minimum Charge Fees, Including Capacity Surcharges	If applicable, calculation of meter size-based capacity surcharges and minimum charges to recover costs calculated in Table 11, when such fees will be based on water meter size
Table 15B - Sprinkler System Capacity Charges	Nearly the same as Table 15, except it applies to fire suppression systems.
Table 16 - Revenues From Minimum Charge Surcharges	e If applicable, calculation of total fee revenues that would be generated during one full year at the fees in Table 15.
Table 16B - Revenues From Sprinkler System Charges	Nearly the same as Table 16, except it applies to fire suppression systems
Table 17 - Financial Capacity Indicators and Reserves	Shows the financial effects of the modeled rates, costs, etc. on the utility and on the benchmark 5,000 gallon per month residential water or sewer customer, as appropriate
Table 18 - Bills Before and After Rate Adjustments	Bills at the modeled rates are compared to those under the current rates. Note: the modeled bills do not include capacity surcharges to the minimum charges unless they are included in the minimum charges column of Table 10.
Table 19 - User Statistics	If included, this table shows volumes and percentages of use, revenue generated and other statistics
Chart 1 - Operating Ratio	Graph of operating ratio for 10 years as a result of the modeled rates and the current rates
Chart 2 - Coverage Ratio	Graph of coverage ratios for 10 years of the modeled rates and the current rates
Chart 3 - 5,000 Gallon Residential User's Bill	Graph of the bill for the benchmark 5,000 gallon per month residential user, with smallest available meter size (used in grant and loan eligibility determinations) as a result of the modeled rates, and the current rates
Chart 4 - Affordability Index	Graph of the affordability index for 10 years of the benchmark residential user's bill (used in grant and loan eligibility determinations)
Chart 5 - Working Capital vs Goal	Graph for 10 years of total (unobligated) cash assets at modeled rates compared to the goal for total cash assets
Chart 6 - Value of Cash Assets Before Inflation	Graph for 10 years of unobligated cash assets NOT adjusted for inflation at modeled rates and current rates
Chart 7 - Value of Cash Assets After Inflation	Graph for 10 years of unobligated cash assets adjusted for inflation at modeled rates and current rates. This is the real buying power of cash reserves.
Chart 8 - Sum of All Reserves	Graph of all reserves of all kinds at the modeled rates and at the current rates

Table 1 - Rates

Cape Girardeau, MO, Water Rates Model 2024-14, Partial Restructure

Unless rates were recently changed, these are the <u>current</u> rates. At the least, these rates were in effect at the end of the test year. If a volume range was left out of the table, in order to make it shorter, the unit charge that shows for the next lowest volume range also applies to the hidden volume range.

Customer Type, Rate Class or Meter Size	Volume Range Bottom (in Cu Ft)	Billing Cycle Minimum Charge	Usage Allowance in 100s	Unit Charge per 100 Cu Ft
Res, 5/8 Inch	0	\$10.37	0.000	\$3.00
	1,337	\$10.37	0.000	\$3.00
	6,000	\$10.37	0.000	\$2.31
	750,000	\$10.37	0.000	\$2.31
Res, 3/4 Inch	0	\$15.99	0.000	\$3.00
	1,337	\$15.99	0.000	\$3.00
	6,000	\$15.99	0.000	\$2.31
	750,000	\$15.99	0.000	\$2.31
Res, 1 Inch	0	\$21.58	0.000	\$3.00
	1,337	\$21.58	0.000	\$3.00
	6,000	\$21.58	0.000	\$2.31
	750,000	\$21.58	0.000	\$2.31
Res, 1.5 Inch	0	\$40.39	0.000	\$3.00
	1,337	\$40.39	0.000	\$3.00
	6,000	\$40.39	0.000	\$2.31
	750,000	\$40.39	0.000	\$2.31
Res, 2 Inch	0	\$61.72	0.000	\$3.00
	1,337	\$61.72	0.000	\$3.00
	6,000	\$61.72	0.000	\$2.31
	750,000	\$61.72	0.000	\$2.31

Rates in Effect at End of Test Year

Table 1 - RatesRates in Effect at End of Test Year

Customer Type, Rate Class or Meter Size	Volume Range Bottom (in Cu Ft)	Billing Cycle Minimum Charge	Usage Allowance in 100s	Unit Charge per 100 Cu Ft
	<u>^</u>	\$445.00	0.000	\$0.00
	0	\$115.62	0.000	\$3.00
Res, 3 Inch	1,337	\$115.62	0.000	\$3.00
	6,000	\$115.62	0.000	\$2.31
	750,000	\$115.62	0.000	\$2.31
	0	\$10.37	0.000	\$3.00
Com E/O Inch	1,337	\$10.37	0.000	\$3.00
Com, 5/8 Inch	6,000	\$10.37	0.000	\$2.31
	750,000	\$10.37	0.000	\$2.31
	0	\$15.99	0.000	\$3.00
	_			
Com, 3/4 Inch	1,337	\$15.99	0.000	\$3.00
	6,000	\$15.99	0.000	\$2.31
	750,000	\$15.99	0.000	\$2.31
	0	\$21.58	0.000	\$3.00
	1,337	\$21.58	0.000	\$3.00
Com, 1 Inch	6,000	\$21.58	0.000	\$2.31
	750,000	\$21.58	0.000	\$2.31
	730,000	φ21.30	0.000	φ2.31
	0	\$40.39	0.000	\$3.00
0 451 1	1,337	\$40.39	0.000	\$3.00
Com, 1.5 Inch	6,000	\$40.39	0.000	\$2.31
	750,000	\$40.39	0.000	\$2.31
	,	÷		~~ .
	0	\$61.72	0.000	\$3.00
Com, 2 Inch	1,337	\$61.72	0.000	\$3.00
00m, 2 mon	6,000	\$61.72	0.000	\$2.31
	750,000	\$61.72	0.000	\$2.31

Table 1 - RatesRates in Effect at End of Test Year

Customer Type, Rate Class or Meter Size	Volume Range Bottom (in Cu Ft)	Billing Cycle Minimum Charge	Usage Allowance in 100s	Unit Charge per 100 Cu Ft
Com, 3 Inch	0	\$115.62	0.000	\$3.00
	1,337	\$115.62	0.000	\$3.00
	6,000	\$115.62	0.000	\$2.31
	750,000	\$115.62	0.000	\$2.31
Com, 4 Inch	0	\$190.81	0.000	\$3.00
	1,337	\$190.81	0.000	\$3.00
	6,000	\$190.81	0.000	\$2.31
	750,000	\$190.81	0.000	\$2.31
Com, 6 Inch	0	\$398.93	0.000	\$3.00
	1,337	\$398.93	0.000	\$3.00
	6,000	\$398.93	0.000	\$2.31
	750,000	\$398.93	0.000	\$2.31
Hydrant Meter - RC1110	0 1,337 6,000 750,000	\$45.00 \$45.00 \$45.00 \$45.00	0.000 0.000 0.000 0.000	\$3.00 \$3.00 \$2.31 \$2.31
Government -	0	\$0.00	0.000	\$0.00
RC1115	750,000	\$0.00	0.000	\$0.00
Fire Line 4	0	\$13.20	0.000	\$0.00
Inch - RC5000	750,000	\$13.20	0.000	\$0.00
Fire Line 6	0	\$26.44	0.000	\$0.00
Inch - RC5005	750,000	\$26.44	0.000	\$0.00
Fire Line 8	0	\$39.71	0.000	\$0.00
Inch - RC5010	750,000	\$39.71	0.000	\$0.00

Cape Girardeau, MO, Water Rates Model 2024-14, Partial Restructure

Residential meter readings per year: 12

Other customer readings per year: 12

Bills per year: 12

This table shows usage by all customers during the test year.

Test year = the one-year period being analyzed starts: 7/1/2021

Date this model created: 6/26/2024

% of Total Use Each Ran	% of Customers at "Maxed Out" in Each Range	# of Customers That "Maxed Out" in Th Each Range	olume of Bills That "Maxed Out" in T Each Range	Use in Each [\] Range in Cu Ft	Use Within Each Range in 100 Cu Ft		Volume Range Bottom (in Cu Ft)	ustomer, Rate Class or Meter Size
3.7	26.2%	4,576	7,613,840	35,135,479	2	266	0	
5.1	15.1%	2,643	10,558,620	11,641,107	1	400	267	
5.1	10.9%	1,899	10,629,900	8,003,563	1	534	401	
4.6	7.6%	1,319	9,425,770	5,364,406	1	667	535	
3.8	5.2%	900	7,877,480	3,614,779	1	801	668	
2.7	3.0%	532	5,519,770	2,504,128	1	935	802	
2.0	2.0%	341	4,079,850	1,802,978	1	1,069	936	
1.6	1.4%	244	3,304,450	1,335,600	1	1,202	1,070	Res, 5/8 Inch
1.1	0.9%	155	2,353,310	1,031,786	1	1,336	1,203	
6.7	3.2%	550	13,843,220	6,154,814	9	5,999	1,337	
0.7	0.1%	15	1,360,810	486,810	20	9,999	6,000	
0.4	0.0%	5	807,850	217,850	37	49,999	10,000	
0.0	0.0%	0	0	0	0	99,999	50,000	
37.4	75.5%	13,179	77,374,870	77,293,300	ual Subtotals:	thly and Annu		
0.3	2.1%	371	573,030	4,267,283	2	266	0	
0.5	1.6%	278	1,117,520	1,646,130	1	400	267	
0.6	1.3%	226	1,270,570	1,237,950	1	534	401	
0.5	0.9%	158	1,125,270	916,981	1	667	535	
0.6	0.7%	130	1,145,040	694,505	1	801	668	
0.4	0.5%	86	891,950	524,838	1	935	802	
0.3	0.3%	54	646,590	409,959	1	1,069	936	
0.3	0.2%	42	568,000	334,711	1	1,202	1,070	
0.2	0.1%	26	390,560	281,068	1	1,336	1,203	
2.2	0.9%	153	4,606,000	2,757,005	14	5,999	1,337	
0.4	0.1%	9	770,730	236,730	18	9,999	6,000	
0.1	0.0%	2	308,170	118,170	49	49,999	10,000	
0.0	0.0%	0	0	50,000	500	99,999	50,000	
0.0	0.0%	0	0	50,000	500	149,999	100,000	Res, 3/4 Inch
0.0	0.0%	0	0	50,000	500	199,999	150,000	ixes, 3/4 inch
0.0	0.0%	0	0	50,000	500	249,999	200,000	
0.0	0.0%	0	0	50,000	500	299,999	250,000	
0.0	0.0%	0	0	50,000	500	349,999	300,000	
0.0	0.0%	0	0	50,000	500	399,999	350,000	
0.0	0.0%	0	0	50,000	500	449,999	400,000	
0.0	0.0%	0	0	50,000	500	499,999	450,000	
0.0	0.0%	0	0	50,000	500	549,999	500,000	
0.0	0.0%	0	0	50,000	500	599,999	550,000	
0.0	0.0%	0	0	50,000	500	649,999	600,000	
0.0	0.0%	0	0	50,000	500	699,999	650,000	
0.0	0.0%	0	0	50,000	500	749,999	700,000	
0.5	0.0%	0	999,990	249,990	2,500	999,990	750,000	
7.0	8.8%	1,534	14,413,420	14,375,320	ual Subtotals:	thly and Annu	Mon	

Customer, Rate Class or Meter Size	Volume Range N Bottom (in Cu Ft)		Use Within Each Range in 100 Cu Ft	Use in Each Range in Cu Ft	Volume of Bills That "Maxed Out" in Each Range	# of Customers That "Maxed Out" in Tl Each Range	% of Customers nat "Maxed Out" in Each Range	% of Total Use Each Ran
	0	266	2	675,438	42,640	66	0.4%	0.0
	267	400	1	297,227	99,500	25	0.1%	0.0
	401	534	1	257,111	144,410	26	0.1%	0.1
	535	667	1	219,404	136,650	19	0.1%	0.1
	668	801	1	190,505	164,970	19	0.1%	0.1
	802	935	1	162,677	151,180	15	0.1%	0.1
5 (1)	936	1,069	1	145,226	91,750	8	0.0%	0.0
Res, 1 Inch	1,070	1,202	1	133,600	103,520	8	0.0%	0.1
	1,203	1,336	1	123,422	80,240	5	0.0%	0.0
	1,337	5,999	23	2,065,830	2,115,670	58	0.3%	1.0
	6,000	9,999	23	428,560	978,560	11	0.1%	0.5
	10,000	49,999	52	306,110	896,110	5	0.0%	0.4
	50,000	99,999	0	0	0	0	0.0%	0.0
	,		ual Subtotals:	5,005,110	5,005,200	263	1.5%	2.4
	0	266	3	67,380	0	0	0.0%	0.0
	267	400	1	33,598	710	0	0.0%	0.0
	401	534	1	32,995	4,920	1	0.0%	0.0
	535	667	1	31,501	6,100	1	0.0%	0.0
	668	801	1	29,244	15,340	2	0.0%	0.0
	802	935	1	27,615	7,160	1	0.0%	0.0
Res, 1.5 Inch	936	1,069	1	26,056	7,740	1	0.0%	0.0
ixes, 1.5 inch	1,070	1,202	1	25,693	3,500	0	0.0%	0.0
	1,203	1,336	1	25,401	0	0	0.0%	0.0
	1,337	5,999	26	495,939	563,950	13	0.1%	0.3
	6,000	9,999	29	88,990	84,990	1	0.0%	0.0
	10,000	49,999	80	151,470	341,470	2	0.0%	0.2
	50,000	99,999	0	0	0	0	0.0%	0.0
	Mont	thly and Annu	ual Subtotals:	1,035,880	1,035,880	21	0.1%	0.5
	0	266	2	35,961	400	1	0.0%	0.0
	267	400	- 1	17,260	3,490	1	0.0%	0.0
	401	534	1	15,767	5,740	1	0.0%	0.0
	535	667	1	14,087	6,600	1	0.0%	0.0
	668	801	1	13,132	6,180	1	0.0%	0.0
	802	935	1	12,148	1,720	0	0.0%	0.0
	936	1,069	1	11,515	5,900	1	0.0%	0.0
Res, 2 Inch	1,070	1,009	1	10,964		0	0.0%	0.0
			1		5,750	0		0.0
	1,203	1,336	-	10,311	3,760		0.0%	
	1,337	5,999	25	190,356	135,960	4	0.0%	0.1
	6,000	9,999	31	80,550	106,550	1	0.0%	0.1
	10,000	49,999	78	101,460	231,460	1	0.0%	0.1
	50,000 Mari	99,999	0	0 512 510	<u> </u>	0	0.0%	0.0
	MON		ual Subtotals:	513,510	513,510		0.1%	0.2
	0	266	1	16,840	2,700	10	0.1%	0.0
	267	400	1	7,738	2,390	1	0.0%	0.0
	401	534	1	7,015	1,400	0	0.0%	0.0
	535	667	1	6,556	3,080	0	0.0%	0.0
	668	801	1	5,781	2,840	0	0.0%	0.0
	802	935	1	5,503	1,760	0	0.0%	0.0
Dec. 0 last	936	1,069	1	5,229	2,020	0	0.0%	0.0
	1,070	1,202	1	5,027	1,150	0	0.0%	0.0
Res, 3 Inch		1,336	1	4,689	5,090	0	0.0%	0.0
Res, 5 Inch	1.203	,		75,512	71,630	2	0.0%	0.0
Res, 3 liten	1,203 1.337	5.999	2.3		,	-	0.070	0.0
Res, 3 Inch	1,337	5,999 9,999	23 34		25 440	0	0.0%	0.0
Res, 3 inch	1,337 6,000	9,999	34	27,440	25,440 76 390	0	0.0%	0.0
Kes, 3 inch	1,337				25,440 76,390 0	0 0 0	0.0% 0.0% 0.0%	0.0 0.0 0.0

Meter Size	Bottom (in Cu Ft)	Volume Range Top (in Cu Ft)	Use Within Each Range in 100 Cu Ft	Use in Each Range in Cu Ft	Volume of Bills That "Maxed Out" in Each Range	# of Customers That "Maxed Out" in Each Range	% of Customers That "Maxed Out" in Each Range	% of Total Use ir Each Range
	0	266	1	1,829,681	654,320	671	3.8%	0.3%
	267	400	1	511,984	335,380	85	0.5%	0.2%
	401	534	1	414,963	252,530	45	0.3%	0.1%
	535	667	1	348,031	267,550	37	0.2%	0.1%
	668	801	1	292,103	281,140	32	0.2%	0.1%
	802	935	1	249,620	227,160	22	0.1%	0.1%
Com, 5/8 Inch	936	1,069	1	216,095	238,020	20	0.1%	0.1%
Com, 5/6 men	1,070	1,202	1	184,740	254,660	19	0.1%	0.1%
	1,203	1,336	1	159,244	205,100	14	0.1%	0.1%
	1,337	5,999	14	1,555,618	2,428,260	84	0.5%	1.2%
	6,000	9,999	19	200,250	618,250	7	0.0%	0.3%
	10,000	49,999	21	41,360	241,360	2	0.0%	0.1%
	50,000	99,999	0	0	0	0	0.0%	0.0%
	Mor	nthly and Annu	ual Subtotals:	6,003,690	6,003,730	1,038	5.9%	2.9%
	0	266	2	644,146	113,130	116	0.7%	0.1%
	267	400	1	246,525	87,300	22	0.1%	0.0%
	401	534	1	215,700	96,850	17	0.1%	0.0%
	535	667	1	193,344	77,970	11	0.1%	0.0%
	668	801	1	176,096	102,700	12	0.1%	0.0%
	802	935	1	159,445	95,140	9	0.1%	0.0%
• • • • •	936	1,069	1	145,936	77,620	7	0.0%	0.0%
Com, 3/4 Inch	1,070	1,202	1	136,833	84,560	6	0.0%	0.0%
	1,203	1,336	1	126,664	88,830	6	0.0%	0.0%
	1,337	5,999	17	1,565,552	2,060,140	66	0.4%	1.0%
	6,000	9,999	27	330,370	426,370	5	0.0%	0.2%
	10,000	49,999	38	238,810	868,810	5	0.0%	0.4%
	50,000	99,999	0	0	0	0	0.0%	0.0%
	Mor	thly and Annu	ual Subtotals:	4,179,420	4,179,420	281	1.6%	2.0%
	0	266	2	884,478	118,900	130	0.7%	0.1%
	267	400	1	366,136	81,510	21	0.1%	0.0%
	401	534	1	339,058	82,240	15	0.1%	0.0%
	535	667	1	316,663	87,920	12	0.1%	0.0%
	668	801	1	298,269	108,830	12	0.1%	0.1%
	802	935	1	279,988	108,330	10	0.1%	0.1%
	936	1,069	1	262,867	112,600	9	0.1%	0.1%
Com, 1 Inch	1,070	1,202	1	246,114	166,970	12	0.1%	0.1%
- ,	1,203	1,336	1	229,173	130,510	9	0.0%	0.1%
	1,337	5,999	21	3,482,404	3,962,340	115	0.7%	1.9%
	6,000	9,999	28	828,760	1,244,760	13	0.1%	0.6%
	10,000	49,999	84	1,123,130	1,953,130	10	0.1%	0.9%
	50,000	99,999	181	180,950	680,950	1	0.0%	0.3%
	100,000	149,999	0	0	0	0	0.0%	0.0%
		nthly and Annu	-	8,837,990	8,838,990	369	2.1%	4.3%
	0	266	2	495,520	39,370	47	0.3%	0.0%
	267	400	1	219,735	36,580	9	0.1%	0.0%
	401	400 534	1		38,910	9 7	0.1%	0.0%
				208,161				0.0%
	535 668	667 801	1	194,637 181,882	64,690 68,780	9 8	0.1% 0.0%	0.0%
	802	935	1	181,882 170,969	68,780 56,530		0.0%	0.0%
	802 936	935 1,069	1	162,891	56,530 47,650	5	0.0%	0.0%
Com, 1.5 Inch						4		
	1,070	1,202	1	157,259	46,430	3	0.0%	0.0%
	1,203	1,336	1	152,248	40,350	3	0.0%	0.0%
	1,337	5,999	26	2,913,329	2,569,340	68	0.4%	1.2%
	6,000	9,999	27	838,470	1,186,470	13	0.1%	0.6%
	10,000	49,999	85	1,267,870	2,667,870	12	0.1%	1.3%
								O 10/
	50,000 100,000	99,999 149,999	46 0	9,120 0	109,120 0	0 0	0.0% 0.0%	0.1% 0.0%

% of Total Use Each Ran	% of Customers at "Maxed Out" in Each Range	# of Customers That "Maxed Out" in Tha Each Range	olume of Bills That "Maxed Out" in T Each Range	Use in Each Range in Cu Ft	Use Within Each Range in 100 Cu Ft		Volume Range Bottom (in Cu Ft)	Customer, Rate Class or Meter Size
0.0	0.3%	48	46,690	797,770	2	266	0	
0.0	0.1%	11	42,030	373,581	1	400	267	
0.0	0.0%	8	45,480	359,919	1	534	401	
0.0	0.1%	9	63,230	346,385	1	667	535	
0.0	0.1%	9	82,340	331,805	1	801	668	
0.0	0.0%	7	77,300	319,279	1	935	802	
0.0	0.0%	6	65,630	307,609	1	1,069	936	
0.0	0.0%	6	75,360	299,692	1	1,202	1,070	O and O la ab
0.0	0.0%	6	88,600	289,937	1	1,336	1,203	Com, 2 Inch
1.6	0.5%	87	3,350,650	7,035,035	33	5,999	1,337	
1.1	0.1%	25	2,364,240	3,684,240	34	9,999	6,000	
7.5	0.3%	59	15,577,900	11,567,900	147	49,999	10,000	
2.2	0.0%	6	4,641,810	1,891,810	246	99,999	50,000	
0.6	0.0%	1	1,241,340	141,340	128	149,999	100,000	
0.0	0.0%	0	0	0	0	199,999	150,000	
13.4	1.6%	288	27,762,600	27,746,300	ual Subtotals:	nthly and Annu	Mon	
0.0	0.3%	45	2,980	165,814	1	266	0	
0.0	0.0%	1	2,830	81,039	1	400	267	
0.0	0.0%	1	4,880	79,880	1	534	401	
0.0	0.0%	1	6,360	78,018	1	667	535	
0.0	0.0%	0	3,080	77,412	1	801	668	
0.0	0.0%	0	4,320	76,646	1	935	802	
0.0	0.0%	1	8,930	75,641	1	1,069	936	
0.0	0.0%	1	8,160	74,871	1	1,202	1,070	
0.0	0.0%	1	12,520	73,349	1	1,336	1,203	
0.2	0.1%	10	362,780	2,172,170	40	5,999	1,337	
0.4	0.0%	8	780,360	1,502,360	36	9,999	6,000	
2.4	0.1%	17	4,959,310	7,699,310	236	49,999	10,000	
1.7	0.0%	4	3,510,670	4,210,670	351	99,999	50,000	
1.4	0.0%	2	2,846,430	2,896,430	432	149,999	100,000	Com, 3 Inch
1.7	0.0%	2	3,510,190	1,560,190	347	199,999	150,000	
0.4	0.0%	0	886,230	1,086,230	453	249,999	200,000	
0.0	0.0%	0	0	1,000,000	500	299,999	250,000	
0.8	0.0%	0	1,667,620	917,620	459	349,999	300,000	
0.7	0.0%	0	1,486,490	636,490	424	399,999	350,000	
0.4	0.0%	0	840,560	490,560	446	449,999	400,000	
0.4	0.0%	0	911,850	361,850	402	499,999	450,000	
0.8	0.0%	0	1,562,450	262,450	375	549,999	500,000	
0.5	0.0%	0	1,122,810	122,810	307	599,999	550,000	
0.6	0.0%	0	1,206,970	6,970	35	649,999	600,000	
0.0	0.0%	0	0	0,070	0	699,999	650,000	
5.0	0.6%	96	25,708,780	25,708,780	ual Subtotals:			

Customer, Rate Class or Meter Size	Volume Range Bottom (in Cu Ft)		Use Within Each Range in 100 Cu Ft	Use in Each Range in Cu Ft	Volume of Bills That "Maxed Out" in Each Range	# of Customers That "Maxed Out" in Th Each Range	% of Customers at "Maxed Out" in Each Range	% of Total Use in Each Range
	0	266	1	75,958	4,480	24	0.1%	0.0%
	267	400	1	38,065	1,300	0	0.0%	0.0%
	401	534	1	37,775	1,010	0	0.0%	0.0%
	535	667	1	37,567	0	0	0.0%	0.0%
	668	801	1	37,198	2,840	0	0.0%	0.0%
	802	935	1	37,032	0	0	0.0%	0.0%
	936	1,069	1	36,963	1,000	0	0.0%	0.0%
	1,070	1,202	1	36,825	1,130	0	0.0%	0.0%
	1,203	1,336	1	36,765	0	0	0.0%	0.0%
	1,337	5,999	41	1,134,893	200,540	5	0.0%	0.1%
	6,000	9,999	38	832,020	134,020	1	0.0%	0.1%
	10,000	49,999	208	4,164,190	3,864,190	13	0.1%	1.9%
	50,000	99,999	350	1,610,950	1,510,950	2	0.0%	0.7%
Com, 4 Inch	100,000	149,999	295	707,780	1,907,780	1	0.0%	0.9%
	150,000	199,999	441 446	352,630 267,580	352,630 717,580	0 0	0.0% 0.0%	0.2% 0.3%
	200,000 250,000	249,999 299,999	391	117,360	267,360	0	0.0%	0.3%
	300,000	349,999	376	75,260	325,260	0	0.0%	0.1%
	350,000	399,999	500	50,000	023,200	0	0.0%	0.0%
	400,000	449,999	500	50,000	0	0	0.0%	0.0%
	450,000	499,999	500	50,000	0	0	0.0%	0.0%
	500,000	549,999	500	50,000	0	0	0.0%	0.0%
	550,000	599,999	500	50,000	0	0	0.0%	0.0%
	600,000	649,999	500	50,000	0	0	0.0%	0.0%
	650,000	699,999	500	50,000	0	0	0.0%	0.0%
	700,000	749,999	500	50,000	0	0	0.0%	0.0%
	750,000	1,013,070	2,631	263,070	1,013,070	0	0.0%	0.5%
	Mor	nthly and Annu	ual Subtotals:	10,299,880	10,305,140	48	0.3%	5.0%
	0	266	1	3,209	0	1	0.0%	0.0%
	267	400	1	1,604	0	0	0.0%	0.0%
	401	534	1	1,604	0	0	0.0%	0.0%
	535	667	1	1,604	0	0	0.0%	0.0%
	668	801	1	1,604	0	0	0.0%	0.0%
	802	935	1	1,604	0	0	0.0%	0.0%
Com, 6 Inch	936	1,069	1	1,604	0	0	0.0%	0.0%
- , -	1,070	1,202	1	1,604	0	0	0.0%	0.0%
	1,203	1,336	1	1,604	0	0	0.0%	0.0%
	1,337	5,999	47	55,957	0	0	0.0%	0.0%
	6,000	9,999	40	48,000	0	0	0.0%	0.0%
	10,000	49,999	154	185,060	305,060	1	0.0%	0.1%
	50,000 Mor	99,999 hthly and Anni	0_ ual Subtotals:	0 305,060	0 305,060	0	0.0%	0.0%
		•						
	0	266	1	20,963	3,080	10	0.1%	0.0%
	267 401	400	1	9,609	2,390	1	0.0%	0.0%
		534	1	8,887	1,400	0	0.0% 0.0%	0.0%
	535	667	1	8,311	4,300	1		0.0%
	668 802	801 935	1 1	7,385 7,062	2,840 2,650	0 0	0.0% 0.0%	0.0% 0.0%
	802 936	935 1,069	1	7,062 6,570	2,650		0.0%	0.0%
	936		1	6,570 6,364	2,960	0 0	0.0%	0.0%
Hydrant Meter -	1 070			0,304				0.0%
Hydrant Meter - RC1110	1,070 1,203	1,202 1,336		5 060	£ 270	n – – – – – – – – – – – – – – – – – – –	11102	
	1,203	1,336	1	5,969 96 250	6,370 86 400	0	0.0%	
	1,203 1,337	1,336 5,999	1 23	96,250	86,400	3	0.0%	0.0%
	1,203 1,337 6,000	1,336 5,999 9,999	1 23 31	96,250 34,270	86,400 40,270	3 0	0.0% 0.0%	0.0% 0.0%
	1,203 1,337 6,000 10,000	1,336 5,999 9,999 49,999	1 23 31 111	96,250 34,270 66,390	86,400 40,270 76,390	3 0 0	0.0% 0.0% 0.0%	0.0% 0.0% 0.0%
	1,203 1,337 6,000	1,336 5,999 9,999	1 23 31	96,250 34,270	86,400 40,270	3 0	0.0% 0.0%	0.0% 0.0%

Customer, Rate Class or Meter Size	Volume Range Bottom (in Cu Ft)		Use Within Each Range in 100 Cu Ft	Use in Each Range in Cu Ft	Volume of Bills That "Maxed Out" in Each Range	# of Customers That "Maxed Out" in Each Range	% of Customers That "Maxed Out" in Each Range	% of Total Use in Each Range
	0	266	1	135,661	28,900	60	0.3%	0.0%
	267	400	1	67,196	19,870	5	0.0%	0.0%
	401	534	1	60,195	21,960	4	0.0%	0.0%
	535	667	1	55,680	13,300	2	0.0%	0.0%
	668	801	1	52,467	19,980	2	0.0%	0.0%
	802	935	1	49,192	18,310	2	0.0%	0.0%
	936	1,069	1	45,731	27,950	2	0.0%	0.0%
	1,070	1,202	1	42,367	23,650	2	0.0%	0.0%
	1,203	1,336	1	40,194	15,060	1	0.0%	0.0%
	1,337	5,999	30	879,728	477,450	14	0.1%	0.2%
	6,000	9,999	34	453,000	201,000	2	0.0%	0.1%
	10,000	49,999	234	2,457,420	1,957,420	6	0.0%	0.9%
	50,000	99,999	430	1,333,790	583,790	1	0.0%	0.3%
0	100,000	149,999	445	1,024,330	624,330	0	0.0%	0.3%
Government - RC1115	150,000	199,999	457	823,100	523,100	0	0.0%	0.3%
	200,000	249,999	472	708,140	458,140	0	0.0%	0.2%
	250,000	299,999	387	502,830	1,652,830	1	0.0%	0.8%
	300,000	349,999	455	318,760	668,760	0	0.0%	0.3%
	350,000	399,999	489	244,510	394,510	0	0.0%	0.2%
	400,000	449,999	500	200,000	0	0	0.0%	0.0%
	450,000	499,999	433	173,040	473,040	0	0.0%	0.2%
	500,000	549,999	500	150,000	0	0	0.0%	0.0%
	550,000	599,999	457	137,010	587,010	0	0.0%	0.3%
	600,000	649,999	500	100,000	0	0	0.0%	0.0%
	650,000	699,999	500	100,000	0	0	0.0%	0.0%
	700,000	749,999	500	100,000	0	0	0.0%	0.0%
	750,000	6,864,710	38,935	7,787,030	9,287,030	0	0.0%	4.5%
		thly and Annu	-	18,041,370	18,077,390	104	0.6%	8.7%
	0	266	0	0	0	0	0.0%	0.0%
Fire Line 4 Inch -	267	400	0	0	0	0	0.0%	0.0%
RC5000		ithly and Annu	_	0	0	0	0.0%	0.0%
	0	266	0	0	0	0	0.0%	0.0%
Fire Line 6 Inch -		200 400	0					
RC5005	267 Mon	400 hthly and Annu	-	0	0	0	0.0%	0.0%
					-			
Fire Line 8 Inch -	0	266	0	0	0	0	0.0%	0.0%
RC5010	267	400	0	0	0	0	0.0%	0.0%
	Mon	thly and Annu	ual Subtotals:	0	0	0	0.0%	0.0%
		(Grand Totals:	206,820,620	207,003,340	17,457	100%	100%

Table 3 - Operating Incomes and Basic User DataCape Girardeau, MO, Water Rates Model 2024-14, Partial Restructure

This table depicts user statistics, customer growth, and system incomes and across the board "inflationary" style rate increases through the 10th year.

Annual Median Household Income (AMHI)

\$51,360 Census Bureau estimate of AMHI for the year 2022

\$32,452 Census Bureau estimate of AMHI for the year 2000

207 Number new Water connections made during test year

Test Year Growth of Customer Base and Average Tap Fee Paid per Connection

\$1,493 Average Water tap or installation fee assessed during the test year

\$18,908 AMHI growth during this time period

2.65% Simple annual income growth rate during this time period (used to project future household incomes)

This model is programmed for rates to be reset in the "Analysis Year," also called the "0 Year" column below (heading highlighted blue). Revenues will be collected at the now-current rates for the first part of the analysis year and the modeled rates for the last part of the analysis year. Thus, the revenues shown that column of the table are "blended" revenues; part collected at the old rates and part collected at the new rates. It was then assumed that all rate adjustments made after the initial (major) adjustment will be done annually on approximately the anniversary of the first adjustment. If rates will not be adjusted during the "0 Year," an adjustment (normally a revenue reduction) was calculated below to account for the late start in making the first adjustments.

Basic User (Customer) Data			Analysis Year	ar Years Following the Analysis Year (for Which Results Have Been Projected)									
(First year balances and incomes are <u>actual</u> , subsequent years are <u>projected</u> .)	Inflation/	Test Year	0 Year	1st Year	2nd Year	3rd Year	4th Year	5th Year	6th Year	7th Year	8th Year	9th Year	10th Year
	Deflation (–) Factor	Starting	Starting	Starting	Starting	Starting	Starting	Starting	Starting	Starting	Starting	Starting	Starting
	(-) Factor	7/1/21	7/1/22	7/1/23	7/1/24	7/1/25	7/1/26	7/1/27	7/1/28	7/1/29	7/1/30	7/1/31	7/1/32
Rate Increases Projected for Future Years	N.A.	N.A.	N.A.	5.0%		5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%	5.0%
				The row above sl be across-the-bo							tment year. Unles	ss stated otherwise	∍, these should
Average Number of Customers	N.A.	17,457	17,663	17,758	17,892	18,026	18,160	18,294	18,428	18,562	18,696	18,830	18,964
Customers Added or Lost (-) Each Year	N.A.	207.0	206.4	94.5	134.0	134.0	134.0	134.0	134.0	134.0	134.0	134.0	134.0
Customer Growth or Loss (-) Rate	N.A.	1.19%	1.17%	0.53%	0.75%	0.74%	0.74%	0.73%	0.73%	0.72%	0.72%	0.71%	0.71%
Test Year (Actual) and Projected Future Years' Sales, in Cu Ft	N.A.	206,820,620	209,265,977	210,385,580	211,973,167	213,560,753	215,148,339	216,735,925	218,323,511	219,911,098	221,498,684	223,086,270	224,673,856
Operating Incomes													
User Charge Fees (Tables 10, 12, 12B, 15, 15B, 16, 16B, as applicable)	N.A.	\$7,416,108	\$7,591,735	\$8,009,335	\$11,124,147	\$11,767,184	\$12,446,716	\$13,164,782	\$13,923,538	\$14,725,258	\$15,572,341	\$16,467,319	\$17,412,864
Late Payment Charge	N.A.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
New Taps or Connections (Current Rate Structure)	% Above	\$309,052	\$308,156	\$141,089	\$200,063	\$200,063	\$200,063	\$200,063	\$200,063	\$200,063	\$200,063	\$200,063	\$200,063
Investment Revenue	N.A.	\$69,906	\$13,455	\$14,111	\$16,445	\$16,605	\$16,615	\$16,749	\$17,437	\$18,256	\$18,486	\$20,599	\$20,795
Other Fees and Charges (Penalties, Lease Interest)	N.A.	\$112,922	\$112,922	\$112,922	\$112,922	\$112,922	\$112,922	\$112,922	\$112,922	\$112,922	\$112,922	\$112,922	\$112,922
Miscellaneous	N.A.	\$17,529	\$17,529	\$17,529	\$17,529	\$17,529	\$17,529	\$17,529	\$17,529	\$17,529	\$17,529	\$17,529	\$17,529
Gain from Sale of Assets	N.A.	\$150	\$150	\$150	\$150	\$150	\$150	\$150	\$150	\$150	\$150	\$150	\$150
Transfers In (Capital Improvement Sales Tax)	N.A.	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5
Contributed Capital - Government	N.A.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Contributed Capital - Connect Fee	N.A.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Contributed Capital - Developers (Infrastructure Dedicated to City, Not Cash)	N.A.	Assets	Assets	Assets	Assets	Assets	Assets	Assets	Assets	Assets	Assets	Assets	Assets
Bad Debt Allowance	N.A.	Table 4	-\$39,000	-\$39,000	-\$39,000	-\$39,000	-\$39,000	-\$39,000	-\$39,000	-\$39,000	-\$39,000	-\$39,000	-\$39,000
Revenue Loss (-) Due to Conservation	5.0%	\$0	-\$6,574	-\$15,633	-\$116,601	-\$24,072	-\$25,438	-\$26,880	-\$28,403	-\$30,012	-\$31,710	-\$33,503	-\$35,396
Total Operating Incomes	=	\$7,925,667	\$7,998,373	\$8,240,504	\$11,315,654	\$12,051,381	\$12,729,557	\$13,446,314	\$14,204,236	\$15,005,166	\$15,850,781	\$16,746,078	\$17,689,926

Table 4 - Operating Costs and Net Income

Cape Girardeau, MO, Water Rates Model 2024-14, Partial Restructure

This table depicts expenses during the tes	s year and for the next 10 years. Some future costs will experience inflation. Those costs that go up as use goes up are increa	sed by the cost inflation factor plus the growth rate in users.

(First year costs and net incomes are $\underline{actual},$ subsequent years are $\underline{projected}.)$			Analysis Year			Years Foll	owing the Ana	lysis Year (for	Which Results	Have Been F	Projected)		
	Inflation/ Deflation (-)	Test Year Starting	0 Year Starting	1st Year Starting	2nd Year Starting	3rd Year Starting	4th Year Starting	5th Year Starting	6th Year Starting	7th Year Starting	8th Year Starting	9th Year Starting	10th Yea Startin
Expense Items	Factor	7/1/21	7/1/22	7/1/23	7/1/24	7/1/25	7/1/26	7/1/27	7/1/28	7/1/29	7/1/30	7/1/31	7/1/3
Advertisement Alliance Operations Contract		\$94 \$2,644,799	\$98 \$2,750,591	\$101 \$2,860,615	\$105 \$2,975,039	\$110 \$3,094,041	\$114 \$3,217,802	\$119 \$3,346,514	\$123 \$3,480,375	\$128 \$3,619,590	\$133 \$2,704,074	\$139 \$3,914,949	\$14 \$4,071,54
Bad debts (One-time Allowance Adjustment)		\$2,044,799 -\$30,177	\$2,750,591 \$0	\$2,800,015 \$0	\$2,975,039 \$0	\$3,094,041 \$0	\$3,217,802 \$0	\$3,340,514 \$0	\$3,460,375 \$0	\$3,019,590 \$0	\$3,764,374 \$0	\$3,914,949 \$0	\$4,071,52
Bill printing and mailing		\$34,508	\$36,307	\$37,961	\$39,775	\$41,673	\$43,660	\$45,739	\$47,914	\$50,191	\$52,572	\$55,064	\$57,67
Books and periodicals		φ04,000 \$0	\$0	\$0	\$0	\$0	φ+0,000 \$0	φ+0,700 \$0	φ+7,514 \$0	\$0	\$0	\$0	φ01,01
Building & contents insurance		\$60,153	\$62,559	\$65,062	\$67,664	\$70,371	\$73,186	\$76,113	\$79,158	\$82,324	\$85,617	\$89,042	\$92,60
Building repairs & maintenance		\$15,971	\$16,609	\$17,274	\$17,965	\$18,683	\$19,431	\$20,208	\$21,016	\$21,857	\$22,731	\$23,640	\$24,58
Building supplies	4.0%	\$7,854	\$8,169	\$8,495	\$8,835	\$9,188	\$9,556	\$9,938	\$10,336	\$10,749	\$11,179	\$11,626	\$12,09
Chemicals	4.0%	\$483,842	\$509,075	\$532,256	\$557,692	\$584,311	\$612,168	\$641,318	\$671,821	\$703,737	\$737,133	\$772,074	\$808,63
Claims against the City	4.0%	\$1,057	\$1,100	\$1,144	\$1,189	\$1,237	\$1,286	\$1,338	\$1,391	\$1,447	\$1,505	\$1,565	\$1,62
Construction equipment	4.0%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$
Credit Card Processing Fees	4.0%	\$6,634	\$6,899	\$7,175	\$7,462	\$7,761	\$8,071	\$8,394	\$8,730	\$9,079	\$9,442	\$9,820	\$10,21
Depreciation	4.0%	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.
Education and training	4.0%	\$765	\$796	\$827	\$861	\$895	\$931	\$968	\$1,007	\$1,047	\$1,089	\$1,132	\$1,17
Electricity - buildings	4.0%	\$464,973	\$489,223	\$511,499	\$535,944	\$561,525	\$588,295	\$616,308	\$645,622	\$676,294	\$708,387	\$741,965	\$777,09
Engineering and architect		\$2,088	\$2,171	\$2,258	\$2,348	\$2,442	\$2,540	\$2,641	\$2,747	\$2,857	\$2,971	\$3,090	\$3,21
Equipment and vehicle rent		\$2,993	\$3,112	\$3,237	\$3,366	\$3,501	\$3,641	\$3,787	\$3,938	\$4,096	\$4,259	\$4,430	\$4,60
Equipment maintenance contract		\$1,750	\$1,820	\$1,893	\$1,969	\$2,047	\$2,129	\$2,214	\$2,303	\$2,395	\$2,491	\$2,590	\$2,69
Equipment repairs & maint		\$68,245	\$70,974	\$73,813	\$76,766	\$79,836	\$83,030	\$86,351	\$89,805	\$93,397	\$97,133	\$101,019	\$105,05
Equipment supplies		\$50,475	\$52,494	\$54,593	\$56,777	\$59,048	\$61,410	\$63,867	\$66,421	\$69,078	\$71,841	\$74,715	\$77,70
Food		\$16	\$17	\$17	\$18	\$19	\$19	\$20	\$21	\$22	\$23	\$24	\$2
Internal info technology serv	4.0%	\$112,749	\$117,259	\$121,949	\$126,827	\$131,900	\$137,176	\$142,663	\$148,370	\$154,305	\$160,477	\$166,896	\$173,57
Intrnl fleet repair & mtce chg		\$93,397	\$97,133	\$101,018	\$105,059	\$109,262	\$113,632	\$118,177	\$122,904	\$127,821	\$132,933	\$138,251	\$143,78
Lab fees Land and building rent		\$9,045 \$63,615	\$9,407 \$66,160	\$9,783 \$68,806	\$10,174 \$71,558	\$10,581 \$74,421	\$11,005 \$77,397	\$11,445 \$80,493	\$11,903 \$83,713	\$12,379 \$87,062	\$12,874 \$90,544	\$13,389 \$94,166	\$13,92 \$97,93
Land improvements & maintenance		\$03,013	\$2,013	\$08,800 \$2,094	\$2,178	\$2,265	\$2,355	\$80,493 \$2,450	\$2,547	\$2,649	\$90,544 \$2,755	\$94,100 \$2,866	\$97,90 \$2,98
Land improvements & maintenance		\$706	\$2,013 \$734	\$2,094 \$763	\$2,178 \$794	\$2,205 \$825	\$858	\$2,430 \$893	\$2,547 \$928	\$2,049 \$966	\$2,755 \$1,004	\$2,800 \$1,044	\$2,90 \$1,08
Miscellaneous operating exp		\$2,802	\$2,915	\$3,031	\$3,152	\$3,278	\$3,410	\$3,546	\$3,688	\$3,835	\$3,989	\$4,148	\$4,3
Natural gas		\$19,765	\$20,556	\$21,378	\$22,233	\$23,123	\$24,048	\$25,009	\$26,000	\$27,050	\$28,132	\$29,257	\$30,42
Non-vehicle diesel		\$5,346	\$5,560	\$5,783	\$6,014	\$6,255	\$6,505	\$6,765	\$7,036	\$7,317	\$7,610	\$7,914	\$8,23
Office supplies		\$1,298	\$1,349	\$1,403	\$1,460	\$1,518	\$1,579	\$1,642	\$1,707	\$1,776	\$1,847	\$1,921	\$1,99
Other contractual services (Administrative and Service Support From Other Departments)		\$148,671	\$154,618	\$160,803	\$167,235	\$173,924	\$180,881	\$188,116	\$195,641	\$203,467	\$211,605	\$220,069	\$228,87
Other contractual services 400	4.0%	\$3,114	\$3,238	\$3,368	\$3,502	\$3,642	\$3,788	\$3,940	\$4,097	\$4,261	\$4,432	\$4,609	\$4,79
Other fleet supplies	4.0%	\$539	\$561	\$583	\$606	\$631	\$656	\$682	\$709	\$738	\$767	\$798	\$83
Other professional, engineering design	4.0%	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table
Other professional, engineering, internal	4.0%	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table 5	Table
Other professional, Veolia Water Tank Maint	0.0%	\$399,000	\$399,000	\$399,000	\$399,000	\$399,000	\$399,000	\$399,000	\$399,000	\$399,000	\$399,000	\$399,000	\$399,00
Other small equipment	4.0%	\$30,818	\$32,051	\$33,333	\$34,666	\$36,053	\$37,495	\$38,995	\$40,554	\$42,177	\$43,864	\$45,618	\$47,44
Other supplies	4.0%	\$5,824	\$6,057	\$6,299	\$6,551	\$6,813	\$7,086	\$7,369	\$7,664	\$7,970	\$8,289	\$8,621	\$8,96
Overhead expense transferred	4.0%	\$7,226	\$7,516	\$7,816	\$8,129	\$8,454	\$8,792	\$9,144	\$9,510	\$9,890	\$10,286	\$10,697	\$11,12
Payment in lieu of franchise	4.0%	\$351,937	\$366,014	\$380,655	\$395,881	\$411,716	\$428,185	\$445,313	\$463,125	\$481,650	\$500,916	\$520,953	\$541,79

Table 4 - Operating Costs and Net Income

	Inflation/	Test Year	0 Year	1st Year	2nd Year	3rd Year	4th Year	5th Year	6th Year	7th Year	8th Year	9th Year	10th Year
	Deflation (-)	Starting											
Expense Items	Factor	7/1/21	7/1/22	7/1/23	7/1/24	7/1/25	7/1/26	7/1/27	7/1/28	7/1/29	7/1/30	7/1/31	7/1/32
Permits	4.0%	\$649	\$675	\$702	\$730	\$759	\$790	\$821	\$854	\$888	\$924	\$961	\$999
Personnel cst alloc to oth prj	4.0%	-\$23,106	-\$24,030	-\$24,991	-\$25,991	-\$27,030	-\$28,112	-\$29,236	-\$30,405	-\$31,622	-\$32,887	-\$34,202	-\$35,570
Personnel related	4.0%	\$35,452	\$36,871	\$38,345	\$39,879	\$41,474	\$43,133	\$44,859	\$46,653	\$48,519	\$50,460	\$52,478	\$54,577
Personnel salary	4.0%	\$130,161	\$136,949	\$143,185	\$150,028	\$157,189	\$164,682	\$172,524	\$180,730	\$189,316	\$198,300	\$207,700	\$217,534
Postage	4.0%	\$182	\$191	\$200	\$209	\$219	\$230	\$241	\$252	\$264	\$277	\$290	\$303
Printing - general	l 4.0%	\$688	\$715	\$744	\$774	\$805	\$837	\$870	\$905	\$941	\$979	\$1,018	\$1,059
Propane gas	0.0%	\$457	\$457	\$457	\$457	\$457	\$457	\$457	\$457	\$457	\$457	\$457	\$457
Revenue Bonds Expense	4.0%	Table 5											
Software maintenance contracts	4.0%	\$11,496	\$11,955	\$12,434	\$12,931	\$13,448	\$13,986	\$14,546	\$15,127	\$15,732	\$16,362	\$17,016	\$17,697
Street repairs and maintenance	4.0%	\$85,965	\$89,404	\$92,980	\$96,699	\$100,567	\$104,590	\$108,773	\$113,124	\$117,649	\$122,355	\$127,250	\$132,340
Telephone	0.0%	\$10,049	\$10,049	\$10,049	\$10,049	\$10,049	\$10,049	\$10,049	\$10,049	\$10,049	\$10,049	\$10,049	\$10,049
Transfer to general cap imp fd	4.0%	\$1,103	\$1,147	\$1,192	\$1,240	\$1,290	\$1,341	\$1,395	\$1,451	\$1,509	\$1,569	\$1,632	\$1,697
Trave	4.0%	\$381	\$396	\$412	\$429	\$446	\$463	\$482	\$501	\$521	\$542	\$564	\$586
Vehicle gasoline	4.0%	\$46,110	\$47,954	\$49,872	\$51,867	\$53,942	\$56,100	\$58,344	\$60,677	\$63,104	\$65,629	\$68,254	\$70,984
Vehicle insurance		\$8,682	\$9,030	\$9,391	\$9,767	\$10,157	\$10,564	\$10,986	\$11,426	\$11,883	\$12,358	\$12,852	\$13,366
Vehicles		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Water lines supplies		Table 5											
Water main extensions		Table 5											
Water main replacements		Table 5											
Water meters		Table 5											
Water system improvements		Table 5											
Water Fleet Annual Replacement Costs		\$0	\$0	\$736,800	\$574,111	\$321,666	\$149,461	\$168,342	\$206,451	\$42,691	\$597,917	\$349,680	\$349,680
User Charge Analysis Services		\$0	\$18,457	\$0	\$0	\$20,349	\$0	\$0	\$22,435	\$0	\$0	\$24,734	\$0
Total CIP-related Payouts	-	Table 5											
Total Operat	ting Costs	\$5,382,095	\$5,644,374	\$6,577,859	\$6,641,974	\$6,646,136	\$6,699,688	\$6,974,932	\$7,302,523	\$7,394,503	\$8,239,496	\$8,317,833	\$8,607,515
Net Incom	e (or Loss)	\$2,543,572	\$2,353,999	\$1,662,645	\$4,673,680	\$5,405,245	\$6,029,868	\$6,471,382	\$6,901,713	\$7,610,663	\$7,611,285	\$8,428,246	\$9,082,412
Working Capital Goal: 25% In Dolla	rs, That is:	\$1,345,524	\$1,411,094	\$1,644,465	\$1,660,494	\$1,661,534	\$1,674,922	\$1,743,733	\$1,825,631	\$1,848,626	\$2,059,874	\$2,079,458	\$2,151,879

Notes: It was assumed most costs will inflate by 4.0 percent per year. Costs highlighted green will also rise with growth in customers and their use. The City's water fleet replacement schedule ended at 2032, so the last two years of that cost item (highlighted pink) are the average annual costs of the eight years included in the schedule.

Table 5 - Capital Improvement Program (CIP)

Cape Girardeau, MO, Water Rates Model 2024-14, Partial Restructure

This table depicts capital improvements and their funding. Costs	-	Analysis Year		Years Follow	wing the Analys	sis Year (for Wh	ich Improveme	nt Projects, Co	sts, Funding, e	tc. Have Been	Projected)	
eflect inflation.	Test Year	0 Year	1st Year	2nd Year	3rd Year	4th Year	5th Year	6th Year	7th Year	8th Year	9th Year	10th Yea
	Starting	Starting	Starting	Starting	Starting	Starting	Starting	Starting	Starting	Starting	Starting	Starting
	7/1/21	7/1/22	7/1/23	7/1/24	7/1/25	7/1/26	7/1/27	7/1/28	7/1/29	7/1/30	7/1/31	7/1/32
Planned Spending, Debt-paid Portion of Projec	ts (CIP costs t	o be funded wi	h loans are sho	own in this sec	tion.)							
Total Debt-paid Portion of Projects	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$C
Planned Spending, Grant-paid Portion of Proje	cts (CIP costs	to be grant-fur	ded are shown	here.)								
Lead Service Line Replacement	\$0	\$0	\$0	\$0	\$314,962	\$327,560	\$340,663	\$354,289	\$368,461	\$383,199	\$398,527	\$414,468
Total Grant-paid Portion of Projects	\$0	\$0	\$0	\$0	\$314,962	\$327,560	\$340,663	\$354,289	\$368,461	\$383,199	\$398,527	\$414,468
Planned Spending, Cash-paid Portion of Projec	cts (CIP costs	to be funded fr	om reserves ar	e shown here.))							
2" Line Replacement	\$0	\$0	\$135,200	\$140,608	\$146,232	\$152,082	\$158,165	\$164,491	\$171,071	\$177,914	\$185,031	\$192,432
Water Tank Asset Management Program	\$0	\$0	\$416,000	\$432,640	\$449,946	\$467,943	\$486,661	\$415,025	\$431,626	\$448,891	\$466,846	\$485,520
Lead Service Line Inventory	\$0	\$0	\$260,000	\$270,400	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Lead Service Line Replacement	\$0	\$0	\$0	\$0	\$314,962	\$327,560	\$340,663	\$354,289	\$368,461	\$383,199	\$398,527	\$414,46
Modifications to Filter Gallery Piping	\$49,865	\$140,874	\$152,741	\$1,173,060	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Lime System Improvements	\$0	\$84,360	\$507,191	\$5,040,014	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SCADA Improvements	\$0	\$0	\$0	\$108,160	\$821,151	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bertling Street 30 inch Water Main	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Booster Pump for Carbonic Acid	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Stabilization Tank Addition	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Aerator Bypass Improvements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$
Plant 1 Residuals	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$
Conversion to Sodium Hypochlorite	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,833,83
New Filter Influent Bypass	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$
Addition of Primary SCU 4 & Secondary SSB 4	\$0	\$0	\$234,208	\$0	\$787,405	\$9,574,800	\$0	\$0	\$0	\$0	\$0	\$(
College Booster Pump Station	\$0	\$0	\$0	\$0	\$2,924,646	\$0	\$0	\$0	\$0	\$0	\$0	\$
Meadowbrook Standpipe Booster Pump Station	\$0	\$0	\$0	\$0	\$0	\$0	\$1,946,645	\$0	\$0	\$0	\$0	\$
Gordonville Tank Booster Pump Station	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,530,638	\$0	\$0	\$0	\$(
LaSalle Standpipe Booster Pump Station	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,052,854	\$0	\$
High Priority Watermain Improvements	\$0 \$0	\$0 \$0	\$0	\$0 \$0	\$0	\$0	\$4,866,612	\$2,530,638	\$2,631,864	\$2,737,138	\$2,846,624	\$2,960,48
Medium Priority Watermain Improvements	\$0 \$0	\$0 \$0	\$0	\$0	\$0	\$0	\$0 \$0	\$0 \$0	\$0	\$0	\$0 \$0	\$
New Maintenance Shop Corrosion Control	\$0	\$0	\$52,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$
Corrosion Control Polymer Feed Modifications	\$0 ©0	\$0 \$0	\$0 ©	\$0 \$0	\$427,448	\$0 \$0	\$0 ©0	\$0 \$0	\$0 \$0	\$0 ©	\$0 \$0	\$
Filter Rehab	\$0 \$0	\$0 \$0	\$0 \$0	\$0 \$0	\$674,918 \$0	\$0 \$0	\$0 \$0	\$0 \$0	\$0 \$0	\$0 \$0	\$0 \$0	\$10,435,72
Grant Acquisition Costs, Estimated at: 1.0%	\$0 \$0	\$0 \$0	\$0 \$0	\$0 \$0	\$0 \$3,150	\$0 \$3,276	\$0 \$3,407	\$0 \$3,543	\$0 \$3,685	\$U \$3,832	\$U \$3,985	
Total Cash-paid Portion of Projects	\$0	\$0 \$225,234	\$0	\$0		\$3,276	\$3,407	\$3,543	\$3,685	\$3,832	\$3,985	\$4,14
Total CIP Costs	\$49,865 \$49.865	\$225,234 \$225,234	\$1,757,340 \$1,757,340	\$7,164,882 \$7,164,882		\$10,525,661 \$10,853,221	\$7,802,152 \$8,142,815	\$5,998,624 \$6,352,914	\$3,606,706 \$3,975,167	\$5,803,828 \$6,187,027		\$18,326,608
	₹43 ,005	₹ 220,234	φ1, <i>1</i> 57,340	<i>φ1</i> ,104,082	φ0,004,02U	φ10,003,221	φ0, 14 2,015	φ0,302,914	43,9/3,10/	φ 0 ,107,027	φ 4,∠99,040	φ10,/41,U//

Table 5 - Capital Improvement Program (CIP)

This table depicts capital improvements and their funding. Costs	_	Analysis Year		Years Follo	wing the Analy	sis Year (for Wh	nich Improveme	ent Projects, Co	osts, Funding, e	etc. Have Been	Projected)	
reflect inflation.	Test Year Starting	0 Year Starting	1st Year Starting	2nd Year Starting	3rd Year Starting	4th Year Starting	5th Year Starting	6th Year Starting	7th Year Starting	8th Year Starting	9th Year Starting	10th Year Starting
	7/1/21	7/1/22	7/1/23	7/1/24	7/1/25	7/1/26	7/1/27	7/1/28	7/1/29	7/1/30	7/1/31	7/1/32
Debt Repayment												
Existing Debt Payments (Following is debt that was	initiated during	the test year of	r earlier.)									
Waterworks Refunding Revenue Bonds, Series 2019	\$0	\$894,750	\$894,350	\$892,950	\$890,550	\$892,150	\$892,550	\$894,450	\$890,600	\$891,150	\$890,950	\$0
Total Debt Payments	\$0	\$894,750	\$894,350	\$892,950	\$890,550	\$892,150	\$892,550	\$894,450	\$890,600	\$891,150	\$890,950	\$0
Total CIP-related Payouts	\$49,865	\$1,119,984	\$2,651,690	\$8,057,832	\$7,755,370	\$11,745,371	\$9,035,365	\$7,247,364	\$4,865,767	\$7,078,177	\$5,190,490	\$18,741,077
	(This is the tota	l cash required	l for this CIP ar	nd debt paymer	nt schedule. Th	ese amounts n	nust come from	utility income,	reserves or ou	tside sources, a	as shown in the	enext
CIP Fund Sources (Following are the sources and an	nounts of funds	expected to pa	ay for the abov	e CIP schedule	e.)							
Cash Reserves (Internal Funds)												
Debt and CIP Reserves Starting Balance	\$0	\$8,697,018	\$10,639,404	\$10,829,776	\$8,846,191	\$8,186,911	\$4,149,318	\$3,140,174	\$4,329,719	\$8,706,675	\$10,785,868	\$15,818,284
Working Capital Transferred in	\$8,146,883	\$2,288,430	\$1,429,274	\$4,657,651	\$5,404,204	\$6,016,480	\$6,402,571	\$6,819,815	\$7,587,668	\$7,400,037	\$8,408,661	\$9,009,991
Debt and CIP Reserves Interest Earned (or Paid)	\$0	\$173,940	\$212,788	\$216,596	\$176,924	\$163,738	\$82,986	\$62,803	\$86,594	\$174,134	\$215,717	\$316,366
Transfers In (Capital Improvement Sales Tax)	\$600,000	\$600,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000
Total Available Internal Funds	\$8,746,883	\$11,759,388	\$13,481,466	\$16,904,023	\$15,627,319	\$15,567,130	\$11,834,876	\$11,222,793	\$13,203,981	\$17,480,846	\$20,610,247	\$26,344,641
Grant and Loan Proceeds (External Funds)												
Grants Assumed in Second Sub-section Above	\$0	\$0	\$0	\$0	\$314,962	\$327,560	\$340,663	\$354,289	\$368,461	\$383,199	\$398,527	\$414,468
Total Available External Funds	\$0	\$0	\$0	\$0	\$314,962	\$327,560	\$340,663	\$354,289	\$368,461	\$383,199	\$398,527	\$414,468
Total Available Funds	\$8,746,883	\$11,759,388	\$13,481,466	\$16,904,023	\$15,942,281	\$15,894,690	\$12,175,539	\$11,577,083	\$13,572,442	\$17,864,045	\$21,008,774	\$26,759,109
Outcomes	(This CIP spen	ding and fundir	ng plan will resu	ult in the followi	ng cash needs	and ending bal	ances each ye	ar.)				
Total Available Funds	\$8,746,883	\$11,759,388	\$13,481,466	\$16,904,023	\$15,942,281	\$15,894,690	\$12,175,539	\$11,577,083	\$13,572,442	\$17,864,045	\$21,008,774	\$26,759,109
Total CIP-related Payouts	\$49,865	\$1,119,984	\$2,651,690	\$8,057,832	\$7,755,370	\$11,745,371	\$9,035,365	\$7,247,364	\$4,865,767	\$7,078,177	\$5,190,490	\$18,741,077
Debt and CIP Reserves Ending Balances	\$8,697,018	\$10,639,404	\$10,829,776	\$8,846,191	\$8,186,911	\$4,149,318	\$3,140,174	\$4,329,719	\$8,706,675	\$10,785,868	\$15,818,284	\$8,018,033

Notes: The City has a capital improvements plant to make significant, long-term improvements. That plan was brought into this table. The most recent plan updates and additions, received in June, 2024, are highlighted green. I assumed you will use the full water allotment of that tax for to fund water improvements starting this year. That is highlighted gold.

Table 8 - Average Cost Classification

Cape Girardeau, MO, Water Rates Model 2024-14, Partial Restructure

This table distributes costs from a representative year (the "average rate structure basis year) to fixed and variable categories (see Definitions) in order to calculate the "cost of service" rate structure for that year.

The average rate s		-	7/1/2026	through	6/30/2027
Cost Items During the Basis Year	Cost During Basis Year	Fixed Cost %	Variable Cost %	Fixed Cost	Variable Cost
Advertisement	\$114	100.0%	0.0%	\$114	\$0
Alliance Operations Contract	\$3,217,802	15.0%	85.0%	\$482,670	\$2,735,132
Bad debts (One-time Allowance Adjustment)	\$0	25.0%	75.0%	\$0	\$0
Bill printing and mailing	\$43,660	100.0%	0.0%	\$43,660	\$0
Books and periodicals	\$0	100.0%	0.0%	\$0	\$0
Building & contents insurance	\$73,186	100.0%	0.0%	\$73,186	\$0
Building repairs & maintenance	\$19,431	100.0%	0.0%	\$19,431	\$0
Building supplies	\$9,556	100.0%	0.0%	\$9,556	\$0
Chemicals	\$612,168	0.0%	100.0%	\$0	\$612,168
Claims against the City	\$1,286	25.0%	75.0%	\$322	\$965
Construction equipment	\$0	100.0%	0.0%	\$0	\$0
Credit Card Processing Fees	\$8,071	25.0%	75.0%	\$2,018	\$6,053
Depreciation	\$0	25.1%	74.9%	\$0	\$0
Education and training	\$931	100.0%	0.0%	\$931	\$0
Electricity - buildings	\$588,295	0.0%	100.0%	\$0	\$588,295
Engineering and architect	\$2,540	25.1%	74.9%	\$638	\$1,902
Equipment and vehicle rent	\$3,641	25.1%	74.9%	\$914	\$2,727
Equipment maintenance contract	\$2,129	25.1%	74.9%	\$534	\$1,595
Equipment repairs & maint	\$83,030	25.1%	74.9%	\$20,841	\$62,189
Equipment supplies	\$61,410	25.1%	74.9%	\$15,414	\$45,996
Food	\$19	25.0%	75.0%	\$5	\$15
Internal info technology serv	\$137,176	100.0%	0.0%	\$137,176	\$0
Intrnl fleet repair & mtce chg	\$113,632	25.1%	74.9%	\$28,522	\$85,110
Lab fees	\$11,005	33.0%	67.0%	\$3,632	\$7,373
Land and building rent	\$77,397	25.1%	74.9%	\$19,427	\$57,971
Land improvements & maintenance	\$2,355	100.0%	0.0%	\$2,355	\$0
Lubricants	\$858	25.1%	74.9%	\$215	\$643
Miscellaneous operating exp	\$3,410	25.0%	75.0%	\$852	\$2,557
Natural gas	\$24,048	100.0%	0.0%	\$24,048	\$0
Non-vehicle diesel	\$6,505	25.1%	74.9%	\$1,633	\$4,872
Office supplies	\$1,579	100.0%	0.0%	\$1,579	\$0
Other contractual services (Administrative and Service Support From Other Departments)	\$180,881	100.0%	0.0%	\$180,881	\$0
Other contractual services 400	\$3,788	25.1%	74.9%	\$951	\$2,837
Other fleet supplies	\$656	25.0%	75.0%	\$164	
Other professional, engineering design	\$0	25.1%	74.9%	\$0	\$0
Other professional, engineering, internal	\$0	25.1%	74.9%	\$0	\$0
Other professional, Veolia Water Tank Maint	\$399,000	25.1%	74.9%	\$100,149	\$298,851
Other small equipment	\$37,495	25.1%	74.9%	\$9,411	\$28,084
Other supplies	\$7,086	25.0%	75.0%	\$1,771	

Cost Items During the Basis Year	Cost During Basis Year	Fixed Cost %	Variable Cost %	Fixed Cost	Variable Cost	
Overhead expense transferred	\$8,792	100.0%	0.0%	\$8,792	\$0	
Payment in lieu of franchise	\$428,185	25.0%	75.0%	\$107,046	\$321,139	
Permits	\$790	100.0%	0.0%	\$790	\$0	
Personnel cst alloc to oth prj	\$0	100.0%	0.0%	\$0	\$0	
Personnel related	\$43,133	100.0%	0.0%	\$43,133	\$0	
Personnel salary	\$164,682	100.0%	0.0%	\$164,682	\$0	
Postage	\$230	100.0%	0.0%	\$230	\$0	
Printing - general	\$837	100.0%	0.0%	\$837	\$0	
Propane gas	\$457	100.0%	0.0%	\$457	\$0	
Revenue Bonds Expense	\$0	25.1%	74.9%	\$0	\$0	
Software maintenance contracts	\$13,986	100.0%	0.0%	\$13,986	\$0	
Street repairs and maintenance	\$104,590	100.0%	0.0%	\$104,590	\$0	
Telephone	\$10,049	100.0%	0.0%	\$10,049	\$0	
Transfer to general cap imp fd	\$1,341	100.0%	0.0%	\$1,341	\$0	
Travel	\$463	100.0%	0.0%	\$463	\$0	
Vehicle gasoline	\$56,100	25.1%	74.9%	\$14,081	\$42,019	
Vehicle insurance	\$10,564	25.1%	74.9%	\$2,651	\$7,912	
Vehicles	\$0	25.1%	74.9%	\$0	\$0	
Average Water Fleet Annual Replacement Costs	\$279,744	25.1%	74.9%	\$70,216	\$209,528	
User Charge Analysis Services	\$0	25.1%	74.9%	\$0	\$0	
Total CIP-related Payouts, Less Capacity Charges From Tables 14 & 16 (This value can be negative)	\$8,941,624	25.1%	74.9%	\$2,244,348	\$6,697,277	
Grand Total Costs, Weighted Avg Percentages	\$15,799,707	25.1%	74.9%	\$3,970,691	\$11,829,016	
Bases for Cost to Serve Rate St	ructure	100)%	\$15,79	99,707	
Number Customers During Basis Year	18,160	Unbille	ed-for Water for	the test year is Estimated at	4%	
Billed Volume, in Cu Ft, During Basis Year	215,148,339	Unbilled-for W	Vater is Estimate Average Cost (51%	
Average Fixed Cost per User per Month During Basis Year	\$18.22	At Reco Resulting Marg	\$195,543			
Average Variable Cost to Produce per 100 Cu Ft During Basis Year	\$5.50	50 Test Year Customer Volume, in Cu Ft			206,820,620	
Cu Ft per Billing Cycle Used by Average Residential Customer	489	+ Test Ye	+ Test Year Unbilled-for Water, in Cu Ft			
		Total Tes	st Year Volume,	in Cu Ft. From		

Table 8 - Average Cost Classification

Total Test Year Volume, in Cu Ft, From Master Meter Readings 214,844,600

Table 9 - Marginal Cost Classification

Cape Girardeau, MO, Water Rates Model 2024-14, Partial Restructure

The utility incurs "marginal" costs. These costs are unavoidable. Thus, the utility must collect minimal fees from various customers to "break even" on a marginal cost basis. Costs vary by customer type and volume used.

Below, it is assumed that marginal variable costs are being calculated for: Unaccounted-for Water

The marginal rate structure basis year runs from: 7/1/2026 through 6/30/2027

Cost Items During the Basis Year	Fixed Cost	Variable Cost	Marginal Fixed Cost %	Marginal Variable Cost %	Marginal Fixed Cost	Marginal Variable Cost
Advertisement	\$114	\$0	10%	10%	\$11	\$0
Alliance Operations Contract	\$482,670	\$2,735,132	50%	50%	\$241,335	\$1,367,566
Bad debts (One-time Allowance Adjustment)	\$0	\$0	0%	0%	\$0	\$0
Bill printing and mailing	\$43,660	\$0	0%	0%	\$0	\$0
Books and periodicals	\$0	\$0	10%	10%	\$0	\$0
Building & contents insurance	\$73,186	\$0	10%	10%	\$7,319	\$0
Building repairs & maintenance	\$19,431	\$0	10%	10%	\$1,943	\$0
Building supplies	\$9,556	\$0	10%	10%	\$956	\$0
Chemicals	\$0	\$612,168	100%	100%	\$0	\$612,168
Claims against the City	\$322	\$965	25%	25%	\$80	\$241
Construction equipment	\$0	\$0	25%	25%	\$0	\$0
Credit Card Processing Fees	\$2,018	\$6,053	10%	10%	\$202	\$605
Depreciation	\$0	\$0	75%	75%	\$0	\$0
Education and training	\$931	\$0	10%	10%	\$93	\$0
Electricity - buildings	\$0	\$588,295	100%	100%	\$0	\$588,295
Engineering and architect	\$638	\$1,902	25%	25%	\$159	\$476
Equipment and vehicle rent	\$914	\$2,727	10%	10%	\$91	\$273
Equipment maintenance contract	\$534	\$1,595	10%	10%	\$53	\$159
Equipment repairs & maint	\$20,841	\$62,189	10%	10%	\$2,084	\$6,219
Equipment supplies	\$15,414	\$45,996	10%	10%	\$1,541	\$4,600
Food	\$5	\$15	10%	10%	\$0	\$1
Internal info technology serv	\$137,176	\$0	10%	10%	\$13,718	\$0
Intrnl fleet repair & mtce chg	\$28,522	\$85,110	10%	10%	\$2,852	\$8,511
Lab fees	\$3,632	\$7,373	10%	10%	\$363	\$737
Land and building rent	\$19,427	\$57,971	10%	10%	\$1,943	\$5,797
Land improvements & maintenance	\$2,355	\$0	10%	10%	\$236	\$0
Lubricants	\$215	\$643	10%	10%	\$22	\$64
Miscellaneous operating exp	\$852	\$2,557	10%	10%	\$85	\$256
Natural gas	\$24,048	\$0	10%	10%	\$2,405	\$0
Non-vehicle diesel	\$1,633	\$4,872	10%	10%	\$163	\$487
Office supplies	\$1,579	\$0	10%	10%	\$158	\$0
Other contractual services (Administrative and Service Support From Other Departments)	\$180,881	\$0	10%	10%	\$18,088	\$0
Other contractual services 400	\$951	\$2,837	10%	10%	\$95	\$284

Table 9 - Marginal Cost Classification

Cost Items During the Basis Year	Fixed Cost	Variable Cost	Marginal Fixed Cost %	Marginal Variable Cost %	Marginal Fixed Cost	Marginal Variable Cost					
Other fleet cumplice	<u>Ф161</u>	¢400									
Other fleet supplies	\$164	\$492	10%	10%	\$16 ¢0	\$49					
Other professional, engineering design	\$0 \$0	\$0 ¢0	25%	25%	\$0 ¢0	\$0 \$0					
Other professional, engineering, internal	₅₀ \$100,149	\$0 \$298,851	25% 15%	25% 15%	\$0 ¢15 222						
Other professional, Veolia Water Tank Maint Other small equipment	\$100,149	\$298,851 \$28,084	10%	15% 10%	\$15,323 \$941	\$45,724 \$2,808					
Other supplies	\$9,411 \$1,771	\$20,004 \$5,314	10%	10 <i>%</i>	\$941 \$177	\$531					
Overhead expense transferred	\$8,792	\$0,514 \$0	10%	10%	\$879	\$0 \$0					
Payment in lieu of franchise	\$107,046	\$321,139	15%	15%	\$16,378	\$49,134					
Permits	\$790	¢021,100 \$0	10%	10%	\$79	φ+3,134 \$0					
Personnel cst alloc to oth prj	¢7.90 \$0	\$0 \$0	10%	10%	\$0	\$0 \$0					
Personnel related	\$43,133	\$0 \$0	10%	10%	\$4,313	\$0 \$0					
Personnel salary	\$164,682	\$0 \$0	10%	10%	\$16,468	\$0 \$0					
Postage	\$230	\$0 \$0	10%	10%	\$23	\$0 \$0					
Printing - general	\$837	\$0	10%	10%	\$84	\$0					
Propane gas	\$457	\$0 \$0	10%	10%	\$46	\$0 \$0					
Revenue Bonds Expense	\$0	\$0	10%	10%	\$0	\$0					
Software maintenance contracts	\$13,986	\$0	10%	10%	\$1,399	\$0					
Street repairs and maintenance	\$104,590	\$0	50%	50%	\$52,295	\$0					
Telephone	\$10,049	\$0	10%	10%	\$1,005	\$0					
Transfer to general cap imp fd	\$1,341	\$0	10%	10%	\$134	\$0					
Travel	\$463	\$0	10%	10%	\$46	\$0					
Vehicle gasoline	\$14,081	\$42,019	10%	10%	\$1,408	\$4,202					
Vehicle insurance	\$2,651	\$7,912	10%	10%	\$265	\$791					
Vehicles	\$0	\$0	10%	10%	\$0	\$0					
Water lines supplies	\$0	\$0	10%	10%	\$0	\$0					
Water main extensions	\$0	\$0	10%	10%	\$0	\$0					
Water main replacements	\$0	\$0	50%	50%	\$0	\$0					
Water meters	\$0	\$0	10%	10%	\$0	\$0					
Water system improvements	\$0	\$0	10%	10%	\$0	\$0					
Average Water Fleet Annual Replacement Costs	\$70,216	\$209,528	10%	10%	\$7,022	\$20,953					
User Charge Analysis Services	\$0	\$0	10%	10%	\$0	\$0					
Total CIP-related Payouts, Less Capacity Charges From Tables 14 & 16 (This value can be negative)	\$2,244,348	\$6,697,277	50%	50%	\$1,122,174	\$3,348,638					
Grand Total All Costs	\$3,970,691	\$11,829,016			\$1,536,471	\$6,069,571					
	\$15,7	99,707			\$7,60	6,042					
Marginal Fixed and Variable Cost Bas (For the Customer Type(s) Listed Above)	Ses				Monthly Marginal Fixed Cost per Customer \$7.05	Marginal Variable Cost per 100 Cu Ft					
Mar	ginal Fixed C	ost as a Percen	t of Total F	ixed Cost	39%	\$2.82					
Marginal Variable Cost as a Percent of Total Variable Cost:											

Table 10 - Initial Rate Adjustments and Resulting Revenues

Cape Girardeau, MO, Water Rates Model 2024-14, Partial Restructure

This table calculates a new set of user charge rates and the revenues they would generate.

After rate adjustments are made, customers will be billed monthly.

Following are Blended Sales Revenues: Sales at the current (Test Year) rates (gray highlighted column) will apply until rates are
adjusted. Sales at the modeled rates (yellow highlighted column) would apply after the modeled rates are adopted. Adding both
together, the "blended" sales revenues show in the right-most column.

							1	
Customer Class, Rate Class or Meter Size	Volume Range Bottom (in Cu Ft)	Volume Range Top (in Cu Ft)	Sales This Year at Current Rates	Minimum Charge for Calculation Purposes	New Usage Allowance in 100s	New Unit Charge per 100 Cu Ft	Sales This Year at Modeled Rates	Total "Blended Sales Thi Yea
	0	000	¢4	¢47.45	0.000	¢2.0642	¢0.050.004	¢0.050.000
	0 267	266 400	\$1 \$1	\$17.45 \$17.45	0.000 0.000	\$3.9613 \$3.96	\$2,350,094	\$2,350,095
	401	400 534	\$1 \$0	\$17.45 \$17.45	0.000	\$3.90 \$3.96	\$1,014,532 \$714,767	\$1,014,533 \$714,767
	535	667	\$0 \$0	\$17.45 \$17.45	0.000	\$3.90 \$3.96	\$488,595	\$488,595
	668	801	\$0 \$0	\$17.45 \$17.45	0.000	\$3.90 \$3.96	\$488,595	\$331,635
	802	935	\$0 \$0	\$17.45 \$17.45	0.000	\$3.90 \$3.96	\$331,035 \$210,545	\$210,545
Res, 5/8 Inch	936	1,069	\$0 \$0	\$17.45 \$17.45	0.000	\$3.96	\$210,343 \$142,879	\$142,879
	930 1,070	1,009	\$0 \$0	\$17.45 \$17.45	0.000	\$3.90 \$3.96	\$142,879 \$104,018	\$142,878
				\$17.45 \$17.45	0.000	\$3.90 \$3.96		
	1,203 1,337	1,336 5,999	\$0 \$0	\$17.45 \$17.45	0.000	\$3.90 \$3.96	\$73,312 \$359,016	\$73,312 \$359,017
	6,000		\$0 \$0		0.000	\$3.90 \$3.96		
		9,999		\$17.45 \$17.45			\$22,512	\$22,512
	10,000	49,999	\$0 \$0	\$17.45	0.000	\$3.96	\$9,659	\$9,659
	50,000	99,999	\$0	\$17.45	0.000	\$3.96	\$0	\$0
Res, 3/4 Inch	0	266	\$0	\$20.15	0.000	\$3.96	\$258,688	\$258,688
	267	400	\$0	\$20.15	0.000	\$3.96	\$132,409	\$132,409
	401	534	\$0	\$20.15	0.000	\$3.96	\$103,787	\$103,78
	535	667	\$0	\$20.15	0.000	\$3.96	\$74,468	\$74,46
	668	801	\$0	\$20.15	0.000	\$3.96	\$59,026	\$59,02
	802	935	\$0	\$20.15	0.000	\$3.96	\$41,505	\$41,50
	936	1,069	\$0	\$20.15	0.000	\$3.96	\$29,317	\$29,31
	1,070	1,202	\$0	\$20.15	0.000	\$3.96	\$23,374	\$23,37
	1,203	1,336	\$0	\$20.15	0.000	\$3.96	\$17,360	\$17,36
	1,337	5,999	\$0	\$20.15	0.000	\$3.96	\$146,149	\$146,14
	6,000	9,999	\$0	\$20.15	0.000	\$3.96	\$11,493	\$11,49
	10,000	49,999	\$0	\$20.15	0.000	\$3.96	\$5,145	\$5,14
	50,000	99,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	100,000	149,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	150,000	199,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	200,000	249,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	250,000	299,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	300,000	349,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	350,000	399,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	400,000	449,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	450,000	499,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	500,000	549,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	550,000	599,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	600,000	649,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	650,000	699,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	700,000	749,999	\$0	\$20.15	0.000	\$3.96	\$1,981	\$1,98
	750,000	999,990	\$0	\$20.15	0.000	\$3.96	\$9,923	\$9,92

Customer Class, Rate Class or Meter Size	Volume Range Bottom (in Cu Ft)	Volume Range Top (in Cu Ft)	Sales This Year at Current Rates	Minimum Charge for Calculation Purposes	New Usage Allowance in 100s	New Unit Charge per 100 Cu Ft	Sales This Year at Modeled Rates	Total "Blended" Sales This Year
	0	266	\$0	\$27.19	0.000	\$3.96	\$48,209	\$48,209
	267	400	\$0	\$27.19	0.000	\$3.96	\$19,822	\$19,822
	401	534	\$0	\$27.19	0.000	\$3.96	\$18,532	\$18,532
	535	667	\$0	\$27.19	0.000	\$3.96	\$14,918	\$14,918
	668	801	\$0	\$27.19	0.000	\$3.96	\$13,637	\$13,637
	802	935	\$0	\$27.19	0.000	\$3.96	\$11,202	\$11,202
Res, 1 Inch	936	1,069	\$0	\$27.19	0.000	\$3.96	\$8,254	\$8,254
	1,070	1,202	\$0	\$27.19	0.000	\$3.96	\$7,767	\$7,767
	1,203	1,336	\$0	\$27.19	0.000	\$3.96	\$6,602	\$6,602
	1,337	5,999	\$0	\$27.19	0.000	\$3.96	\$100,867	\$100,867
	6,000	9,999	\$0	\$27.19	0.000	\$3.96	\$20,539	\$20,539
	10,000	49,999	\$0	\$27.19	0.000	\$3.96	\$13,730	\$13,730
	50,000	99,999	\$0	\$27.19	0.000	\$3.96	\$0	\$0
	0	266	\$0	\$50.89	0.000	\$3.96	\$2,669	\$2,669
	267	400	\$0	\$50.89	0.000	\$3.96	\$1,433	\$1,433
	401	534	\$0	\$50.89	0.000	\$3.96	\$1,816	\$1,816
	535	667	\$0	\$50.89	0.000	\$3.96	\$1,757	\$1,757
	668	801	\$0	\$50.89	0.000	\$3.96	\$2,227	\$2,227
	802	935	\$0	\$50.89	0.000	\$3.96	\$1,501	\$1,501
Res, 1.5 Inch	936	1,069	\$0	\$50.89	0.000	\$3.96	\$1,439	\$1,439
	1,070	1,202	\$0	\$50.89	0.000	\$3.96	\$1,170	\$1,170
	1,203	1,336	\$0	\$50.89	0.000	\$3.96	\$1,006	\$1,006
	1,337	5,999	\$0	\$50.89	0.000	\$3.96	\$27,737	\$27,737
	6,000	9,999	\$0	\$50.89	0.000	\$3.96	\$4,136	\$4,136
	10,000	49,999	\$0	\$50.89	0.000	\$3.96	\$6,967	\$6,967
	50,000	99,999	\$0	\$50.89	0.000	\$3.96	\$0	\$0
	0	266	\$0	\$68.51	0.000	\$3.96	\$2,521	\$2,521
	267	400	\$0	\$68.51	0.000	\$3.96	\$1,369	\$1,369
	401	534	\$0	\$68.51	0.000	\$3.96	\$1,447	\$1,447
	535	667	\$0	\$68.51	0.000	\$3.96	\$1,312	\$1,312
	668	801	\$0	\$68.51	0.000	\$3.96	\$1,068	\$1,068
	802	935	\$0	\$68.51	0.000	\$3.96	\$618	\$618
Res, 2 Inch	936	1,069	\$0	\$68.51	0.000	\$3.96	\$867	\$867
	1,070	1,202	\$0	\$68.51	0.000	\$3.96	\$777	\$777
	1,203	1,336		\$68.51	0.000	\$3.96	\$614	\$614
	1,337	5,999	\$0	\$68.51	0.000	\$3.96	\$10,966	\$10,966
	6,000	9,999		\$68.51	0.000	\$3.96	\$4,081	\$4,081
	10,000	49,999		\$68.51 ¢68.51	0.000	\$3.96	\$4,910	\$4,910
	50,000	99,999		\$68.51	0.000	\$3.96	\$0	\$0
	0	266		\$128.34	0.000	\$3.96		\$15,555
	267	400		\$128.34	0.000	\$3.96	\$1,205	\$1,205
	401	534		\$128.34	0.000	\$3.96	\$663	\$663
	535	667	\$0	\$128.34	0.000	\$3.96	\$901	\$901
	668	801	\$0	\$128.34	0.000	\$3.96	\$742	\$742
B	802	935		\$128.34	0.000	\$3.96	\$475	\$475
Res, 3 Inch	936	1,069	\$0	\$128.34	0.000	\$3.96	\$464	\$464
	1,070	1,202	\$0 \$0	\$128.34	0.000	\$3.96	\$327	\$327
	1,203	1,336	\$0 \$0	\$128.34	0.000	\$3.96	\$699	\$699
	1,337	5,999	\$0 \$0	\$128.34	0.000	\$3.96	\$6,200	\$6,200
	6,000	9,999		\$128.34 ¢128.34	0.000	\$3.96	\$1,472	\$1,472
	10,000	49,999		\$128.34 \$128.34	0.000	\$3.96	\$1,687	\$1,687 \$0
	50,000	99,999	\$0	\$128.34	0.000	\$3.96	\$0	\$0

Table 10 - Initial Rate Adjustments and Resulting Revenues

Customer Class, Rate Class or Meter Size	Volume Range Bottom (in Cu Ft)	Volume Range Top (in Cu Ft)	Sales This Year at Current Rates	Minimum Charge for Calculation Purposes	New Usage Allowance in 100s	New Unit Charge per 100 Cu Ft	Sales This Year at Modeled Rates	Total "Blended" Sales This Year
	0	266	\$0	\$17.45	0.000	\$3.9613	\$213,074	\$213,074
	267	400	\$0 \$0	\$17.45	0.000	\$3.96	\$38,168	\$38,168
	401	534	\$0	\$17.45	0.000	\$3.96	\$25,844	\$25,844
	535	667	\$0	\$17.45	0.000	\$3.96	\$21,569	\$21,569
	668	801	\$0	\$17.45	0.000	\$3.96	\$18,272	\$18,272
	802	935	\$0	\$17.45	0.000	\$3.96	\$14,460	\$14,460
Com, 5/8	936	1,069	\$0	\$17.45	0.000	\$3.96	\$12,713	\$12,713
Inch	1,070	1,202	\$0	\$17.45	0.000	\$3.96	\$11,244	\$11,244
	1,203	1,336	\$0	\$17.45	0.000	\$3.96	\$9,135	\$9,135
	1,337	5,999	\$0	\$17.45	0.000	\$3.96	\$79,282	\$79,282
	6,000	9,999	\$0	\$17.45	0.000	\$3.0518	\$7,560	\$7,560
	10,000	49,999	\$0	\$17.45	0.000	\$3.05	\$1,611	\$1,611
	50,000	99,999	\$0	\$17.45	0.000	\$3.05	\$0	\$0
	0	266	\$0	\$20.15	0.000	\$3.96	\$53,525	\$53,525
	267	400	\$0 \$0	\$20.15	0.000	\$3.96	\$15,105	\$15,105
	401	534	\$0	\$20.15	0.000	\$3.96	\$12,736	\$12,736
	535	667	\$0	\$20.15	0.000	\$3.96	\$10,278	\$10,278
	668	801	\$0	\$20.15	0.000	\$3.96	\$9,777	\$9,777
	802	935	\$0	\$20.15	0.000	\$3.96	\$8,512	\$8,512
Com, 3/4	936	1,069	\$0	\$20.15	0.000	\$3.96	\$7,353	\$7,353
Inch	1,070	1,202	\$0 \$0	\$20.15	0.000	\$3.96	\$6,911	\$6,911
	1,203	1,336	\$0	\$20.15	0.000	\$3.96	\$6,428	\$6,428
	1,337	5,999	\$0	\$20.15	0.000	\$3.96	\$77,975	\$77,975
	6,000	9,999	\$0	\$20.15	0.000	\$3.05	\$11,251	\$11,251
	10,000	49,999	\$0	\$20.15	0.000	\$3.05	\$8,558	\$8,558
	50,000	99,999	\$0 \$0	\$20.15	0.000	\$3.05	¢0,000 \$0	¢0,000 \$0
	0	266	\$0	\$27.19	0.000	\$3.96	\$77,535	\$77,535
	267	400	\$0 \$0	\$27.19	0.000	\$3.96	\$21,193	\$21,193
	401	534	\$0	\$27.19	0.000	\$3.96	\$18,189	\$18,189
	535	667	\$0 \$0	\$27.19	0.000	\$3.96	\$16,541	\$16,541
	668	801	\$0 \$0	\$27.19	0.000	\$3.96	\$15,812	\$15,812
	802	935	\$0	\$27.19	0.000	\$3.96	\$14,463	\$14,463
	936	1,069	\$0 \$0	\$27.19	0.000	\$3.96	\$13,485	\$13,485
Com, 1 Inch	1,070	1,202	\$0	\$27.19	0.000	\$3.96	\$13,746	\$13,746
	1,203	1,336	\$0	\$27.19	0.000	\$3.96	\$11,879	\$11,879
	1,337	5,999	\$0	\$27.19	0.000	\$3.96	\$175,308	\$175,308
	6,000	9,999	\$0	\$27.19	0.000	\$3.05	\$29,588	\$29,588
	10,000	49,999	\$0	\$27.19	0.000	\$3.05	\$37,620	\$37,620
	50,000	99,999	\$0	\$27.19	0.000	\$3.05	\$5,794	\$5,794
	100,000	149,999			0.000	\$3.05	\$0	\$0
	0	266	\$0	\$50.89	0.000	\$3.96	\$48,484	\$48,484
	267	400			0.000	\$3.96	\$14,404	\$14,404
	401	534		\$50.89	0.000	\$3.96	\$12,419	\$12,419
	535	667	\$0	\$50.89	0.000	\$3.96	\$13,206	\$13,206
	668	801	\$0 \$0	\$50.89	0.000	\$3.96	\$11,938	\$11,938
	802	935	\$0 \$0	\$50.89	0.000	\$3.96	\$10,080	\$10,080
Com, 1.5	936	1,069	\$0 \$0	\$50.89	0.000	\$3.96	\$8,895	\$8,895
Inch	1,070	1,202	\$0 \$0	\$50.89	0.000	\$3.96	\$8,316	\$8,316
	1,203	1,336	\$0 \$0	\$50.89	0.000	\$3.96	\$7,660	\$7,660
	1,337	5,999	\$0 \$0	\$50.89	0.000	\$3.96	\$156,983	\$156,983
	6,000	9,999	\$0 \$0	\$50.89	0.000	\$3.05	\$33,629	\$33,629
	10,000	49,999	\$0 \$0	\$50.89	0.000	\$3.05	\$46,225	\$46,225
	50,000	99,999			0.000	\$3.05	\$380	\$380
	100,000	149,999			0.000	\$3.05		\$0 \$0
	,	1-0,000	ψŪ	φ00.0 3	0.000	ψ0.00	ΨŪ	ΨŪ

Table 10 - Initial Rate Adjustments	s and Resulting Revenues
-------------------------------------	--------------------------

Customer Class, Rate Class or Meter Size	Volume Range Bottom (in Cu Ft)	Volume Range Top (in Cu Ft)	Sales This Year at Current Rates	Minimum Charge for Calculation Purposes	New Usage Allowance in 100s	New Unit Charge per 100 Cu Ft	Sales This Year at Modeled Rates	Total "Blended" Sales This Year
	0	266	\$0	\$68.51	0.000	\$3.96	\$71,338	\$71,338
	267	400	\$0	\$68.51	0.000	\$3.96	\$23,705	\$23,705
	401	534	\$0	\$68.51	0.000	\$3.96	\$20,903	\$20,903
	535	667	\$0	\$68.51	0.000	\$3.96	\$20,915	\$20,915
	668	801	\$0	\$68.51	0.000	\$3.96	\$20,817	\$20,817
	802	935	\$0	\$68.51	0.000	\$3.96	\$18,677	\$18,677
	936	1,069	\$0	\$68.51	0.000	\$3.96	\$16,707	\$16,707
Com, 2 Inch	1,070	1,202	\$0	\$68.51	0.000	\$3.96	\$16,393	\$16,393
	1,203	1,336	\$0	\$68.51	0.000	\$3.96	\$16,281	\$16,281
	1,337	5,999	\$0	\$68.51	0.000	\$3.96	\$350,341	\$350,342
	6,000	9,999	\$0	\$68.51	0.000	\$3.05	\$133,264	\$133,264
	10,000	49,999	\$0	\$68.51	0.000	\$3.05	\$401,607	\$401,607
	50,000	99,999	\$0	\$68.51	0.000	\$3.05	\$62,257	\$62,257
	100,000	149,999	\$0	\$68.51	0.000	\$3.05	\$5,067	\$5,067
	150,000	199,999	\$0	\$68.51	0.000	\$3.05	\$0	\$0
	0	266	\$0	\$128.34	0.000	\$3.96	\$76,385	\$76,385
	267	400	\$0	\$128.34	0.000	\$3.96	\$4,237	\$4,237
	401	534	\$0	\$128.34	0.000	\$3.96	\$4,448	\$4,448
	535	667	\$0	\$128.34	0.000	\$3.96	\$4,502	\$4,502
	668	801	\$0	\$128.34	0.000	\$3.96	\$3,580	\$3,580
	802	935	\$0	\$128.34	0.000	\$3.96	\$3,678	\$3,678
	936	1,069	\$0	\$128.34	0.000	\$3.96	\$4,151	\$4,151
	1,070	1,202	\$0	\$128.34	0.000	\$3.96	\$3,864	\$3,864
	1,203	1,336	\$0	\$128.34	0.000	\$3.96	\$4,189	\$4,189
	1,337	5,999	\$0	\$128.34	0.000	\$3.96	\$101,704	\$101,704
	6,000	9,999	\$0	\$128.34	0.000	\$3.05	\$58,299	\$58,299
	10,000	49,999	\$0	\$128.34	0.000	\$3.05	\$261,408	\$261,409
Com, 3 Inch	50,000	99,999	\$0	\$128.34	0.000	\$3.05	\$135,305	\$135,305
	100,000	149,999	\$0	\$128.34	0.000	\$3.05	\$91,218	\$91,218
	150,000	199,999	\$0	\$128.34	0.000	\$3.05	\$50,310	\$50,310
	200,000	249,999	\$0	\$128.34	0.000	\$3.05	\$33,663	\$33,663
	250,000	299,999	\$0	\$128.34	0.000	\$3.05	\$30,518	\$30,518
	300,000	349,999	\$0	\$128.34	0.000	\$3.05	\$28,646	\$28,646
	350,000	399,999	\$0	\$128.34	0.000	\$3.05	\$19,938	\$19,938
	400,000	449,999	\$0	\$128.34	0.000	\$3.05	\$15,228	\$15,228
	450,000	499,999	\$0	\$128.34	0.000	\$3.05	\$11,300	\$11,300
	500,000	549,999	\$0	\$128.34	0.000	\$3.05	\$8,395	\$8,395
	550,000	599,999	\$0	\$128.34	0.000	\$3.05	\$4,005	\$4,005
	600,000	649,999	\$0	\$128.34	0.000	\$3.05	\$469	\$469
	650,000	699,999	\$0	\$128.34	0.000	\$3.05	\$0	\$0

Table 10 - Initial Rate Adjustments and Resulting Revenues

Customer	Valuma	Valuesa		N Aire inc		Navy Lluit		
Customer Class, Rate	Volume Range	Volume Range	Sales This	Minimum Charge for	New Usage	New Unit Charge	Sales This	Total "Blended"
Class or Meter	Bottom	Top	Year at Current Rates	Calculation	Allowance in 100s	per 100	Year at Modeled Rates	Sales This Year
Size	(in Cu Ft)	(in Cu Ft)		Purposes		Cu Ft		
	0	266	\$0	\$211.94	0.000	\$3.96	\$64,048	\$64,048
	267	400	\$0	\$211.94	0.000	\$3.96	\$2,356	\$2,356
	401	534	\$0	\$211.94	0.000	\$3.96	\$1,920	\$1,920
	535	667	\$0	\$211.94	0.000	\$3.96	\$1,488	\$1,488
	668	801	\$0	\$211.94	0.000	\$3.96	\$2,321	\$2,321
	802	935	\$0	\$211.94	0.000	\$3.96	\$1,467	\$1,467
	936	1,069	\$0	\$211.94	0.000	\$3.96	\$1,676	\$1,676
	1,070	1,202	\$0	\$211.94	0.000	\$3.96	\$1,671	\$1,671
	1,203	1,336	\$0	\$211.94	0.000	\$3.96	\$1,456	\$1,456
	1,337	5,999	\$0	\$211.94	0.000	\$3.96	\$57,249	\$57,249
	6,000	9,999	\$0	\$211.94	0.000	\$3.05	\$28,995	\$28,995
	10,000	49,999	\$0	\$211.94	0.000	\$3.05	\$159,723	\$159,723
	50,000	99,999	\$0	\$211.94	0.000	\$3.05	\$53,826	\$53,826
Com, 4 Inch	100,000	149,999	\$0	\$211.94	0.000	\$3.05	\$24,991	\$24,991
	150,000	199,999	\$0	\$211.94	0.000	\$3.05	\$11,186	\$11,186
	200,000	249,999	\$0	\$211.94	0.000	\$3.05	\$8,802	\$8,802
	250,000	299,999	\$0	\$211.94	0.000	\$3.05	\$3,794	\$3,794
	300,000	349,999	\$0	\$211.94	0.000	\$3.05	\$2,509	\$2,509
	350,000	399,999	\$0	\$211.94	0.000	\$3.05	\$1,526	\$1,526
	400,000	449,999	\$0	\$211.94	0.000	\$3.05	\$1,526	\$1,526
	450,000	499,999	\$0	\$211.94	0.000	\$3.05	\$1,526	\$1,526
	500,000	549,999	\$0	\$211.94	0.000	\$3.05	\$1,526	\$1,526
	550,000	599,999	\$0	\$211.94	0.000	\$3.05	\$1,526	\$1,526
	600,000	649,999	\$0	\$211.94	0.000	\$3.05	\$1,526	\$1,526
	650,000	699,999	\$0	\$211.94	0.000	\$3.05	\$1,526	\$1,526
	700,000	749,999	\$0	\$211.94	0.000	\$3.05	\$1,526	\$1,526
	750,000	1,013,070	\$0	\$211.94	0.000	\$3.05	\$8,240	\$8,240
	0	266	\$0	\$442.81	0.000	\$3.96	\$5,441	\$5,441
	267	400	\$0	\$442.81	0.000	\$3.96	\$64	\$64
	401	534	\$0	\$442.81	0.000	\$3.96	\$64	\$64
	535	667	\$0	\$442.81	0.000	\$3.96	\$64	\$64
	668	801	\$0	\$442.81	0.000	\$3.96	\$64	\$64
	802	935	\$0	\$442.81	0.000	\$3.96	\$64	\$64
Com, 6 Inch	936	1,069	\$0	\$442.81	0.000	\$3.96	\$64	\$64
	1,070	1,202	\$0	\$442.81	0.000	\$3.96	\$64	\$64
	1,203	1,336	\$0	\$442.81	0.000	\$3.96	\$64	\$64
	1,337	5,999	\$0	\$442.81	0.000	\$3.96	\$2,217	\$2,217
	6,000	9,999	\$0	\$442.81	0.000	\$3.05	\$1,465	\$1,465
	10,000	49,999	\$0	\$442.81	0.000	\$3.05	\$10,961	\$10,961
	50,000	99,999	\$0	\$442.81	0.000	\$3.05	\$0	\$C
	0	266	\$0	\$128.34	0.000	\$3.96	\$16,745	\$16,745
	267	400	\$0 \$0	\$128.34	0.000	\$3.96	\$1,279	\$1,279
	401	400 534	\$0 \$0	\$128.34 \$128.34	0.000	\$3.96	\$737	\$737
	535	667	\$0 \$0	\$128.34	0.000	\$3.96	\$1,228	\$1,228
	668 802	801 935	\$0 \$0	\$128.34 \$128.34	0.000	\$3.96 \$3.96	\$806 \$665	\$806 \$665
Hydrant			\$0 \$0	\$128.34 \$128.34	0.000	\$3.96 \$3.96	\$645 \$645	\$665 \$645
Meter -	936 1.070	1,069	\$0 \$0	\$128.34 \$128.34	0.000			\$645 \$380
RC1110	1,070	1,202	\$0 ¢0	\$128.34	0.000	\$3.96	\$380 \$979	\$380
	1,203	1,336	\$0 \$0	\$128.34 \$128.34	0.000	\$3.96 \$3.96	\$878 \$7 701	\$878 \$7 701
	1,337	5,999	\$0 \$0	\$128.34 \$128.34	0.000		\$7,791 \$1,699	\$7,791 \$1,699
	6,000	9,999	\$0 ¢0	\$128.34	0.000	\$3.05	\$1,688	\$1,688 \$2,669
	10,000	49,999	\$0 ¢0	\$128.34	0.000	\$3.05	\$2,668 \$1,080	\$2,668
	50,000	99,999	\$0 ¢0	\$128.34 \$128.34	0.000	\$3.05	\$1,080 \$0	\$1,080
	100,000	149,999	\$0	\$128.34	0.000	\$3.05	\$0	\$C

Table 10 - Initial Rate Adjustments and Resulting Revenues

Customer Class, Rate Class or Meter Size	Volume Range Bottom (in Cu Ft)	Volume Range Top (in Cu Ft)	Pates	Minimum Charge for Calculation Purposes	New Usage Allowance in 100s	New Unit Charge per 100 Cu Ft	Year at Modeled Pates	Total "Blended" Sales This Year
	0	266	\$0	\$0.00	0.000	\$0.00	\$0	\$0
Government -	267	400	\$0 \$0	\$0.00	0.000	\$0.00	\$0 \$0	\$0 \$0
RC1115								1
	750,000	6,864,710	\$0	\$0.00	0.000	\$0.00	\$0	\$0
Fire Line 4	0	266	\$0	\$17.42	0.000	\$0.00	\$70	\$70
Inch -	267	400	\$0	\$17.42	0.000	\$0.00	\$0	\$0
RC5000	750,000	750,000	\$0	\$17.42	0.000	\$0.00	\$0	\$0
	•			*• · · •		* • • • •	*	^
Fire Line 6	0	266	\$0	\$34.90	0.000	\$0.00	\$0	\$0
Inch -	267	400	\$0	\$34.90	0.000	\$0.00	\$0	\$0
RC5005	750,000	750,000	\$0	\$34.90	0.000	\$0.00	\$0	\$0
Fire Line 8	0	266	\$0	\$52.42	0.000	\$0.00	\$0	\$0
Inch -	267	400	\$0	\$52.42	0.000	\$0.00		\$0 \$0
RC5010								1
1100010	750,000	750,000	\$0	\$52.42	0.000	\$0.00	\$0	\$0
Total Rate Rev	venue at Cu	urrent Rates	\$7	Total Rate	e Revenue at	Modeled Rates	\$11,310,821	

Total Blended Rate Revenues for the Year \$11,310,828

Table 17 - Financial Capacity Indicators and Reserves Cape Girardeau, MO, Water Rates Model 2024-14, Partial Restructure

This table depicts the affordability	ty of future rates, the financial health	of the system and the ending b	alances in various (assumed) accounts for the test	year and the next 10 ye	ars.

	1 , ,	r the system and				,							
		Test Year Starting	0 Year Starting	1st Year Starting	2nd Year Starting	3rd Year Starting	4th Year Starting	5th Year Starting	6th Year Starting	7th Year Starting	8th Year Starting	9th Year Starting	10th Yea Startin
Cap	acity Indicators	7/1/21	7/1/22	7/1/23	7/1/24	7/1/25	7/1/26	7/1/27	7/1/28	7/1/29	7/1/30	7/1/31	7/1/3
Ý	Monthly Bill for a 5,000 gal per Month, Small Meter Residential Customer	\$30.43	\$43.93	\$46.13	\$46.13	\$48.43	\$50.85	\$53.40	\$56.07	\$58.87	\$61.81	\$64.90	\$68.1
ty Inde:	AMHI Within Service Area	\$51,360	\$52,720	\$54,116	\$55,550	\$57,021	\$58,531	\$60,081	\$61,672	\$63,306	\$64,982	\$66,703	\$68,4
Customary Affordability Index	Affordability Index: Current Rates First Column, Modeled Rates After That	0.71%	1.00%	1.02%	1.00%	1.02%	1.04%	1.07%	1.09%	1.12%	1.14%	1.17%	1.19
stomary /	National Average Affordability Index: Commonly Accepted but Not Statistically Verifiable	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00
Cus	Affordability Index (AI) goes to the willingness and abili in the service area (gleaned from Census data or a su 2.0%, unless other eligibility criteria considered along v	vey). Rates ne	ar 1.0% are	common in the									
ae	Monthly Bill for a 2,000 gal per Month, Low-income Residential Customer	\$18.39	\$28.04	\$29.44	\$29.44	\$30.92	\$32.46	\$34.08	\$35.79	\$37.58	\$39.46	\$41.43	\$43.
Index"	Income at One-half the AMHI and Rising at One- half the Rate Above	\$25,680	\$26,020	\$26,365	\$26,714	\$27,067	\$27,426	\$27,789	\$28,157	\$28,530	\$28,908	\$29,290	\$29,6
"Affordability Index"	Affordability for Low-income, Low-volume: Current Rates First Column, Modeled Rates After That	0.86%	1.29%	1.34%	1.32%	1.37%	1.42%	1.47%	1.53%	1.58%	1.64%	1.70%	1.76
"Affo	This additional indicator of affordability assumes a resi customer uses 2,000 gallons per month. Such a custor "slow pays" and "no pays" compared to others, so this	ner is likely eith	ier a minimu	m wage or near	-minimum wag	ge worker, or is	retired and liv	ing only on Sc	cial Security b	enefits. Such	customers are	more commo	nly the
Estir	nated Operating Ratio: Current Rates First Column, Modeled Rates After That	1.47	1.42	1.25	1.70	1.81	1.90	1.93	1.95	2.03	1.92	2.01	2
	Operating ratio (OR) is a measure of the utility's ability for large systems, 1.30 or more for medium-sized syste of OR implies.												
Esti	mated Coverage Ratio: Current Rates First Column, Modeled Rates After That	N.A.	2.56	1.60	5.22	6.07	6.74	7.17	7.62	8.52	8.30	9.44	N
	Coverage Ratio (CR) goes to the ability of the utility to debt during that year. 1.0 is break even - just enough r debt payments than the CR implies. That is covered by	net revenue to p	bay debt. Ge	nerally, the CR	should be at le								
Alter	native Coverage Ratio: Current Rates First Column, Modeled Rates After That	N.A.	11.22	13.47	13.97	11.80	11.04	6.53	5.46	6.91	11.84	14.42	N
	This Alternative Coverage Ratio (ACR) is based on the early on with current net revenues, but then future rate	s may not be h	igh enough t	o show a strong	CR. The clas								

Thus, the Alternative Coverage Ratio can be a better indicator of a utility's true ability to pay debt.

Table 17 - Financial Capacity Indicators and Reserves

		Balance Ending on												
Reserves	3	6/30/21	6/30/22	6/30/23	6/30/24	6/30/25	6/30/26	6/30/27	6/30/28	6/30/29	6/30/30	6/30/31	6/30/32	6/30/33
	Cash and Cash Equivalents	\$6,948,835	\$1,345,524	\$1,411,094	\$1,644,465	\$1,660,494	\$1,661,534	\$1,674,922	\$1,743,733	\$1,825,631	\$1,848,626	\$2,059,874	\$2,079,458	\$2,151,879
	Other Liquid Assets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Total Undedicated Cash Assets	\$6,948,835	\$1,345,524	\$1,411,094	\$1,644,465	\$1,660,494	\$1,661,534	\$1,674,922	\$1,743,733	\$1,825,631	\$1,848,626	\$2,059,874	\$2,079,458	\$2,151,879
	ash Assets Discounted for Inflation re Unrestricted Purchasing Power)	\$6,948,835	\$1,345,524	\$1,411,094	\$1,578,686	\$1,530,311	\$1,470,019	\$1,422,589	\$1,421,792	\$1,429,027	\$1,389,145	\$1,485,972	\$1,440,095	\$1,490,249
	Repair & Replacement	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	Debt and CIP Reserves	\$0	\$8,697,018	\$10,639,404	\$10,829,776	\$8,846,191	\$8,186,911	\$4,149,318	\$3,140,174	\$4,329,719	\$8,706,675	\$10,785,868	\$15,818,284	\$8,018,033
	Sum of All Reserves	\$6,948,835	\$10,042,542	\$12,050,497	\$12,474,241	\$10,506,684	\$9,848,445	\$5,824,241	\$4,883,907	\$6,155,350	\$10,555,301	\$12,845,742	\$17,897,742	\$10,169,911

Cape Girardeau, MO, Water Rates Model 2024-14, Partial Restructure

0 13,179 \$10.37 \$17.45	\$7.08
	φ1.00
267 8,603 \$18.39 \$28.04	\$9.65
401 5,960 \$22.41 \$33.34	\$10.93
535 4,061 \$26.42 \$38.63	\$12.22
668 2,742 \$30.43 \$43.93	\$13.50
802 1,843 \$34.44 \$49.23	\$14.78
Res, 5/8 Inch 936 1,311 \$38.45 \$54.52	\$16.07
1,070 970 \$42.47 \$59.82	\$17.35
1,203 725 \$46.48 \$65.11	\$18.63
1,337 571 \$50.49 \$70.41	\$19.92
6,000 20 \$158.30 \$255.13	\$96.83
10,000 5 \$250.78 \$413.58	\$162.80
50,000 0 \$1,175.58 \$1,998.11	\$822.53
0 1,534 \$15.99 \$20.15	\$4.16
267 1,163 \$24.01 \$30.74	\$6.73
401 885 \$28.03 \$36.04	\$8.01
535 659 \$32.04 \$41.33	\$9.30
668 501 \$36.05 \$46.63	\$10.58
802 371 \$40.06 \$51.93	\$11.86
Res, 3/4 Inch 936 285 \$44.07 \$57.22	\$13.15
1,070 231 \$48.09 \$62.52	\$14.43
1,203 189 \$52.10 \$67.81	\$15.71
1,337 164 \$56.11 \$73.11	\$17.00
6,000 11 \$163.92 \$257.83	\$93.91
10,000 2 \$256.40 \$416.28	\$159.88
50,000 0 \$1,181.20 \$2,000.81	\$819.61

To reduce its size and still cover many customers, this table shows bills for only the most common or extraordinary classes.

Customer, Rate Class or Meter Size	Cu Ft of Use	Customers Using This Volume or More	Bill at Now Current Rates	Bill at Modeled Rates	Modeled Bill Increase or Decrease (-)
	0	263	\$21.58	\$27.19	\$5.61
	267	197	\$29.60	\$37.78	\$8.18
	401	173	\$33.62	\$43.08	\$9.46
	535	147	\$37.63	\$48.37	\$10.75
	668	128	\$41.64	\$53.67	\$12.03
	802	109	\$45.65	\$58.97	\$13.31
Res, 1 Inch	936	95	\$49.66	\$64.26	\$14.60
	1,070	87	\$53.68	\$69.56	\$15.88
	1,203	79	\$57.69	\$74.85	\$17.16
	1,337	74	\$61.70	\$80.15	\$18.45
	6,000	16	\$169.51	\$264.87	\$95.36
	10,000	5	\$261.99	\$423.32	\$161.33
	50,000	0	\$1,186.79	\$2,007.85	\$821.06
	0	21	\$40.39	\$50.89	\$10.50
	267	21	\$48.41	\$61.48	\$13.07
	401	21	\$52.43	\$66.78	\$14.35
	535	20	\$56.44	\$72.07	\$15.64
	668	19	\$60.45	\$77.37	\$16.92
	802	17	\$64.46	\$82.67	\$18.20
Res, 1.5 Inch	936	17	\$68.47	\$87.96	\$19.49
	1,070	16	\$72.49	\$93.26	\$20.77
	1,203	16	\$76.50	\$98.55	\$22.05
	1,337	16	\$80.51	\$103.85	\$23.34
	6,000	3	\$188.32	\$288.57	\$100.25
	10,000	2	\$280.80	\$447.02	\$166.22
	50,000	0	\$1,205.60	\$2,031.55	\$825.95
	0	12	\$61.72	\$68.51	\$6.79
	267	11	\$69.74	\$79.10	\$9.36
	401	10	\$73.76	\$84.40	\$10.64
	535	9	\$77.77	\$89.69	\$11.93
	668	8	\$81.78	\$94.99	\$13.21
	802	8	\$85.79	\$100.29	\$14.49
Res, 2 Inch	936	8	\$89.80	\$105.58	\$15.78
	1,070	7	\$93.82	\$110.88	\$17.06
	1,203	7	\$97.83	\$116.17	\$18.34
	1,337	6	\$101.84	\$121.47	\$19.63
	6,000	2	\$209.65	\$306.19	\$96.54
	10,000	1	\$302.13	\$464.64	\$162.51
	50,000	0	\$1,226.93	\$2,049.17	\$822.24

Customer, Rate Class or Meter Size	Cu Ft of Use	Customers Using This Volume or More	Bill at Now Current Rates	Bill at Modeled Rates	Modeled Bill Increase or Decrease (-)
	0	15	\$115.62	\$128.34	\$12.72
	267	5	\$123.64	\$138.93	\$15.29
	401	5	\$127.66	\$144.23	\$16.57
	535	4	\$131.67	\$149.52	\$17.86
	668	4	\$135.68	\$154.82	\$19.14
Dec 2 Inch	802	4	\$139.69	\$160.12	\$20.42
Res, 3 Inch	936	3	\$143.70	\$165.41	\$21.71
	1,070	3	\$147.72	\$170.71	\$22.99
	1,203	3	\$151.73	\$176.00	\$24.27
	1,337	3	\$155.74	\$181.30	\$25.56
	6,000	1	\$263.55	\$366.02	\$102.47
	10,000	0	\$356.03	\$524.47	\$168.44
	0	1,038	\$10.37	\$17.45	\$7.08
	267	366	\$18.39	\$28.04	\$9.65
	401	281	\$22.41	\$33.34	\$10.93
	535	236	\$26.42	\$38.63	\$12.22
Com, 5/8 Inch	668	199	\$30.43	\$43.93	\$13.50
	802	167	\$34.44	\$49.23	\$14.78
	936	145	\$38.45	\$54.52	\$16.07
	1,070	125	\$42.47	\$59.82	\$17.35
	1,203	106	\$46.48	\$65.11	\$18.63
	1,337	93	\$50.49	\$70.41	\$19.92
	6,000	9	\$158.30	\$212.72	\$54.42
	10,000	2	\$250.78	\$334.79	\$84.01
	50,000	0	\$1,175.58	\$1,555.53	\$379.95
	0	281	\$15.99	\$20.15	\$4.16
	267	166	\$24.01	\$30.74	\$6.73
	401	143	\$28.03	\$36.04	\$8.01
	535	126	\$32.04	\$41.33	\$9.30
	668	115	\$36.05	\$46.63	\$10.58
	802	104	\$40.06	\$51.93	\$11.86
Com, 3/4 Inch	936	95	\$44.07	\$57.22	\$13.15
	1,070	88	\$48.09	\$62.52	\$14.43
	1,203	82	\$52.10	\$67.81	\$15.71
	1,337	76	\$56.11	\$73.11	\$17.00
	6,000	10	\$163.92	\$215.42	\$51.50
	10,000	5	\$256.40	\$337.49	\$81.09
	50,000	0	\$1,181.20	\$1,558.23	\$377.03

Customer, Rate Class or Meter Size	Cu Ft of Use	Customers Using This Volume or More	Bill at Now Current Rates	Bill at Modeled Rates	Modeled Bill Increase or Decrease (-)
	0	369	\$21.58	\$27.19	\$5.61
	267	239	\$29.60	\$37.78	\$8.18
	401	218	\$33.62	\$43.08	\$9.46
	535	204	\$37.63	\$48.37	\$10.75
	668	192	\$41.64	\$53.67	\$12.03
	802	179	\$45.65	\$58.97	\$13.31
Com, 1 Inch	936	169	\$49.66	\$64.26	\$14.60
Com, i men	1,070	160	\$53.68	\$69.56	\$15.88
	1,203	147	\$57.69	\$74.85	\$17.16
	1,337	139	\$61.70	\$80.15	\$18.45
	6,000	24	\$169.51	\$222.46	\$52.95
	10,000	11	\$261.99	\$344.53	\$82.54
	50,000	1	\$1,186.79	\$1,565.27	\$378.48
	100,000	0	\$2,342.79	\$3,091.19	\$748.40
	0	189	\$40.39	\$50.89	\$10.50
	267	142	\$48.41	\$61.48	\$13.07
	401	133	\$52.43	\$66.78	\$14.35
	535	126	\$56.44	\$72.07	\$15.64
	668	117	\$60.45	\$77.37	\$16.92
	802	109	\$64.46	\$82.67	\$18.20
Com, 1.5 Inch	936	104	\$68.47	\$87.96	\$19.49
	1,070	100	\$72.49	\$93.26	\$20.77
	1,203	96	\$76.50	\$98.55	\$22.05
	1,337	94	\$80.51	\$103.85	\$23.34
	6,000	26	\$188.32	\$246.16	\$57.84
	10,000	13	\$280.80	\$368.23	\$87.43
	50,000	0	\$1,205.60	\$1,588.97	\$383.37

Customer, Rate Class or Meter Size	Cu Ft of Use	Customers Using This Volume or More	Bill at Now Current Rates	Bill at Modeled Rates	Modeled Bill Increase or Decrease (-)
	0	288	\$61.72	\$68.51	\$6.79
	267	239	\$69.74	\$79.10	\$9.36
	401	228	\$73.76	\$84.40	\$10.64
	535	220	\$77.77	\$89.69	\$11.93
	668	212	\$81.78	\$94.99	\$13.21
	802	202	\$85.79	\$100.29	\$14.49
	936	195	\$89.80	\$105.58	\$15.78
Com, 2 Inch	1,070	189	\$93.82	\$110.88	\$17.06
	1,203	184	\$97.83	\$116.17	\$18.34
	1,337	178	\$101.84	\$121.47	\$19.63
	6,000	91	\$209.65	\$263.78	\$54.13
	10,000	66	\$302.13	\$385.85	\$83.72
	50,000	6	\$1,226.93	\$1,606.59	\$379.66
	100,000	1	\$2,382.93	\$3,132.51	\$749.58
	150,000	0	\$3,538.93	\$4,658.43	\$1,119.50
	267	51	\$123.64	\$138.93	\$15.29
	401	50	\$127.66	\$144.23	\$16.57
	535	49	\$131.67	\$149.52	\$17.86
	668	48	\$135.68	\$154.82	\$19.14
	802	48	\$139.69	\$160.12	\$20.42
	936	48	\$143.70	\$165.41	\$21.71
	1,070	47	\$147.72	\$170.71	\$22.99
	1,203	46	\$151.73	\$176.00	\$24.27
	1,337	45	\$155.74	\$181.30	\$25.56
	6,000	35	\$263.55	\$323.61	\$60.06
Come Olinah	10,000	27	\$356.03	\$445.68	\$89.65
Com, 3 Inch	50,000	10	\$1,280.83	\$1,666.42	\$385.59
	100,000	6	\$2,436.83	\$3,192.34	\$755.51
	150,000	4	\$3,592.83	\$4,718.26	\$1,125.43
	200,000	2	\$4,748.83	\$6,244.18	\$1,495.35
	250,000	2	\$5,904.83	\$7,770.10	\$1,865.27
	300,000	2	\$7,060.83	\$9,296.02	\$2,235.19
	350,000	1	\$8,216.83	\$10,821.94	\$2,605.11
	400,000	1	\$9,372.83	\$12,347.86	\$2,975.03
	450,000	1	\$10,528.83	\$13,873.78	\$3,344.95
	500,000	1	\$11,684.83	\$15,399.70	\$3,714.87
	550,000	0	\$12,840.83	\$16,925.62	\$4,084.79

Customer, Rate Class or Meter Size	Cu Ft of Use	Customers Using This Volume or More	Bill at Now Current Rates	Bill at Modeled Rates	Modeled Bill Increase or Decrease (-)
	0	48	\$190.81	\$211.94	\$21.13
	267	24	\$198.83	\$222.53	\$23.70
	401	24	\$202.85	\$227.83	\$24.98
	535	23	\$206.86	\$233.12	\$26.27
	668	23	\$210.87	\$238.42	\$27.55
	802	23	\$214.88	\$243.72	\$28.83
	936	23	\$218.89	\$249.01	\$30.12
	1,070	23	\$222.91	\$254.31	\$31.40
Com, 4 Inch	1,203	23	\$226.92	\$259.60	\$32.68
	1,337	23	\$230.93	\$264.90	\$33.97
	6,000	18	\$338.74	\$407.21	\$68.47
	10,000	17	\$431.22	\$529.28	\$98.06
	50,000	4	\$1,356.02	\$1,750.02	\$394.00
	100,000	2	\$2,512.02	\$3,275.94	\$763.92
	150,000	1	\$3,668.02	\$4,801.86	\$1,133.84
	200,000	1	\$4,824.02	\$6,327.78	\$1,503.76
	250,000	0	\$5,980.02	\$7,853.70	\$1,873.68
	0	2	\$398.93	\$442.81	\$43.88
	267	1	\$406.95	\$453.40	\$46.45
	401	1	\$410.97	\$458.70	\$47.73
	535	1	\$414.98	\$463.99	\$49.02
	668	1	\$418.99	\$469.29	\$50.30
	802	1	\$423.00	\$474.59	\$51.58
Com, 6 Inch	936	1	\$427.01	\$479.88	\$52.87
	1,070	1	\$431.03	\$485.18	\$54.15
	1,203	1	\$435.04	\$490.47	\$55.43
	1,337	1	\$439.05	\$495.77	\$56.72
	6,000	1	\$546.86	\$638.08	\$91.22
	10,000	1	\$639.34	\$760.15	\$120.81
	50,000	0	\$1,564.14	\$1,980.89	\$416.75

0 17 \$45.00 \$128.34 \$83.34 267 6 \$53.02 \$138.93 \$85.91 401 6 \$57.04 \$144.23 \$87.19 535 5 \$61.05 \$149.52 \$88.48 668 5 \$65.06 \$154.82 \$89.76 802 5 \$669.07 \$160.12 \$91.04 936 4 \$73.08 \$165.41 \$92.33 1,070 4 \$77.10 \$170.71 \$93.61 1,203 4 \$81.11 \$176.00 \$94.89 1,337 4 \$85.12 \$181.30 \$96.18 6,000 1 \$192.93 \$323.61 \$130.68 10,000 1 \$285.41 \$445.68 \$160.27
$ \begin{array}{cccccccccccccccccccccccccccccccccccc$
535 5 \$61.05 \$149.52 \$88.48 668 5 \$65.06 \$154.82 \$89.76 802 5 \$69.07 \$160.12 \$91.04 936 4 \$73.08 \$165.41 \$92.33 1,070 4 \$77.10 \$170.71 \$93.61 1,203 4 \$85.12 \$181.30 \$94.89 1,337 4 \$85.12 \$181.30 \$96.18 6,000 1 \$192.93 \$323.61 \$130.68
Hydrant Meter - RC1110 668 5 \$65.06 \$154.82 \$89.76 1,070 4 \$73.08 \$160.12 \$91.04 1,070 4 \$77.10 \$170.71 \$93.61 1,203 4 \$85.12 \$181.30 \$96.18 6,000 1 \$192.93 \$323.61 \$130.68
Hydrant Meter - RC1110 802 5 \$69.07 \$160.12 \$91.04 936 4 \$73.08 \$165.41 \$92.33 1,070 4 \$77.10 \$170.71 \$93.61 1,203 4 \$81.11 \$176.00 \$94.89 1,337 4 \$85.12 \$181.30 \$96.18 6,000 1 \$192.93 \$323.61 \$130.68
Hydrant Meter - RC1110 936 4 \$73.08 \$165.41 \$92.33 1,070 4 \$77.10 \$170.71 \$93.61 1,203 4 \$81.11 \$176.00 \$94.89 1,337 4 \$85.12 \$181.30 \$96.18 6,000 1 \$192.93 \$323.61 \$130.68
RC1110 936 4 \$73.08 \$165.41 \$92.33 1,070 4 \$77.10 \$170.71 \$93.61 1,203 4 \$81.11 \$176.00 \$94.89 1,337 4 \$85.12 \$181.30 \$96.18 6,000 1 \$192.93 \$323.61 \$130.68
1,0704\$77.10\$170.71\$93.611,2034\$81.11\$176.00\$94.891,3374\$85.12\$181.30\$96.186,0001\$192.93\$323.61\$130.68
1,3374\$85.12\$181.30\$96.186,0001\$192.93\$323.61\$130.68
6,000 1 \$192.93 \$323.61 \$130.68
10,000 1 \$285.41 \$445.68 \$160.27
50,000 0 \$1,210.21 \$1,666.42 \$456.21
Government - 0 104 \$0.00 \$0.00 \$0.00
RC1115 750,000 0 \$0.00 \$0.00 \$0.00
Fire Line 4 Inch - 0 0 \$13.20 \$17.42 \$4.22
RC5000 750,000 0 \$13.20 \$17.42 \$4.22
Fire Line 6 Inch - 0 0 \$26.44 \$34.90 \$8.46
RC5005 750,000 0 \$26.44 \$34.90 \$8.46
Fire Line 8 Inch - 0 0 \$39.71 \$52.42 \$12.71
RC5010 750,000 0 \$39.71 \$52.42 \$12.71

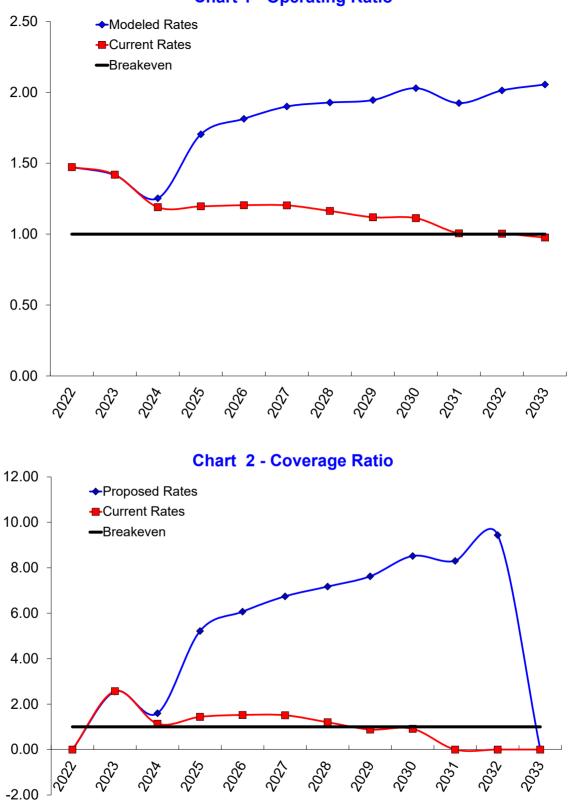
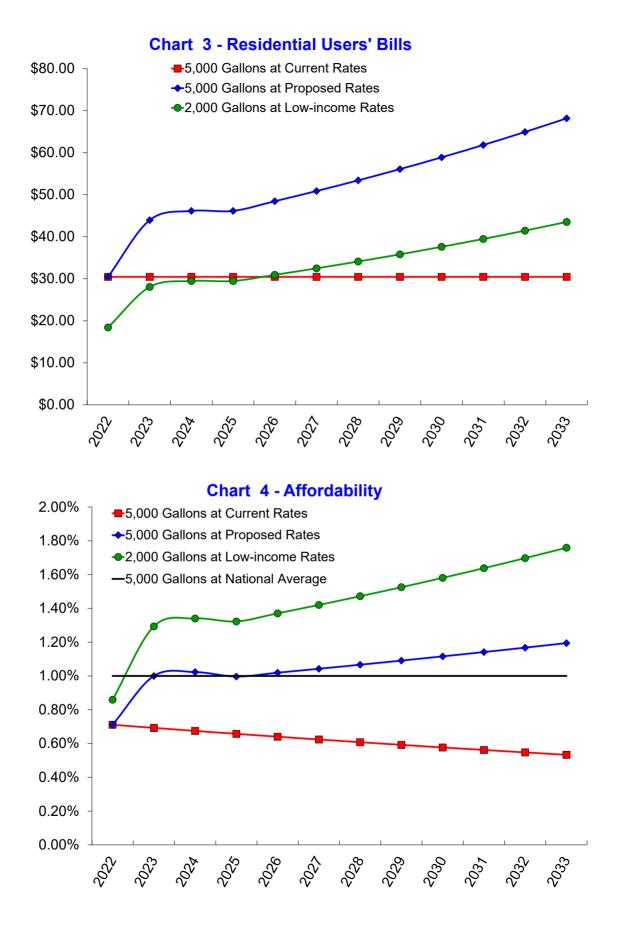
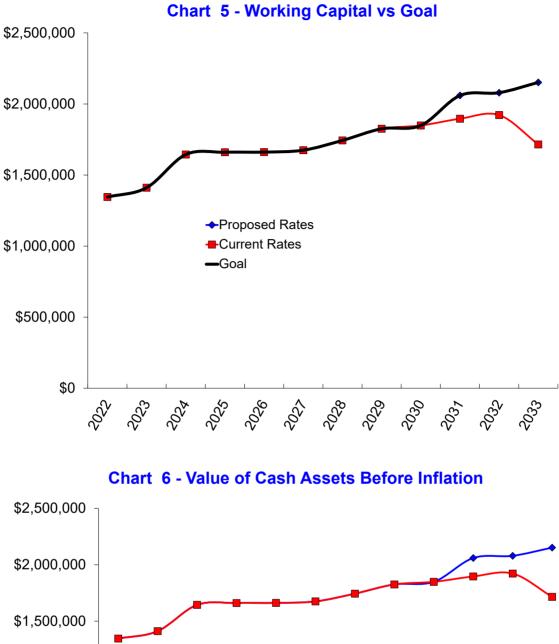


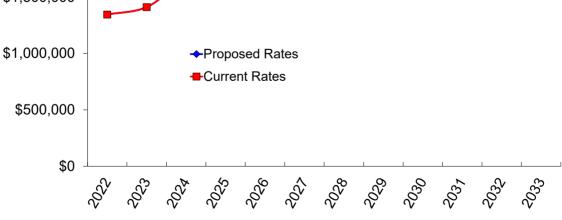
Chart 1 - Operating Ratio



CBGreatRates© Version 8.2

71





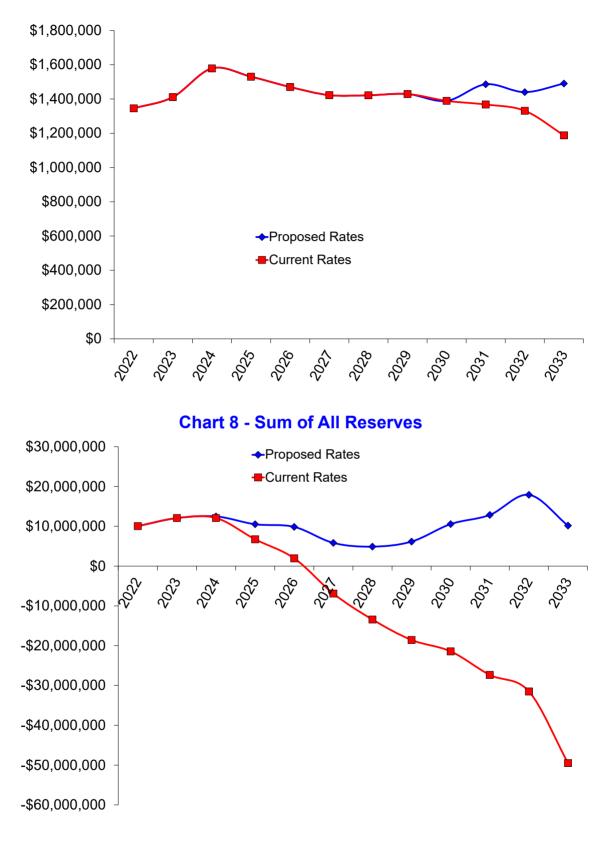


Chart 7 - Value of Cash Assets After Inflation

Water Rate Increases

- March 11, 2024 Kirkwood, Water rate increases were proposed to address aging water system. The prior year increase plus those proposed for the next four years would result in a 50% rate increase over a five year period.
- February 5, 2024- City of St. Louis two increases, one in July of 2023 and one in January of 2024. Totaling 40% increase.
- July 2024, City of Columbia is proposing water rate increases to maintain adequate reserves and to meet debt coverage requirements.
- March 2024, Liberty Utilities submitted a request to the Missouri Public Service commission to adjust water and wastewater rates. To invest \$19.5M in aging water mains and distribution pipes. Average Residential water customer, 26% increase.
- St. Peters MO Fiscal year 2024 Rate increase 9% to cover general increase of prices to operate and maintain the water system.
- February 22, 2024, Republic MO. Water rate increases to secure funding for decades of issues. Average customer expected to see a \$6 to \$12 increase in the monthly bill.

Staff:
Agenda:Ryan Shrimplin, AICP - City
Planner
5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

A Resolution authorizing the City Manager to execute a Demolition Contract with Matthew Russell Parrish II, Mark Grindstaff, and Thomas Grindstaff, D.B.A. SEMO Underbrushing, for the demolition of a building located at 4221 John E. Godwin Jr. Memorial Drive, in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached resolution authorizes the City Manager to execute a contract for the demolition of an aircraft hangar at the Cape Girardeau Regional Airport.

BACKGROUND/DISCUSSION

The City recently solicited bids for the demolition of an aircraft hangar at the Cape Girardeau Regional Airport. Four bids were received, ranging from \$6,218.86 to \$19,450.00. SEMO Underbrushing was the lowest and best bidder. The demolition contract is attached, along with the bid tabulation.

STAFF RECOMMENDATION

Staff recommends approval of the resolution authorizing the City Manager to execute the demolition contract.

ATTACHMENTS:	
Name:	Description:
25-54_Demolition_Contract_SEMO_Underbrushing_Airport_4221.doc	Resolution
Demolition_Contract - 4221_John_EGodwin_JrMemorial_Drive	Demolition Contract - 4221 John E. Godwin Jr.
_SEMO_Underbrushing.pdf	Memorial Drive
Bid_Tabulation.pdf	Bid Tabulation

BILL NO. 25-54

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A DEMOLITION CONTRACT WITH SEMO UNDERBRUSHING FOR DEMOLITION THE OF А BUILDING LOCATED AT 4221 JOHN E. GODWIN JR. CITY MEMORIAL DRIVE, IN THE OF CAPE GIRARDEAU, MISSOURI

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

ARTICLE 1. The City Manager, for and on behalf of the City of Cape Girardeau, Missouri, is hereby authorized to execute a Demolition Contract with Matthew Russell Parrish II, Mark Grindstaff, and Thomas Grindstaff, D.B.A. SEMO Underbrushing, for the demolition of a building located at 4221 John E. Godwin Jr. Memorial Drive, in the City of Cape Girardeau, Missouri. The Contract shall be in substantially the form attached hereto, which document is hereby approved by the City Council, and incorporated herein by reference, with such changes or amendments as shall be approved by the officers of the City executing the same. The officers, agents, and employees of the City are hereby authorized to execute all documents and take steps as they deem necessary and advisable to carry out and perform the purpose of this Resolution.

PASSED AND ADOPTED THIS DAY OF , 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



DEMOLITION CONTRACT

THIS DEMOLITION CONTRACT, hereinafter referred to as this "Contract", is entered into this ______ day of _______, 2025, by and between the CITY OF CAPE GIRARDEAU, MISSOURI, a municipal corporation and political subdivision organized and existing under the laws of the State of Missouri, hereinafter referred to as the "City", and MATTHEW RUSSELL PARRISH II, MARK GRINDSTAFF, AND THOMAS GRINDSTAFF, D.B.A. SEMO UNDERBRUSHING, having their principal office and place of business at 28715 Bcr 342, Marble Hill, MO 63764-7224, hereinafter referred to as the "Contractor". The City and the Contractor collectively are hereinafter referred to as the "Parties".

IN CONSIDERATION OF the mutual covenants contained herein and other good and valuable consideration, the Parties agree as follows:

1. The Contractor shall perform all of the below-described work on the following property, located in the City and County of Cape Girardeau, Missouri, hereinafter referred to as the "Property":

4221 John E. Godwin Jr. Memorial Drive

Scope of Work:

- 1. Remove all asbestos-containing materials (ACMs) in accordance with Missouri Department of Natural Resources regulations.
- 2. Completely demolish and remove one-story, three-part aircraft hangar, sheds, and electrical disconnect equipment and structure.
- 3. Remove all foundations, footings, slabs, steps, and walkways within the building footprint.
- 4. Remove, and properly and legally dispose of, all rubbish and debris from site.
- 5. Deposit clean fill and grade site.
- 6. <u>All work shall be in compliance with the requirements set forth in FAA Advisory Circular</u> <u>150/5370-2, "Operational Safety on Airports During Construction."</u>
- 2. The Contractor shall be responsible for ensuring that all utilities are properly disconnected prior to demolition. This includes demonstrating to the Inspection Services Division that any private sanitary sewer lines existing on the Property are not shared with/do not serve other properties. If shared lines or lines serving other properties are found, then the contractor must notify the Inspection Services Division right away and suspend work until authorized to proceed.
- 3. All rubbish and debris shall be removed from the Property and properly and legally disposed. All holes left by removal of the basement, foundation, footings, etc. shall be filled with good dirt, free of debris, and compacted to a density equal to the surrounding ground (there shall be no burying of concrete or other materials). Dirt required for filling any holes shall be obtained from a site satisfactory to the City. Septic tanks and cisterns shall have tops removed, be pumped out, and filled with sand.
- 4. The Contractor shall be responsible for any damage to the sidewalks, alleys, or streets adjoining the Property. The Contractor shall take all necessary care to protect the nearby buildings, drives, motor vehicles, and all adjoining properties, and shall leave the same in a condition equal to that which now exists.
- 5. The Contractor shall provide all labor and materials, and furnish and direct, at its own expense, whatever equipment or work that may be necessary for the expeditious and proper execution of its duties under this Contract.
- 6. The Contractor shall secure, at its own expense, all permits, licenses, and consents required by law or necessary to perform the work and shall give all notices and pay all fees and otherwise comply with all applicable federal, state, and local laws, ordinances, rules, and regulations.

- 7. Prior to commencing the work, the Contractor shall furnish to the City a certified check or surety bond satisfactory to the City, in the amount of Six Thousand Two Hundred Eighteen Dollars and 86/100 Cents (\$6,218.86), conditioned on the performance by the Contractor of all its duties hereunder.
- 8. Prior to commencing the work, the Contractor shall file with the City a certificate of insurance naming the City as coinsured and showing that the Contractor has in force, for a period equal to the entire term of this Contract, a policy of comprehensive general and professional liability insurance insuring the Contractor against liability for personal injuries and property damage arising out of the work performed under this Contract, in a minimum amount of Five Hundred Seventeen Thousand Three Hundred Six Dollars (\$517,306.00) for injuries to any one (1) person, Three Million Four Hundred Forty-Eight Thousand Seven Hundred Ten Dollars (\$3,448,710.00) for injuries arising from any one (1) accident, and Three Million Four Hundred Forty-Eight Thousand Seven Hundred Ten Dollars (\$3,448,710.00) for property damage arising from any one (1) accident. If the State of Missouri raises the liability limits for municipalities, then the contractor shall increase its insurance to an amount equal to those increased liability limits. Furthermore, the Contractor shall provide and maintain, during the entire term of this Contract and until final acceptance of the work by the City, workers compensation insurance for all of its employees at the site of the work, in full compliance with federal and state requirements.
- 9. Prior to commencing the work, the Contractor shall participate in a pre-demolition meeting with the Inspection Services Division.
- 10. The Contractor shall complete the work herein described no later than forty-five (45) days after the date of this Contract. In the event that the work is not completed by the forty-five (45) day deadline, excepting extensions granted to the Contractor for delays caused by circumstances beyond their control, the Contractor shall pay to the City damages in the sum of Fifty Dollars (\$50.00) per day for each day over the forty-five (45) day deadline.
- 11. Upon satisfactory performance by the Contractor of its duties under this Contract, the submission of an invoice and lien waivers, and acceptance of the work by the City, the City shall pay the Contractor the sum of Six Thousand Two Hundred Eighteen Dollars and 86/100 Cents (\$6,218.86).
- 12. Should the Contractor at any time refuse or neglect to supply adequate materials or equipment, or a sufficient number of properly skilled workers, or fail in any respect to prosecute the work with promptness and diligence, or fail to comply with the terms of this Contract, the City may, at its election, immediately terminate this Contract, giving notice to the Contractor in writing of such election, and enter upon the Property and take possession of the same for the purpose of completing the work covered under this Contract, and may employ any other person or persons to finish the work and to provide the materials therefor at the expense of the Contractor.
- 13. By executing this Contract, the Contractor hereby indemnifies the City from all claims, demands, suits, and actions of every name and description brought against the City for, or on account of, any injuries or damages received or sustained by any parties by, or as a result of, the acts or omissions of the Contractor, their servants or agents, in doing the work herein described, or by, or as a result of, any negligence in guarding the same, or on account of any improper equipment or materials utilized in performing the work.
- 14. By executing this Contract, the Contractor hereby certifies that it is in compliance with all applicable OSHA training requirements.
- 15. The Contractor shall not assign or sublet this Contract or any portion thereof without the prior written consent of the City, nor shall the Contractor allow any person who is not an employee of the Contractor to perform any of the work herein described.
- 16. Failure of the City to insist in any one (1) or more instances on a strict performance of all of the terms or conditions of this Contract, or to exercise any right herein contained, shall not be construed as a future waiver

or relinquishment of the provisions or rights, but the same shall continue and remain in full force and effect. None of the terms or conditions of this Contract shall be altered, waived, modified, or abandoned in any manner except by written instrument executed by the Parties.

17. As this Contract is executed by more than one person or entity as the "Contractor," the obligations of such persons or entity hereunder will be joint and several. Any reference to "Contractor" will mean each such person and entity executing this Contract individually and all such persons and entity collectively. Each individual and entity acknowledge that this Contract is the independent and several obligation of each Contractor and may be enforced against each Contractor separately, whether or not enforcement of any right or remedy hereunder has been sought against any other Contractor and agree that the liability hereunder shall be absolute, unconditional, continuing and irrevocable.

(Signatures on the following pages)

IN WITNESS WHEREOF, the Parties have executed this Contract as of the above date.

<u>CITY</u>

Dr. Kenneth Haskin, City Manager

ATTEST:

City Clerk

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

BE IT REMEMBERED, that on this _____ day of ______, 2025, before me, the undersigned notary public, personally appeared Dr. Kenneth Haskin, City Manager of the City of Cape Girardeau, Missouri, a municipal corporation and political subdivision organized and existing under the laws of the State of Missouri, to me known 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 WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the State and County aforesaid, the date first above written.

Notary Public

My Commission Expires:

CONTRACTOR

Matthew Russell Parrish II, Owner

Mark Grindstaff, Owner

Thomas Grindstaff, Owner

STATE OF MISSOURI)) SS. COUNTY OF _____)

BE IT REMEMBERED, that on this _____ day of ______, 2025, before me, the undersigned notary public, personally appeared Matthew Russell Parrish II, Mark Grindstaff, and Thomas Grindstaff, owners of SEMO Underbrushing, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as the free act and deed of SEMO Underbrushing and each person individually.

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

Notary Public

My Commission Expires:

City of Cape Girardeau

Demolition Bid Opening – April 8, 2025

Tabulation of Bids

Contractor	4221 Godwin Drive Airport Hangar	1424 William Street
Strack Excavating, LLC	15,195.00	<mark>16,000.00</mark>
SEMO Underbrushing	<mark>6,218.86</mark>	
Herzog Excavating & Demolition, LLC	19,450.00	20,200.00
JAC3 Contracting	17,500.00	19,500.00



44 North Lorimier Street Cape Girardeau, MO 63701 (573) 339-6327 cityofcape.org

Staff:
Agenda:Ryan Shrimplin, AICP - City
Planner
5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

A Resolution authorizing the City Manager to execute a Demolition Contract with Strack Excavating, L.L.C., for the demolition of a building located at 1424 William Street, in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached resolution authorizes the City Manager to execute a contract for the demolition of a condemned building.

BACKGROUND/DISCUSSION

A certain building located at 1424 William Street was declared a "dangerous building" per Chapter 7, Article XIII of the City's Code of Ordinances. Due to the severity of the damage, the Building Supervisor granted emergency authorization for the immediate demolition of the building. The City recently solicited bids for the demolition. Three bids were received, ranging from \$16,000.00 to \$20,200.00. Strack Excavating, L.L.C. was the lowest and best bidder. The demolition contract is attached, along with the bid tabulation.

FINANCIAL IMPACT

The City will use funds from the condemnation budget to cover the cost of the demolition. A special tax bill will be issued to recover the cost.

STAFF RECOMMENDATION

Staff recommends approval of the resolution authorizing the City Manager to execute the demolition contract.

ATTACHMENTS:	
Name:	Description:
25-55_Demolition_Contract_Strack_1424_William.doc	Resolution
Demolition_Contract1424_William_StreetStrack_Excavating_LLLCpdf	Demolition Contract - 1424 William Street
Bid_Tabulation.pdf	Bid Tabulation

BILL NO. 25-55

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A DEMOLITION CONTRACT WITH STRACK EXCAVATING, L.L.C., FOR THE DEMOLITION OF A BUILDING LOCATED AT 1424 WILLIAM STREET, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

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

ARTICLE 1. The City Manager, for and on behalf of the City of Cape Girardeau, Missouri, is hereby authorized to execute a Demolition Contract with Strack Excavating, L.L.C., for the demolition of a building located at 1424 William Street, in the City of Cape Girardeau, Missouri. The Contract shall be in substantially the form attached hereto, which document is hereby approved by the City Council, and incorporated herein by reference, with such changes or amendments as shall be approved by the officers of the City executing the same. The officers, agents, and employees of the City are hereby authorized to execute all documents and take steps as they deem necessary and advisable to carry out and perform the purpose of this Resolution.

PASSED AND ADOPTED THIS _____ DAY OF ____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



DEMOLITION CONTRACT

THIS DEMOLITION CONTRACT, hereinafter referred to as this "Contract", is entered into this _____ day of ______, 2025, by and between the CITY OF CAPE GIRARDEAU, MISSOURI, a municipal corporation and political subdivision organized and existing under the laws of the State of Missouri, hereinafter referred to as the "City", and STRACK EXCAVATING, L.L.C., a Missouri Limited Liability Company, having its principal office and place of business at 2907 Boutin Drive, Cape Girardeau, Missouri 63701, hereinafter referred to as the "Contractor". The City and the Contractor collectively are hereinafter referred to as the "Parties".

IN CONSIDERATION OF the mutual covenants contained herein and other good and valuable consideration, the Parties agree as follows:

1. The Contractor shall perform all of the below-described work on the following property, located in the City and County of Cape Girardeau, Missouri, hereinafter referred to as the "Property":

1424 William Street

Scope of Work:

- 1. Remove all asbestos-containing materials (ACMs) in accordance with Missouri Department of Natural Resources regulations. See attached email from Midwest Environmental Studies. Contractor will follow the wet demo method described in Option #1.
- 2. Completely demolish and remove two-story single-family residence with basement.
- 3. Remove all foundations, footings, slabs, steps, and walkways (excluding public sidewalk and adjacent concrete steps / sloped concrete panels).
- 4. Remove, and properly and legally dispose of, all rubbish and debris from site.
- 5. Deposit clean fill and grade site.
- 6. Apply grass seed and straw to site.
- 2. The Contractor shall be responsible for ensuring that all utilities are properly disconnected prior to demolition. This includes demonstrating to the Inspection Services Division that any private sanitary sewer lines existing on the Property are not shared with/do not serve other properties. If shared lines or lines serving other properties are found, then the contractor must notify the Inspection Services Division right away and suspend work until authorized to proceed.
- 3. All rubbish and debris shall be removed from the Property and properly and legally disposed. All holes left by removal of the basement, foundation, footings, etc. shall be filled with good dirt, free of debris, and compacted to a density equal to the surrounding ground (there shall be no burying of concrete or other materials). Dirt required for filling any holes shall be obtained from a site satisfactory to the City. Septic tanks and cisterns shall have tops removed, be pumped out, and filled with sand.
- 4. The Contractor shall be responsible for any damage to the sidewalks, alleys, or streets adjoining the Property. The Contractor shall take all necessary care to protect the nearby buildings, drives, motor vehicles, and all adjoining properties, and shall leave the same in a condition equal to that which now exists.
- 5. The Contractor shall provide all labor and materials, and furnish and direct, at its own expense, whatever equipment or work that may be necessary for the expeditious and proper execution of its duties under this Contract.
- 6. The Contractor shall secure, at its own expense, all permits, licenses, and consents required by law or necessary to perform the work and shall give all notices and pay all fees and otherwise comply with all applicable federal, state, and local laws, ordinances, rules, and regulations.

- 7. Prior to commencing the work, the Contractor shall furnish to the City a certified check or surety bond satisfactory to the City, in the amount of Sixteen Thousand Dollars (\$16,000.00), conditioned on the performance by the Contractor of all its duties hereunder.
- 8. Prior to commencing the work, the Contractor shall file with the City a certificate of insurance naming the City as coinsured and showing that the Contractor has in force, for a period equal to the entire term of this Contract, a policy of comprehensive general and professional liability insurance insuring the Contractor against liability for personal injuries and property damage arising out of the work performed under this Contract, in a minimum amount of Five Hundred Seventeen Thousand Three Hundred Six Dollars (\$517,306.00) for injuries to any one (1) person, Three Million Four Hundred Forty-Eight Thousand Seven Hundred Ten Dollars (\$3,448,710.00) for injuries arising from any one (1) accident, and Three Million Four Hundred Forty-Eight Thousand Seven Hundred Ten Dollars (\$3,448,710.00) for property damage arising from any one (1) accident. If the State of Missouri raises the liability limits for municipalities, then the contractor shall increase its insurance to an amount equal to those increased liability limits. Furthermore, the Contractor shall provide and maintain, during the entire term of this Contract and until final acceptance of the work by the City, workers compensation insurance for all of its employees at the site of the work, in full compliance with federal and state requirements.
- 9. Prior to commencing the work, the Contractor shall participate in a pre-demolition meeting with the Inspection Services Division.
- 10. The Contractor shall complete the work herein described no later than forty-five (45) days after the date of this Contract. In the event that the work is not completed by the forty-five (45) day deadline, excepting extensions granted to the Contractor for delays caused by circumstances beyond their control, the Contractor shall pay to the City damages in the sum of Fifty Dollars (\$50.00) per day for each day over the forty-five (45) day deadline.
- 11. Upon satisfactory performance by the Contractor of its duties under this Contract, the submission of an invoice and lien waivers, and acceptance of the work by the City, the City shall pay the Contractor the sum of Sixteen Thousand Dollars (\$16,000.00).
- 12. Should the Contractor at any time refuse or neglect to supply adequate materials or equipment, or a sufficient number of properly skilled workers, or fail in any respect to prosecute the work with promptness and diligence, or fail to comply with the terms of this Contract, the City may, at its election, immediately terminate this Contract, giving notice to the Contractor in writing of such election, and enter upon the Property and take possession of the same for the purpose of completing the work covered under this Contract, and may employ any other person or persons to finish the work and to provide the materials therefor at the expense of the Contractor.
- 13. By executing this Contract, the Contractor hereby indemnifies the City from all claims, demands, suits, and actions of every name and description brought against the City for, or on account of, any injuries or damages received or sustained by any parties by, or as a result of, the acts or omissions of the Contractor, their servants or agents, in doing the work herein described, or by, or as a result of, any negligence in guarding the same, or on account of any improper equipment or materials utilized in performing the work.
- 14. By executing this Contract, the Contractor hereby certifies that it is in compliance with all applicable OSHA training requirements.
- 15. The Contractor shall not assign or sublet this Contract or any portion thereof without the prior written consent of the City, nor shall the Contractor allow any person who is not an employee of the Contractor to perform any of the work herein described.
- 16. Failure of the City to insist in any one (1) or more instances on a strict performance of all of the terms or conditions of this Contract, or to exercise any right herein contained, shall not be construed as a future waiver

or relinquishment of the provisions or rights, but the same shall continue and remain in full force and effect. None of the terms or conditions of this Contract shall be altered, waived, modified, or abandoned in any manner except by written instrument executed by the Parties.

(Signatures on the following page)

IN WITNESS WHEREOF, the Parties have executed this Contract as of the above date.

CITY OF CAPE GIRARDEAU, MISSOURI

Dr. Kenneth Haskin, City Manager

ATTEST:

City Clerk

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

BE IT REMEMBERED, that on this _____ day of ______, 2025, before me, the undersigned notary public, personally appeared Dr. Kenneth Haskin, City Manager of the City of Cape Girardeau, Missouri, a municipal corporation and political subdivision organized and existing under the laws of the State of Missouri, to me known 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 WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the State and County aforesaid, the date first above written.

Notary Public

My Commission Expires:

STRACK EXCAVATING, L.L.C.

Jo Wayne Strack a.k.a. J.W. Strack, Manager

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

BE IT REMEMBERED, that on this _____ day of ______, 2025, before me, the undersigned notary public, personally appeared Jo Wayne Strack a.k.a. J.W. Strack, Manager of Strack Excavating, L.L.C., a Missouri Limited Liability Company, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as the free act and deed of said Limited Liability Company.

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

Notary Public

My Commission Expires:

City of Cape Girardeau

Demolition Bid Opening – April 8, 2025

Tabulation of Bids

Contractor	4221 Godwin Drive Airport Hangar	1424 William Street
Strack Excavating, LLC	15,195.00	<mark>16,000.00</mark>
SEMO Underbrushing	<mark>6,218.86</mark>	
Herzog Excavating & Demolition, LLC	19,450.00	20,200.00
JAC3 Contracting	17,500.00	19,500.00



44 North Lorimier Street Cape Girardeau, MO 63701 (573) 339-6327 cityofcape.org

Staff:
Agenda:Ryan Shrimplin, AICP - City
Planner
5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

An Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 212 South West End Boulevard, in the City and County of Cape Girardeau, Missouri, from C-1 to R-3.

EXECUTIVE SUMMARY

The attached ordinance rezones the property at 212 South West End Boulevard from C-1 (General Commercial District) to R-3 (High Density Single-Family Residential District). The City Council's public hearing on the rezoning request was held on May 5, 2025.

BACKGROUND/DISCUSSION

A rezoning application has been submitted for the property at 212 South West End Boulevard. The applicant is requesting that the property be rezoned from C-1 (General Commercial District) to R-3 (High Density Single-Family Residential District).

The immediately surrounding properties are zoned R-3 (High Density Single-Family Residential District) to the north, east, and south, and R-2 (Single-Family Urban Residential District) to the west. This area is characterized by residential uses intermingled with some commercial uses. The Cape Vision 2040 Comprehensive Plan's Future Land Use Map shows the subject property as Local Commercial.

The attached ordinance rezones the property to R-3. The City Council's public hearing on the rezoning request was held on May 5, 2025.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

In considering a rezoning request, the Planning and Zoning Commission and the City Council must determine if the proposed zoning district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties. At the time that the Cape Vision 2040 Comprehensive Plan was adopted in 2020, the adjacent property to the north and east was zoned C-1. The Future Land Use Map showed both the subject property and the adjacent property as Local Commercial because they were both zoned for commercial uses. The adjacent property was rezoned to R-3 in 2022. As a result, the subject property is the only property on the block that is not zoned R-3. The subject property contains a single-family dwelling, which is currently a nonconforming use. The owner is requesting the rezoning in order to change it to a permitted use. Given the context of the surrounding properties, the proposed R-3 district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission held a public hearing at its April 9, 2025 meeting and recommended approval of the rezoning request by a vote of 8 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

The City Council's public hearing was advertised in the Southeast Missourian on April 12, 2025. In addition, a sign containing the date, time, location, and subject of the Planning and Zoning Commission and City Council public hearings was posted on the property. Notices were also mailed to the adjacent property owners.

ATTACHMENTS:	
Name:	Description:
25-56_212S_West_End_Rezone.doc	Ordinance
Staff_Review-Referral-Action_Form.pdf	212 South West End Boulevard - Staff RRA Form
<u>Map - 212 S West End Blvd - Zoning.pdf</u>	212 South West End Boulevard - Zoning Map
<u>Map - 212 S West End Blvd - FLU.pdf</u>	212 South West End Boulevard - FLU Map
Application - 212 S_West_End_Rezoning.pdf	212 South West End Boulevard - Application
Sec_30-66C-1General_Commercial_District.pdf	C-1 District Regulations
Sec. 30-59 R-3 High Density Single-Family Residential District.pdf	R-3 District Regulations

BILL NO. 25-56

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI, BY CHANGING THE ZONING OF PROPERTY LOCATED AT 212 SOUTH WEST END BOULEVARD, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, FROM C-1 TO R-3

WHEREAS, the City Planning and Zoning Commission has recommended rezoning all of the property described in Article 1 of this ordinance from C-1, General Commercial District, to R-3, High Density Single-Family Residential District; and

WHEREAS, Public Notice of such change was given as prescribed in Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, and a public hearing was held on Monday, May 5, 2025; and

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

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

ARTICLE 1. Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, is hereby amended to change the zoning from the present C-1, General Commercial District, to R-3, High Density Single-Family Residential District, for the following described property:

212 South West End Boulevard

The West Sixty-eight (68) feet of Lot Six (6) in Block Twenty-one (21) of West End Place Second Addition in the City of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 13.

ARTICLE 2. The City Council hereby finds and declares that the property described in Article 1 of this ordinance is at the present time particularly suitable for the purposes and uses of the R-3, High Density Single-Family Residential District, and that such changes authorized hereby are reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

1

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 on Rezoning/Special Use Permit Application

FILE NO. **<u>1480</u>**

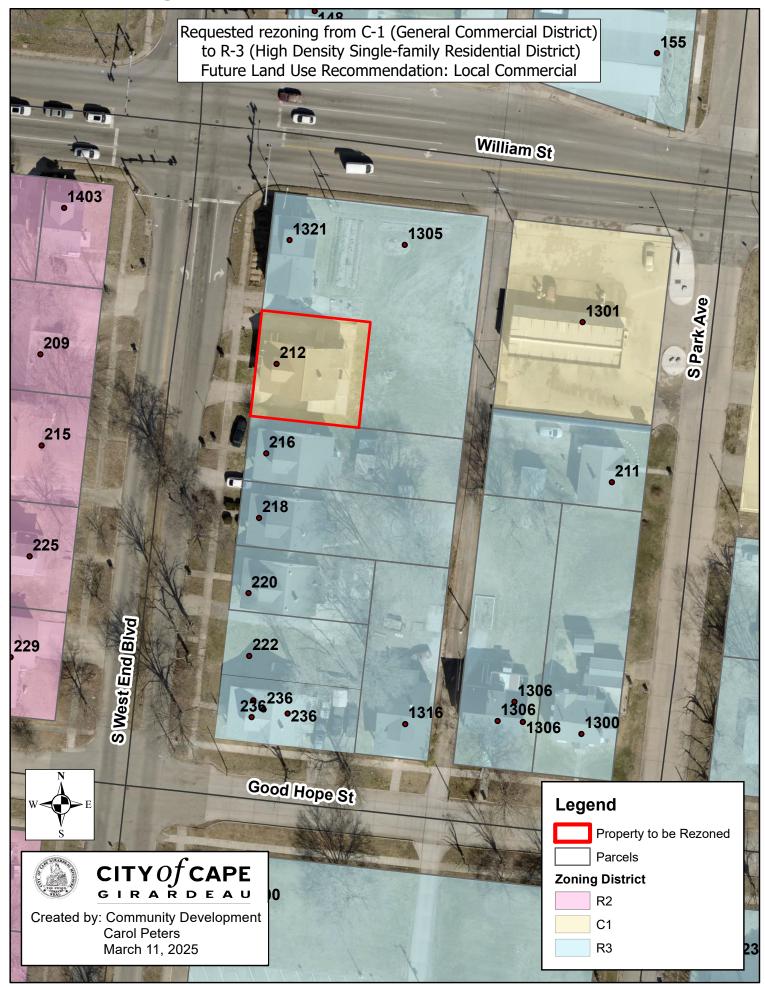
LOCATION: <u>212 South West End Bouelvard</u>

STAFF REVIEW & COMMENTS:

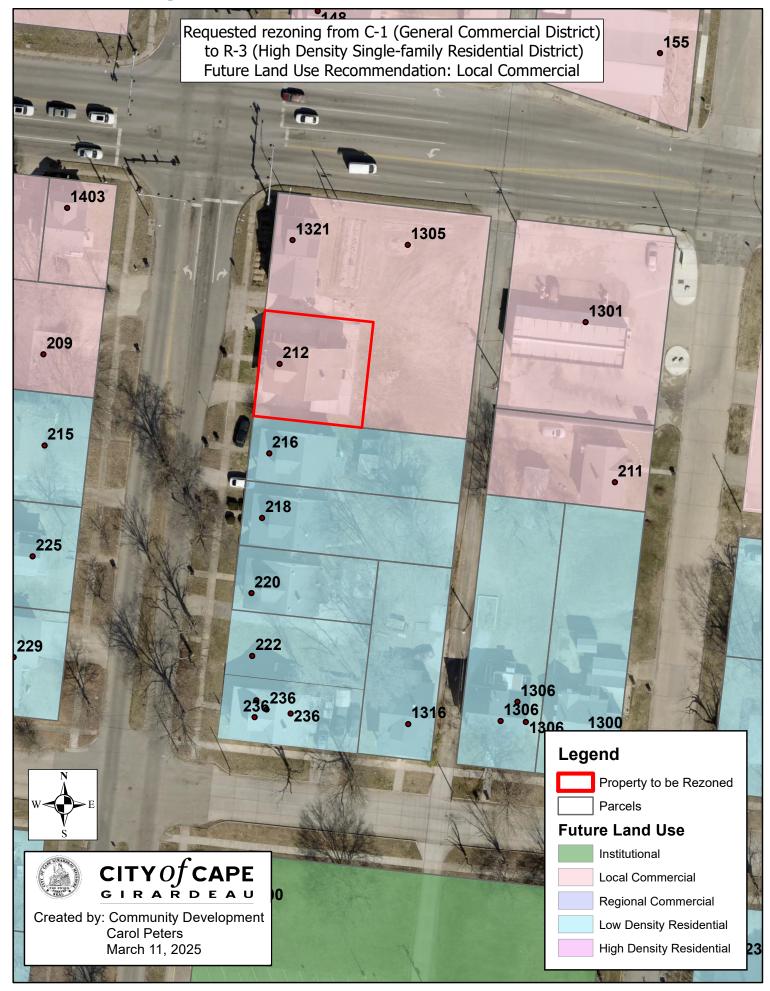
Majeed Investment Group, LLC is requesting to rezone the above listed property from C-1 (General Commercial) to R-3 (High Density Single-family Residential). SEE STAFF REPORT FOR FURTHER INFORMATION

City Planner	3/31/25 Date			
City Attorney	# /1/25 Date			
CITY MANAGER REFERRAL TO THE PL	ANNING AND ZONING COMMISSION:			
City Manager	<u>HAAS</u> Date			
Planning	& Zoning Commission			
Public Hearing Sign Posting Date:	Public Hearing Date:			
RECOMMENDED ACTION: Favor Oppose Abstain Trae Bertrand • Scott Blank • Kevin Greaser • Robbie Guard • Derek Jackson • VOTE COUNT: S Favor COMMENTS:	Gerry Jones Gerry			
	Chris Martin Planning & Zoning Commission Secretary			
Posting Dates: Sign Newspap	ty Council Action per Public Hearing Date: Ordinance 2 nd & 3 rd Reading:			
VOTE COUNT: Favor	Oppose Abstain			
ORDINANCE #	Effective Date:			

Rezoning Request - 212 South West End Boulevard



Rezoning Request - 212 South West End Boulevard





REZONING / SPECIAL USE PERMIT APPLICATION CITY Of CAPE GIRARDEAU COMMUNITY DEVELOPMENT DEPARTMENT, 44 NORTH LORIMIER STREET, CAPE GIRARDEAU, MO 63701 (573) 339-6327

Property Address/Location		
212 S. West End Bly	Jd	
Applicant Majeed Investment Group LC	Property Owner of Record	d 🛛 🔁 S ame as Applicant
Mailing Address 3305 Kaye Rd. Cape Gir., MO (3)	Mailing Address	City, State, Zip
Telephone Email	Telephone	Email
573-450-1131 tonimailed Camailcon	h	
Contact Person Ofene Maired	(Attach additional owners	information, if necessary)
Type of Request	Proposed Special Use (Spe	ecial Use Permit requests only)
🛛 Rezoning 🗖 Special Use Permit 🗖 Both		and the second
Existing Zoning District Choose a Zoning District	Proposed Zoning District (Choose a Zoning District	(Rezoning requests only)

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

Describe the proposed use of the property.

		Ap	plication cont	inues on next page		
OFFICE USE ONLY						
Date Received & By 🚄	10/25 A	S File #	1480	MUNIS Application # 16294	MUNIS Permit #	
Application Fee Receive	ed \$	Check #		Credit Card 🛛 🗖 Cash		
Planning & Zoning Corr	mission Recommer	dation	Date	City Council Final Action _	Date	

Explain how the special use permit request meets the criteria below. Attach additional sheets, if necessary.

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

ADDITIONAL ITEMS REQUIRED	In addition to this completed application form, the following items must be submitted: Base Application fee - \$148.00 payable to City of Cape Girardeau Planned Development rezoning only - Additional \$88 payable to City of Cape Girardeau List of adjacent property owners (see Instructions for requirements)
See Instructions for more information.	 One (1) set of mailing envelopes, stamped and addressed to adjacent property owners OR \$2.85 per adjacent property owner, if stamped envelopes are not submitted One (1) full size copy of a plat or survey of the property, if available One (1) full size set of plans, drawn to an appropriate scale, depicting existing features to be removed, existing features to remain, and all proposed features such as: buildings and structures, paved areas, curbing, driveways, parking stalls, trash enclosures, fences, retaining walls, light poles, detention basins, landscaping areas, freestanding signs, etc. (Planned Development rezonings and Special Use Permits only) One (1) set of Planned Development documents (Planned Development rezonings only)

CERTIFICATIONS

The undersigned hereby certifies that:

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

Property Owner of Record Signature and Printed Name

3-10-25

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

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

ToniMajero icant Signature and Printed Name

Date

3-10-25

Sec. 30-66. - C-1, General Commercial District.

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

(b) Permitted principal uses.

- (1) Art galleries or museums.
- (2) Banks or other financial institutions.
- (3) Bed and breakfasts.
- (4) Commercial day cares.
- (5) Commercial recreation facilities, excluding driving ranges or outdoor shooting or racing.
- (6) Comprehensive marijuana dispensary facilities, medical marijuana dispensary facilities, or microbusiness dispensary facilities, as permitted in <u>section 30-118</u>.
- (7) Funeral homes or mortuaries.
- (8) Governmental facilities.
- (9) Health or fitness centers.
- (10) Institutions of higher education, including business, career or technology schools.
- (11) Instructional schools for art, dance, music, martial arts or other disciplines.
- (12) Libraries.
- (13) Microbreweries.
- (14) Middle schools, secondary schools, or development centers for people with physical, mental or developmental disabilities.
- (15) Nurseries or greenhouses.
- (16) Nursing homes.
- (17) Offices.
- (18) Parks or playgrounds.
- (19) Personal service establishments.
- (20) Pet grooming facilities, excluding kennels.
- (21) Police or fire stations.
- (22) Residential treatment facilities.
- (23) Restaurants or bars.
- (24) Retail or rental establishments, excluding the sale or rental of outbuildings, vehicles, or large agricultural or construction equipment.
- (25) Television or radio studios, including any transmitting facilities.
- (26) Transit terminals.
- (27) Veterinary clinics or animal hospitals, excluding livestock.
- (28) Wineries.
- (c) Permitted accessory uses.

- (1) Accessory structures and uses customarily incidental to the above uses, as permitted in section 30-106.
- (2) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.
- (3) Solar energy systems, as permitted in <u>section 30-113</u>.
- (d) Special uses.
 - (1) Banquet facilities.
 - (2) Hotels or motels.
 - (3) Kennels.
 - (4) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.
 - (5) Meeting halls.
 - (6) Mini warehouses or self-storage units.
 - (7) Public utilities, except for buildings or accessory structures that are normal and customary in a zoning district which would allow other buildings or structures of the same nature as a use-by-right.
 - (8) Short-term or long-term use of shipping containers for principal uses, as permitted in section 30-105.
 - (9) Telecommunication towers, as permitted in section 30-107.
 - (10) The allowance of additional height up to a total of 60 feet, not to exceed a total of five stories.
 - (11) Transitional housing.
 - (12) Uses involving the sale or rental of outbuildings, vehicles, or large agricultural or construction equipment.
 - (13) Vehicle fueling, service or repair facilities, excluding body or paint shops.
 - (14) Vehicle washing facilities, including automatic or hand wash.
 - (15) Wind energy conversion systems, as permitted in section 30-113.
- (e) Standards.
 - (1) All storage of merchandise, materials, products or equipment shall be within a fully enclosed building or in an open yard so screened that the items being stored are not visible from the street or any adjacent property.
 - (2) Outdoor display of merchandise is prohibited, except as follows: Merchandise may be displayed outdoors as part of a temporary use, as permitted in <u>section 30-109</u>. Nursery stock, accessory landscaping decorations, and seasonal and holiday decorations may also be displayed outdoors during the appropriate season. Such displays are permitted in accordance with the following provisions:
 - a. Displays shall not be located in a right-of-way.
 - b. Displays shall not be located in parking spaces used to meet the minimum number of parking spaces as required elsewhere in the city Code. Displays that are part of a bazaar, craft sale, garage or yard sale, or similar temporary event are exempt from this requirement, as determined by the city manager.
 - c. Displays shall not impede vehicular or pedestrian access.
 - d. Displays shall not alter the structure of any building.
 - e. Displays shall not create a health or safety hazard.
 - f. Displays shall be well kept and orderly.
 - g. Signs may be displayed as permitted elsewhere in the city Code.
 - h. The display of seasonal items shall be limited to a time period that is customary for the season associated with the display, which shall be at the discretion of the city manager.

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

- (f) Height, area, width, setback and open space requirements.
 - (1) Maximum height: 40 feet, not to exceed three stories.
 - (2) Minimum lot area: None.
 - (3) Minimum lot width: None.
 - (4) Minimum setbacks:
 - a. Front yard: 25 feet.
 - b. Rear yard: None, except 20 feet when adjacent to a residential use or district, or ten feet when adjacent to an agricultural use or district.
 - c. Side yard: None, except 20 feet when adjacent to a residential use or district, or ten feet when adjacent to an agricultural use or district.
 - (5) Minimum open space: 15 percent of the lot area.

(Code 1990, § 30-333; Ord. No. <u>5211</u>, art. 4, 7-15-2019; Ord. No. <u>5615</u>, art. 3, 2-6-2023)

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

- (a) Purpose. The R-3 district is intended to accommodate single-family, two-family and townhouse residential developments at maximum densities of up to nine units per acre. This district will serve as a transition between lower density and higher density residential districts. Certain other structures and uses necessary to serve the area are allowed as permitted uses or through the approval of a special use permit, subject to restrictions intended to preserve and protect the residential character of this district.
- (b) Permitted principal uses.
 - (1) Single-family detached dwellings, with only one dwelling per lot.
 - (2) Duplexes, two-family dwelling units.
 - (3) Townhouses.
 - (4) Cluster subdivisions, as permitted in <u>chapter 25</u>.
 - (5) Public parks, playgrounds, and recreational facilities.
 - (6) Police and fire stations.
 - (7) Elementary and middle schools, or development centers for elementary and middle school age children with handicaps or development disabilities, on a minimum of five acres of land.
 - (8) Noncommercial, not-for-profit residential neighborhood facilities consisting of indoor and outdoor recreational facilities, offices of property owners' associations, and maintenance facilities operated by a neighborhood or community organization or a property owners' association.
 - (9) Home for eight or fewer unrelated mentally or physically handicapped persons, including no more than two additional persons acting as house parents or guardians who need not be related to each other or to any of the handicapped persons residing in the home, provided that:
 - a. The exterior appearance of the home and property shall reasonably conform to the exterior appearance of other dwellings and property in the neighborhood; and
 - b. Such home shall not be located closer than 370 feet to any other such home.
 - (10) A private residence licensed by the state division of family services or state department of mental health to provide foster care to one or more, but less than seven, children who are unrelated to either foster parent by blood, marriage or adoption, provided that all applicable building and safety codes are met, and an occupancy permit issued therefor.
- (c) Permitted accessory uses.
 - (1) Private garages, carports and accessory structures, as permitted in section 30-106.
 - (2) Home occupations, as permitted in section 30-108.
 - (3) Home day cares, with no more than four unrelated children in a 24-hour period as permitted in section 30-111.
 - (4) In home elderly care, with a maximum of three persons as permitted in <u>section 30-114</u>.
 - (5) Solar energy systems, as permitted in <u>section 30-113</u>.
 - (6) Short-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
- (d) Special uses.
 - (1) Home day cares, with five or more unrelated children, as permitted in <u>section 30-111</u>.
 - (2) Bed and breakfasts.
 - (3) Cemeteries, on a minimum of ten acres of land.
 - (4) Transitional housing.

- (5) Wind energy conversion systems, as permitted in <u>section 30-113</u>.
- (6) Public utilities, except for buildings and accessory structures that are normal and customary in a zoning district which would allow other buildings of the same nature as a use-by-right.
- (7) Long-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
- (e) Height, area, bulk and setback requirements.
 - (1) Maximum height:
 - a. When side yards are less than 15 feet in width, 2½ stories not to exceed 35 feet.
 - b. When side yards are 15 feet in width or greater, three stories, not to exceed 45 feet.
 - (2) Minimum lot area:
 - a. Each townhouse must be on a separate platted lot consisting of at least 1,400 square feet.
 - b. Duplexes: 3,750 square feet per unit.
 - c. Single-family: 5,000 square feet.
 - (3) Maximum density: Nine units per one acre. Higher densities may be approved with a cluster subdivision as permitted in <u>chapter 25</u>.
 - (4) Minimum lot width:
 - a. Townhouses and duplexes: 20 feet.
 - b. All other uses: 30 feet.
 - (5) Minimum yard requirements:
 - a. Front yard:
 - 1. Each townhouse: Ten feet.
 - 2. All other uses: 20 feet.
 - b. Rear yard:
 - 1. Each townhouse: 20 feet.
 - 2. All other uses: 20 feet.
 - c. Side yard:
 - 1. Townhouses and duplexes: None.
 - 2. All other uses: Three feet.
- (f) *Open space, landscaping and bufferyard requirements.* For any nonresidential uses:
 - (1) A minimum of 20 percent of the total lot area shall be devoted to open space, including required yard and buffer yards.
 - (2) Landscaping shall be provided as required in <u>chapter 25</u>.
 - (3) A 20-foot-wide bufferyard shall be required adjacent to any property in the AG, AG-1, RE, R-1, or R-2 zoning districts. This bufferyard shall comply with the requirements of <u>chapter 25</u>.
- (g) Parking regulations. Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in <u>section 25-46</u>. No parking, stopping, or standing of trucks or commercial motor vehicles licensed for a gross weight in excess of 24,000 pounds, except as provided in <u>sections 26-147</u> and <u>26-298</u>.

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

Staff:
Agenda:Ryan Shrimplin, AICP - City
Planner
5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

An Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 3100 and 3130 Ragan Street, in the City and County of Cape Girardeau, Missouri, from R-4 to R-3.

EXECUTIVE SUMMARY

The attached ordinance rezones the property at 3100 and 3130 Ragan Street from R-4 (Medium Density Multifamily Residential District) to R-3 (High Density Single-Family Residential District). The City Council's public hearing on the rezoning request was held on May 5, 2025.

BACKGROUND/DISCUSSION

A rezoning application has been submitted for the property at 3100 and 3130 Ragan Street. The applicant is requesting that the property be rezoned from R-4 (Medium Density Multifamily Residential District) to R-3 (High Density Single-Family Residential District).

The immediately surrounding properties are zoned C-2 (Highway Commercial District) to the north, R-4 (Medium Density Multifamily Residential District) to the east and south, and R-1 (Single-Family Suburban Residential District) to the west. This area is characterized by commercial and residential uses. The Cape Vision 2040 Comprehensive Plan's Future Land Use Map shows the subject property as High Density Residential.

The attached ordinance rezones the property to R-3. The City Council's public hearing on the rezoning request was held on May 5, 2025.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

In considering a rezoning request, the Planning and Zoning Commission and the City Council must determine if the proposed zoning district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties. The subject property is part of a larger parcel that will be subdivided into two lots. One of the lots will match the boundary of the property to be rezoned. The owner has plans to develop this lot for duplexes as part of a Missouri Housing Development Commission (MHDC) tax credit project for workforce housing. The current R-4 zoning does not allow new subdivisions for duplexes. Rezoning the property to R-3 would allow the subdivision and the subsequent development for duplexes to proceed. The Zoning Code states that the R-3 district "will serve as a transition between lower density and higher density residential districts." The adjacent properties to the west are single-family residential lots that are zoned R-1 and the adjacent property to R-3 would create a transition between lower density and higher density districts as prescribed in the Zoning Code. For these reasons, the proposed R-3 district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission held a public hearing at its April 9, 2025 meeting and recommended approval of the rezoning request by a vote of 6 in favor, 0 in opposition, and 2 abstaining.

PUBLIC OUTREACH

The City Council's public hearing was advertised in the Southeast Missourian on April 12, 2025. In addition, a sign containing the date, time, location, and subject of the Planning and Zoning Commission and City Council public hearings was posted on the property. Notices were also mailed to the adjacent property owners.

ATTACHMENTS:				
Name:	Description:			
□ <u>25-57_3100-3130_Ragan_Rezone.doc</u>	Ordinance			
Staff_Review-Referral-Action_Formpdf	3100 & 3130 Ragan Street - Staff RRA Form			
<u>Map - 3100 3130 Ragan Street - Zoning.pdf</u>	3100 & 3130 Ragan Street - Zoning Map			
□ <u>Map - 3100 3130 Ragan Street - FLU.pdf</u>	3100 & 3130 Ragan Street - FLU Map			
Application-Signed.pdf	3100 & 3130 Ragan Street - Application			
Sec_30-60 R-4Medium_Density_Multifamily_Residential_District.pdf	R-4 District Regulations			
Sec. 30-59 R-3 High Density Single-Family Residential District.pdf	R-3 District Regulations			

BILL NO. 25-57

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI, BY CHANGING THE ZONING OF PROPERTY LOCATED AT 3100 AND 3130 RAGAN STREET, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, FROM R-4 to R-3

WHEREAS, the City Planning and Zoning Commission has recommended rezoning all of the property described in Article 1 of this ordinance from R-4, Medium Density Multifamily Residential District, to R-3, High Density Single-Family Residential District; and

WHEREAS, Public Notice of such change was given as prescribed in Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, and a public hearing was held on Monday, May 5, 2025; and

WHEREAS, the City Council of the City of Cape Girardeau, Missouri has elected to rezone the property described in Article 1 of this ordinance from R-4, Medium Density Multifamily Residential District, to R-3, High Density Single-Family Residential District.

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

ARTICLE 1. Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, is hereby amended to change the zoning from the present R-4, Medium Density Multifamily Residential District, to R-3, High Density Single-Family Residential District, for the following described property:

3100 and 3130 Ragan Street

A TRACT OF LAND LOCATED IN PART OF LOT 2, STAR VUE SUBDIVISION, RECORDED IN DOCUMENT NO. 2020-12368 AND BEING A PART OF WARRANTY DEED RECORDED IN DOCUMENT NO. 2014-06465 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, AND ALL BEING IN THE NORTHWEST QUARTER OF FRACTIONAL SECTION 26, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2, SAID POINT BEING A CORNER OF LOT 1 OF SAID STAR VUE

SUBDIVISION AND WITH THE EAST LINE OF SAID LOT 2, S 0°42′00″E, 463.12 FEET; THENCE LEAVING SAID EAST LINE S 89°18'00"W, 588.12 FEET TO THE WEST LINE OF SAID LOT 2, SAID POINT ALSO BEING ON THE EAST LINE OF LOT 9, SILVERTHORNE SUBDIVISION RECORDED IN PLAT BOOK 21, PAGE 46; THENCE WITH SAID WEST LINE OF SAID LOT 2 AND WITH SAID EAST LINE OF SAID LOT 9 AND EXTENDING ALONG THE WEST LINE OF LOT 1, BLANK SUBDIVISION RECORDED IN DOCUMENT NO. 2015-01634 AND LOT 6 OF SAID SILVERTHORNE SUBDIVISION, N 0°27'30"W, 764.08 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE LEAVING SAID EAST AND WEST LINE AND WITH THE NORTH LINE OF SAID LOT 2, SAID LINE ALSO BEING THE SOUTH LINE OF A TRACT OF LAND DESCRIBED BY QUIT-CLAIM DEED RECORDED IN BOOK 533, PAGE 428 THE FOLLOWING COURSES AND DISTANCES, S 70°43′45″E, 56.44 FEET; THENCE S 39°44′35″E, 142.34 FEET; THENCE S 56°27′20″E, 187.86 FEET; THENCE S 67°49'15"E, 134.66 FEET; THENCE S 76°41′50″E, 87.75 FEET; THENCE N 83°18′05″E, 78.12 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.60 ACRES.

ARTICLE 2. The City Council hereby finds and declares that the property described in Article 1 of this ordinance is at the present time particularly suitable for the purposes and uses of the R-3, High Density Single-Family Residential District, and that such changes authorized hereby are reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

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

PASSED AND APPROVED THIS DAY OF , 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. <u>1479</u>

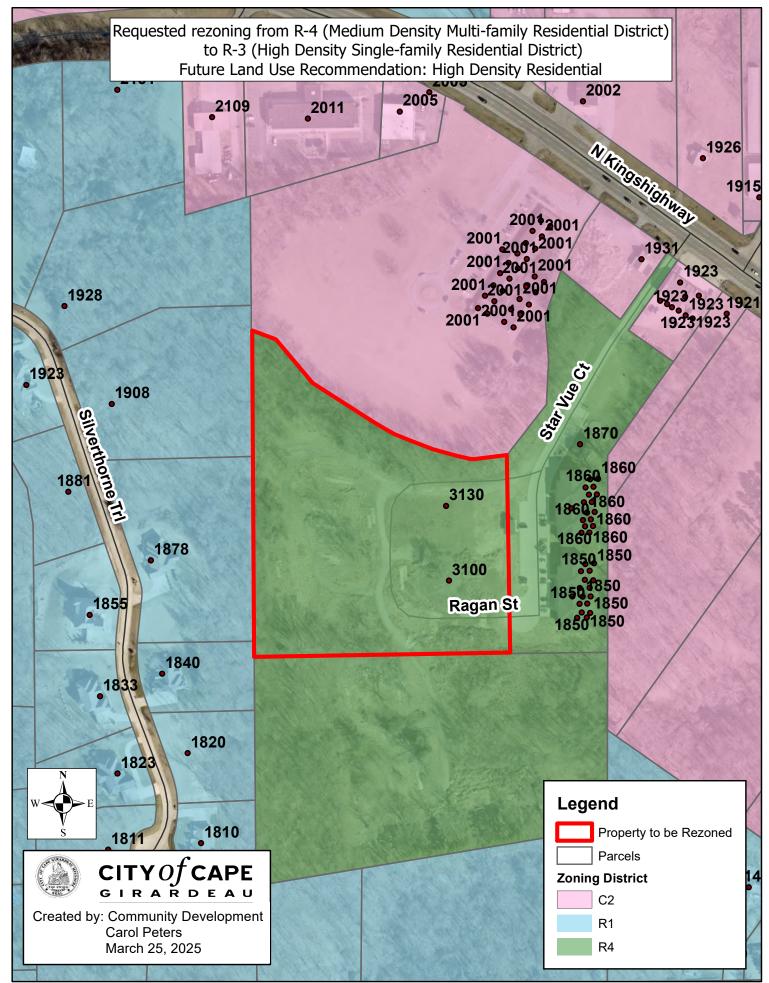
LOCATION: <u>3100/3130 Ragan Street</u>

STAFF REVIEW & COMMENTS:

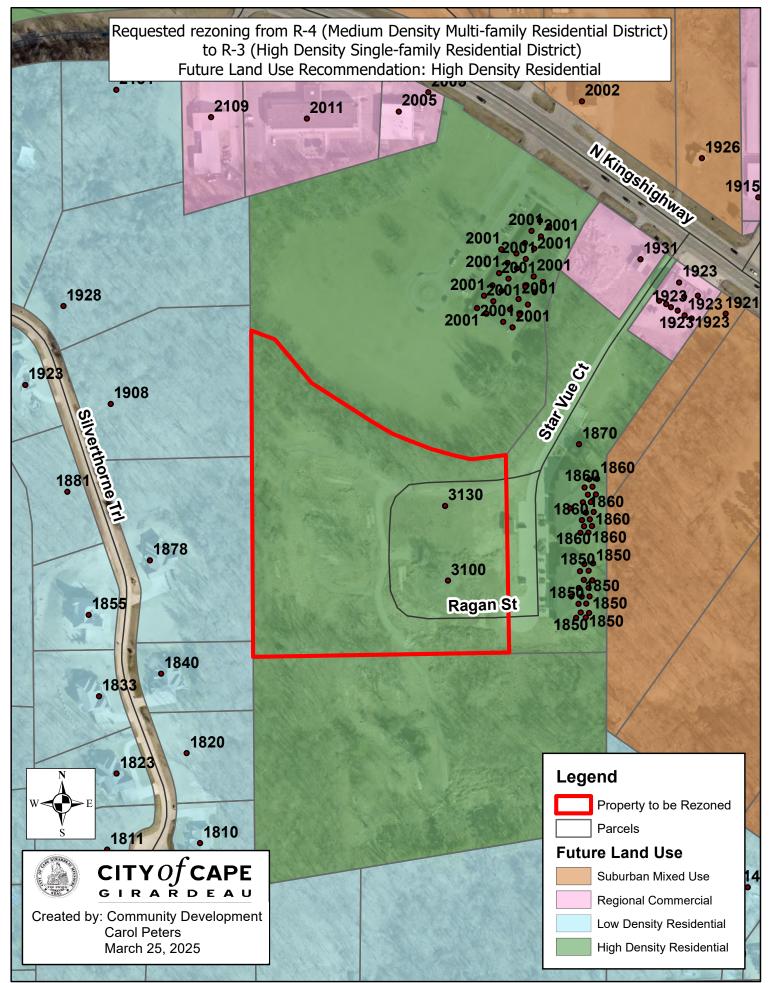
HRM Services is requesting to rezone the above listed property from R-4 (Medium Density Multi-family Residential) to R-3 (High Density Single-family Residential). SEE STAFF REPORT FOR FURTHER INFORMATION

City Planner	<u>3/31/25</u> Date
City Attorney	<u> </u>
CITY MANAGER REFERRAL TO THE P	LANNING AND ZONING COMMISSION:
City Manager	<u>UDate</u>
Planning	g & Zoning Commission
Public Hearing Sign Posting Date:	Public Hearing Date:
RECOMMENDED ACTION: Favor Oppose Absta Trae Bertrand Scott Blank Scott Blank Kevin Greaser Robbie Guard Derek Jackson VOTE COUNT: Favor COMMENTS:	Gerry Jones Chris Martin Chris Martin Chris Martin Chris Martin Christer Christer Martin Chris
	Chris Martin Planning & Zoning Commission Secretary
Posting Dates: Sign <u>4-11-25</u> Newspa	ity Council Action per4-13-25 Public Hearing Date:5-7-25 Ordinance 2 nd & 3 rd Reading:
VOTE COUNT: Favor	Oppose Abstain
ORDINANCE #	Effective Date:

Rezoning Request - 3100 & 3130 Ragan Street



Rezoning Request - 3100 & 3130 Ragan Street





REZONING / SPECIAL USE PERMIT APPLICATION

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

Property Address/Location

1870 STAR VUE CT

Applicant HRM SERVICES			Property Owner of Re STAR VUE RENTALS LI		Same as Applicant
Mailing Address 310 Elm Street		City, State, Zip Washington, MO 63090	Mailing Address 2967 E OUTER RD		City, State, Zip SCOTT CITY, MO, 63780
TelephoneEmail636-527-2003dgiffin@hrmservices.org		Telephone	Email ssinc2@	∮yahoo.com	
Contact Person Deb Giffin			(Attach additional ow	ners informa	tion, if necessary)
Type of Request Z Rezoning Special Use Permit Doth		Proposed Special Use (Special Use Permit requests only)			
Existing Zoning Distr R-4, Medium Density M		esidential District	Proposed Zoning Dist R-3, High Density Single	-	

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

See attached.

Describe the proposed use of the property.

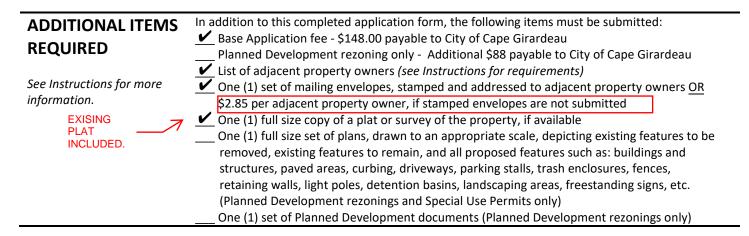
Property is currently zoned R-4 for Multi-family. We are requesting to down zone it to R-3 to install 22 duplexes. Duplexes are not allowed in R-4 triggering the request.

Application continues on next page				
OFFICE USE ONLY				
Date Received & By	File #	MUNIS Application #	MUNIS Permit #	
Application Fee Received \$	🗅 Check #	Credit Card 🛛 Cash		
Planning & Zoning Commission Recomm	nendation	Date City Council Final Action	Date	

Special Use Criteria (Special Use Permit requests only)

Explain how the special use permit request meets the criteria below. Attach additional sheets, if necessary.

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



CERTIFICATIONS

The undersigned hereby certifies that:

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

	Brad Schloss	-, -, -,		
Property Own	er of Record Signature and Printed Nam	ne Date		
(Provide additional owners signatures and printed names in the space below, if applicable)				

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

Applicant Signature and Printed Name

Date

CITY OF CAPE GIRARDEAU REZONING / SPECIAL USE PERMIT APPLICATION INSTRUCTIONS

Due to the complex nature of zoning, it is strongly recommended that an applicant discuss their request with City staff prior to submitting an application for a rezoning or a special use permit. To speak with a staff member, contact:

City of Cape Girardeau Planning Services Division 44 North Lorimier Street Cape Girardeau, MO 63701 (573) 339-6327 cityplanning@cityofcape.org

Applicants should also discuss their request with adjacent property owners, tenants, and other parties that may be affected should the request be approved.

A list of the adjacent property owners must be submitted as part of the application. "Adjacent property" means a property that is next to, or across a street or alley from, the property for which the rezoning or special use permit is being requested, including diagonal orientation. To obtain property owner information, contact Cape Girardeau County Mapping and Appraisal at (573) 243-3123 or visit the County's website at <u>www.capecounty.us</u>. The list must contain the name, property address, mailing address, city, state, and ZIP code for each adjacent property owner, per the following examples:

Property Owner Name	Property Address	Mailing Address	City	State	Zip Code
Ex. John and Jane Doe	900 North Main Street	900 North Main Street	Cape Girardeau	МО	63701
Ex. ZZZ Development, LLC	910 North Main Street	100 Natural Bridge Avenue, Suite A	St. Louis	МО	63107

In addition to the list, a set of plain, white, business size mailing envelopes addressed to the adjacent property owners (each with a first class U.S. postage stamp) must be submitted. Do not include a return address; City staff will add the Planning Services Division's return address to each envelope prior to mailing the public hearing notice. In lieu of submitting stamped addressed envelopes, the applicant may choose to pay an additional \$2.85 per adjacent property owner for the required envelopes.

For requests to rezone a property to PD (Planned Development District), refer to Section 30-341 of the City's Code of Ordinances for additional submission requirements.

Rezoning and special use permit requests are reviewed by the Planning and Zoning Commission. The application deadline is four (4) weeks prior to the Planning and Zoning Commission meeting date. The Commission meets monthly on the second Wednesday. Applications must be delivered to the Planning Services Division using the above contact information.

City staff will review each application for completeness. If required information and/or items are missing, the applicant will be contacted. Incomplete applications will not be reviewed until the requested information and/or items are provided.

Once an application has been deemed complete, it will be placed on the next Planning and Zoning Commission agenda. A notice of the public hearing will be sent to the applicant and the adjacent property owners. In addition, a sign containing information about the public hearing will be posted on the property.

The Planning and Zoning Commission will hold a public hearing on the request. The applicant, property owner(s) of record, or their representative must appear at the hearing and present the request to the Commission. If no one appears, then the Commission may table (postpone) the request.

If the Planning and Zoning Commission recommends approval of the request, then a public hearing before the City Council will be scheduled. A notice of the public hearing will be advertised in the newspaper. An ordinance approving the request will be prepared for consideration by the Council (if a request involves both a rezoning and a special use permit, then two separate ordinances are prepared).

If the Planning and Zoning Commission recommends denial of the request, then the application will be forwarded to the City Council at its next meeting. The Council may deny the request and file the application, or set a public hearing on the request. If the

application is filed, then a letter will be sent to the applicant notifying them of the filing and their right to ask for a public hearing within ten (10) days. If the applicant fails to ask for a public hearing within the ten (10) day period, the request will be denied. Rezoning and special use permit requests are approved by ordinance and must receive approval of the first reading at one meeting and approval of the second and third readings at the next meeting. A mandatory ten (10) day waiting period applies to all ordinances approved by the City Council. After the waiting period has passed, the ordinance will take effect. For special use permit requests, a special use permit will be executed by the City Manager, after which City staff will submit it to the Cape Girardeau County Recorder of Deeds Office for recording. Staff will deliver a copy of the recorded special use permit to the applicant. A special use permit becomes null and void if the use for which the permit was granted does not commence within twelve (12) months of the approval date, unless an extension has been granted.

For questions, please contact the Planning Services Division at (573) 339-6327 or cityplanning@cityofcape.org.

Sec. 30-60. - R-4, Medium Density Multifamily Residential District.

- (a) Purpose. The R-4 district provides for multifamily dwellings and other residential uses with a maximum density of 18 units per one acre. Single-family detached and two-family (duplex) dwellings are permitted in order to accommodate existing R-4 zoned lots that either contain such uses or are not large enough to be developed for multifamily dwellings. It is not intended for new single-family detached or two-family subdivisions, which are prohibited.
- (b) Permitted principal uses.
 - (1) Single-family detached dwellings, with only one dwelling per lot, and excluding new single-family detached subdivisions.
 - (2) Two-family (duplex) dwellings, excluding new two-family subdivisions.
 - (3) Multifamily dwellings.
 - (4) Townhouses.
 - (5) Cluster subdivisions, as permitted elsewhere in the city Code.
 - (6) Nursing homes, senior citizen housing and retirement homes.
 - (7) Noncommercial, not-for-profit residential neighborhood facilities consisting of indoor and/or outdoor recreational facilities, offices of property owners' associations, and maintenance facilities operated by a neighborhood or community organization or a property owners' association.
 - (8) Public parks, playgrounds, and recreational facilities.
 - (9) Police and fire stations.
 - (10) Elementary, middle and secondary schools, and development centers for elementary, middle and secondary school age children with physical, mental or developmental disabilities.
 - (11) Commercial day cares.
- (c) Permitted accessory uses.
 - (1) Private garages, carports and accessory structures, as permitted in section 30-106.
 - (2) Home occupations, as permitted in <u>section 30-108</u>.
 - (3) Solar energy systems, as permitted in <u>section 30-113</u>.
 - (4) Short-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
- (d) Special uses.
 - (1) Bed and breakfasts.
 - (2) Boutique hotels. The term "boutique hotel" shall mean an establishment containing a minimum of five and a maximum of 20 rooming units, which is used or advertised as a place where lodging accommodations are supplied for pay to guests for lodging occupancy with rooms having access to the outside through an interior hallway connected to the main lobby of the building, and which may provide additional services such as restaurants, meeting rooms, entertainment and recreational facilities.
 - (3) Cemeteries, on a minimum of ten acres of land.
 - (4) Long-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
 - (5) Public utilities, except for buildings and accessory structures that are normal and customary in a zoning district which would allow other buildings of the same nature as a use-by-right.
 - (6) Residential treatment facilities.
 - (7) Transitional housing.
 - (8) Wind energy conversion systems, as permitted in section 30-113.

- (e) Height, area, bulk and setback regulations.
 - (1) Maximum height: Five stories not to exceed 60 feet.
 - (2) Minimum lot area:
 - a. Each townhouse must be on a separate platted lot consisting of at least 1,400 square feet.
 - b. All other uses: 3,750 square feet.
 - (3) Maximum density: 18 units per one acre. Higher densities may be approved with a cluster subdivision, as permitted elsewhere in the city Code.
 - (4) Minimum lot width:
 - a. Each townhouse: 20 feet.
 - b. All other uses: None.
 - (5) Minimum yard requirements:
 - a. Front yard:
 - 1. Each townhouse: Ten feet.
 - 2. All other uses: 25 feet.
 - b. Rear yard:
 - 1. Each townhouse: 20 feet.
 - 2. All other uses: 25 feet.
 - c. Side yard:
 - 1. Each townhouse: None.
 - 2. All other uses: Five feet.
 - (6) Maximum building coverage, including accessory buildings: 50 percent of the lot for all uses except townhouses.
 - (7) Open space requirements: For any multifamily residential uses or nonresidential uses, a minimum of 20 percent of the total lot area shall be devoted to open space, including required yards and bufferyards.
- (f) Parking regulations. Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in <u>section 25-46</u>. There shall be no parking, stopping, or standing of trucks or commercial motor vehicles licensed for a gross weight in excess of 24,000 pounds, except as provided in <u>sections 26-147</u> and <u>26-298</u>.

(Code 1990, § 30-325; Ord. No. 5012, art. 4, 10-2-2017; Ord. No. 5550, art. 1, 6-20-2022; Ord. No. 5635, art. 1, 4-17-2023)

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

- (a) Purpose. The R-3 district is intended to accommodate single-family, two-family and townhouse residential developments at maximum densities of up to nine units per acre. This district will serve as a transition between lower density and higher density residential districts. Certain other structures and uses necessary to serve the area are allowed as permitted uses or through the approval of a special use permit, subject to restrictions intended to preserve and protect the residential character of this district.
- (b) Permitted principal uses.
 - (1) Single-family detached dwellings, with only one dwelling per lot.
 - (2) Duplexes, two-family dwelling units.
 - (3) Townhouses.
 - (4) Cluster subdivisions, as permitted in <u>chapter 25</u>.
 - (5) Public parks, playgrounds, and recreational facilities.
 - (6) Police and fire stations.
 - (7) Elementary and middle schools, or development centers for elementary and middle school age children with handicaps or development disabilities, on a minimum of five acres of land.
 - (8) Noncommercial, not-for-profit residential neighborhood facilities consisting of indoor and outdoor recreational facilities, offices of property owners' associations, and maintenance facilities operated by a neighborhood or community organization or a property owners' association.
 - (9) Home for eight or fewer unrelated mentally or physically handicapped persons, including no more than two additional persons acting as house parents or guardians who need not be related to each other or to any of the handicapped persons residing in the home, provided that:
 - a. The exterior appearance of the home and property shall reasonably conform to the exterior appearance of other dwellings and property in the neighborhood; and
 - b. Such home shall not be located closer than 370 feet to any other such home.
 - (10) A private residence licensed by the state division of family services or state department of mental health to provide foster care to one or more, but less than seven, children who are unrelated to either foster parent by blood, marriage or adoption, provided that all applicable building and safety codes are met, and an occupancy permit issued therefor.
- (c) Permitted accessory uses.
 - (1) Private garages, carports and accessory structures, as permitted in section 30-106.
 - (2) Home occupations, as permitted in section 30-108.
 - (3) Home day cares, with no more than four unrelated children in a 24-hour period as permitted in section 30-111.
 - (4) In home elderly care, with a maximum of three persons as permitted in <u>section 30-114</u>.
 - (5) Solar energy systems, as permitted in <u>section 30-113</u>.
 - (6) Short-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
- (d) Special uses.
 - (1) Home day cares, with five or more unrelated children, as permitted in <u>section 30-111</u>.
 - (2) Bed and breakfasts.
 - (3) Cemeteries, on a minimum of ten acres of land.
 - (4) Transitional housing.

- (5) Wind energy conversion systems, as permitted in <u>section 30-113</u>.
- (6) Public utilities, except for buildings and accessory structures that are normal and customary in a zoning district which would allow other buildings of the same nature as a use-by-right.
- (7) Long-term use of shipping containers for accessory uses, as permitted in <u>section 30-105</u>.
- (e) Height, area, bulk and setback requirements.
 - (1) Maximum height:
 - a. When side yards are less than 15 feet in width, 2½ stories not to exceed 35 feet.
 - b. When side yards are 15 feet in width or greater, three stories, not to exceed 45 feet.
 - (2) Minimum lot area:
 - a. Each townhouse must be on a separate platted lot consisting of at least 1,400 square feet.
 - b. Duplexes: 3,750 square feet per unit.
 - c. Single-family: 5,000 square feet.
 - (3) Maximum density: Nine units per one acre. Higher densities may be approved with a cluster subdivision as permitted in <u>chapter 25</u>.
 - (4) Minimum lot width:
 - a. Townhouses and duplexes: 20 feet.
 - b. All other uses: 30 feet.
 - (5) Minimum yard requirements:
 - a. Front yard:
 - 1. Each townhouse: Ten feet.
 - 2. All other uses: 20 feet.
 - b. Rear yard:
 - 1. Each townhouse: 20 feet.
 - 2. All other uses: 20 feet.
 - c. Side yard:
 - 1. Townhouses and duplexes: None.
 - 2. All other uses: Three feet.
- (f) *Open space, landscaping and bufferyard requirements.* For any nonresidential uses:
 - (1) A minimum of 20 percent of the total lot area shall be devoted to open space, including required yard and buffer yards.
 - (2) Landscaping shall be provided as required in <u>chapter 25</u>.
 - (3) A 20-foot-wide bufferyard shall be required adjacent to any property in the AG, AG-1, RE, R-1, or R-2 zoning districts. This bufferyard shall comply with the requirements of <u>chapter 25</u>.
- (g) Parking regulations. Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in <u>section 25-46</u>. No parking, stopping, or standing of trucks or commercial motor vehicles licensed for a gross weight in excess of 24,000 pounds, except as provided in <u>sections 26-147</u> and <u>26-298</u>.

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

Alex McElroy, MPA - SEMPOStaff:Executive Director & City GrantAgenda:Coordinator5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

An Ordinance authorizing the City Manager to execute a Transportation Planning Consolidated Grant Agreement with the Missouri Highways and Transportation Commission for Southeast Metropolitan Planning Organization expenses, in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached ordinance authorizes the execution of a grant agreement on behalf of the Southeast Metropolitan Planning Organization.

BACKGROUND/DISCUSSION

The Southeast Metropolitan Planning Organization (SEMPO) is a federally mandated and funded policy-making organization that oversees transportation planning for the Cape Girardeau-Jackson urbanized area. As authorized in the Memorandum of Understanding, the City of Cape Girardeau provides administrative services and staff support for SEMPO. Each fiscal year, SEMPO receives grant funds from the Federal Highway Administration and the Federal Transit Administration to cover eligible expenses. The grant is administered by the Missouri Highway and Transportation Commission. As the administrative body for SEMPO, the City of Cape Girardeau receives the funds and therefore is required to execute a Transportation Planning Consolidated Grant Agreement. The agreement for FY 2026 is attached. The agreement period is from July 1, 2025 to June 30, 2026.

FINANCIAL IMPACT

The agreement authorizes the City of Cape Girardeau to receive funds up to\$339,135 for reimbursement of eligible expenses incurred by SEMPO during the agreement period. A 20% local match is required. Per the Memorandum of Understanding, the local match is to be divided among the voting member organizations, with the City of Cape Girardeau paying 28.6%; City of Jackson paying 28.6%; Transit Agencies (Cape Girardeau County Transit Authority and Southeast Missouri State University) paying equal portions of 14.3%; Cape Girardeau County and Special Road District paying equal portions of 14.3%; and the Southeast Missouri Regional Planning Commission paying 14.2%. Additionally, the Missouri Highway Transportation Commission will pay One Hundred percent (100%), up to a maximum amount of \$43,258, for eligible activities under the set-aside program for planning activities to increase safe and accessible transportation options under 23 U.S.C. Sections 104(f) and 134.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

Execution of the agreement is necessary for SEMPO to fulfill its duties as the metropolitan planning organization for the Cape Girardeau-Jackson urbanized area, as mandated by federal law.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance authorizing execution of the Transportation Planning Consolidated Grant Agreement.

PUBLIC OUTREACH

A Public Hearing was held by the SEMPO Board of Directors on April 16, 2025 in consideration of the FY 2026 Unified Planning Work Program (UPWP), which details the planning projects to be conducted and funded through the Consolidated Planning Grant for the upcoming fiscal year. The SEMPO Board of Directors unanimously voted to approve the FY 2026 UPWP.

ATTACHMENTS:		
Name:	Description:	
25-58_Grant_SEMPO_MODOT_2025.doc	Ordinance	
SEMPO_CPG_FY2026.pdf	SEMPO CPG FY2026	
C <u>~SEMPO_UPWP_FY_2026_Adopted_4-16-25.pdf</u>	SEMPO FY2026 UPWP	

BILL NO. <u>25-58</u>

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A TRANSPORTATION PLANNING CONSOLIDATED GRANT AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

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

ARTICLE 1. The City Manager is hereby authorized and directed to execute, on behalf of the City, a Transportation Planning Consolidated Grant Agreement with the Missouri Highways and Transportation Commission for Southeast Metropolitan Planning Organization expenses, and is hereby authorized to execute all necessary grant documents. Said 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 ordinance.

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

PASSED AND APPROVED THIS _____ day of _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



CCO Form: TP01 Approved: 12/93 (GWS) Revised: 10/24 (RSV) Modified:

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TRANSPORTATION PLANNING CONSOLIDATED GRANT AGREEMENT

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

WITNESSETH:

WHEREAS, 23 U.S.C. Sections 104(f) and 134, and 49 U.S.C. Section 5303, provide metropolitan transportation planning funds for metropolitan planning organizations as designated by the Governor of the State of Missouri; and

WHEREAS, the Commission is the state agency designated to receive and dispense both the above-named funds to accomplish metropolitan transportation planning in the Cape Girardeau urbanized area; and

WHEREAS, the Grantee has been designated by the Governor of the State of Missouri as the local organization to conduct transportation planning for the Cape Girardeau urbanized area and to receive and expend the above-named funds on its behalf; and

WHEREAS, the Grantee has described the transportation planning work to be carried out and included a complete budget detailing the use of the above-named funds in an annually updated Unified Planning Work Program (UPWP); and

WHEREAS, the UPWP is accepted by the Commission, the Grantee, and the United States Department of Transportation (USDOT), describing the purposes and funding of all program components to be annually accomplished under this Agreement.

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

(1) <u>PURPOSE AND SOURCE OF FUNDS</u>: The purpose of this Agreement is to assist the Grantee in financing project expenses that are eligible for federal financial assistance. The Commission will make a grant from available federal funds in a manner consistent with the rules of the USDOT, Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) under 23 U.S.C. Sections 104(f) and 134 and 49 U.S.C. Section 5303. These rules include 2 C.F.R. Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. The catalog of federal domestic assistance identification number (CFDA) is 20.205 for funds

under 23 U.S.C. Sections 104(f) and 134 and 20.505 for funds under 49 U.S.C. Section 5303. The amount of available funds is limited by the unused portion of the above planning funds allocated to the Cape Girardeau urbanized area under the above acts and any amendments thereto.

(2) <u>WORK PROGRAM AND BUDGET</u>: Grantee will undertake and complete the program of work specified in the approved UPWP and the budget in Appendix A attached and made part of this agreement.

(3) <u>REPORTS</u>:

(A) All draft reports, the cost of which will be considered a direct cost, will be submitted to the Commission for review prior to printing in final form. The Commission will be provided with an electronic copy of each draft and the final report.

(B) All reports, drawings, estimates, surveys, memoranda and other papers submitted by the Grantee shall be dated and bear the Grantee's name.

(4) <u>PUBLICATION PROVISIONS</u>:

(A) <u>Copyright</u>: Papers, interim or final reports, forms or other materials which are a part of the work under contract may be copyrighted without written approval of the Commission, and FHWA or FTA as appropriate.

(B) <u>Request for Publication</u>: Either party to the Agreement or FHWA or FTA may initiate a request for publication of reports or any request thereof.

(C) <u>Abstracts</u>: When the scheduled time for presentation of a paper does not permit formal review and approval of a complete report, abstracts may be used for notification of intent to present a paper based on the study. Such presentation must protect the interests of the other party by the inclusion of a statement in the paper and in the presentation to the effect that the paper has not been reviewed by the other party or FHWA or FTA.

(D) <u>Publication</u>: Publication by either party shall give credit to the other party or FHWA or FTA unless upon failure of agreement of any report of the study, FHWA, FTA or either of the contracting parties requests that its credit acknowledgment be omitted and then the following statement shall be added:

"The opinions, findings and conclusions expressed in this publication are those of the authors and not necessarily those of the Missouri Highways and Transportation Commission, the Federal Highway Administration or the Federal Transit Administration."

(E) <u>Use of Data</u>: After acceptance of reports, all parties are free to use

the data and results for whatever purpose.

(F) <u>Cooperative Participation</u>: All reports shall contain a statement crediting the cooperative participation of all agencies, including the USDOT, FHWA or FTA as appropriate.

(G) <u>Freedom of Information</u>: The publication provisions contained in this paragraph (4) are subject to the provisions of Chapter 610, RSMo, and all applicable laws of the United States Government concerning freedom of information.

(5) <u>RETENTION OF RECORDS</u>: The Grantee or any approved subcontractor shall be required to maintain accounting records and other evidence pertaining to the cost incurred regarding the study and to make the records available to the Commission at its office at all reasonable times during the contract period and for three years from the date of the final payment of federal funds. Such accounting records and other evidence pertaining to the costs incurred will be made available for inspection by the Commission, FHWA, FTA, or any authorized representative thereof, and copies shall be furnished if requested.

(6) <u>INFORMATION FURNISHED AND WORK PERFORMED BY THE</u> <u>GRANTEE</u>: The Grantee shall make available to the Commission upon request all of the data, reports, analysis, transcripts of hearings, maps, drawings, tables, and other pertinent background information related to the scope of services under this Agreement.

(7) <u>INFORMATION AND WORK FURNISHED BY THE COMMISSION</u>: The Commission shall make available to the Grantee all of the data, reports, analysis, transcripts of hearings, maps, drawings, tables and other pertinent background information related to the scope of services under this Agreement that the Commission deems necessary and non-confidential. No report, information, data or other materials provided to the Grantee shall be given to any individual or organization without the written approval of the Commission.

(8) <u>PROJECT TIME PERIOD</u>: Work under this Agreement shall begin July 1, 2025 and extend to June 30, 2026. No work shall be performed under this Agreement until a notice to proceed is received from the Commission.

(9) <u>CONTRACT PRICE AND PAYMENT</u>:

(A) <u>Total Price</u>: For the work described in this Agreement, the Grantee shall receive payment based on actual costs, as defined in subparagraph B of paragraph (9) up to the maximum amount of \$339,135 defined as consolidated planning funds. The local matching share shall be 20 percent for funds provided under 23 U.S.C. Section 104(f) and under 49 U.S.C. Section 5303. The local matching share may be either cash or direct cost match or a combination of both.

1. The Commission will pay for One Hundred percent (100%)

of the total project cost, up to a maximum amount of \$43,258 for eligible activities under the set-aside for planning activities to increase safe and accessible transportation options under 23 U.S.C. Sections 104(f) and 134.

(B) <u>Progress Payments</u>: The Commission agrees to make progress payments to the Grantee not more than monthly upon receipt of a proper invoice and certification for services actually performed under this Agreement. Certification of services will be documented by a progress report submitted at least quarterly within 30 days after the end of the reporting period. However, the last progress report may be waived and included in the final or project completion report. Each progress report shall include tasks, what percentage of each task has been completed and overall task completion rate. Invoices will be based on actual costs incurred. Each invoice will show the breakdown of the cost incurred among the Grantee and the Commission. Such progress payments will be based on actual cost incurred. In no instance shall the progress payments exceed the percentage of work completed, per the judgment of the Commission's engineer. The accounting for and billing of project charges will be accomplished as follows:

1. The Grantee will establish cost principles for use in determining the allowability of individual items of costs in accordance with 2 C.F.R. Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards."

2. Direct labor charges shall be based on actual time expended at the current approved gross salary of the assigned staff member.

3. Employee fringe benefits shall be based on a provisional rate, subject to audit, of direct labor costs. This rate is set on the basis of the employer's actual cost for group life insurance, health insurance, pension plan, workers compensation, holidays, F.I.C.A. taxes, accrued costs for sick leave, vacation and other items included in the Grantee's approved fringe benefit package to the total annual salaries paid. This rate is reviewed and adjusted annually and will be specified in the fiscal year scope of services.

4. Indirect costs shall be based on the approved cost allocation plan supported by the Grantee's annual budget for the fiscal year in which the scope of services is to be carried out. A rate is calculated on the basis of the estimated total annual administrative expenses, excluding known unallowable costs as prescribed in various federal regulations, including 2 C.F.R. Part 200, divided by the sum of total annual salaries chargeable as direct labor. Calculation of the indirect rate is specified in the cost allocation plan and is approved by the audit agency. The indirect rate is audited and adjusted at each fiscal year end by the audit agency. The applicable rate will be specified in Appendix A.

5. Other direct costs charges shall be based on actual cost of supplies and equipment purchased or rented for exclusive use of this project. Procurement of supplies and equipment should be in accordance with procedures

established by the State of Missouri and Paragraph (26).

(C) <u>Compensation</u>: Compensation shall be paid by the Commission to the Grantee for work performed hereunder subject to the limitations of subparagraphs A and B of this paragraph (9), as supported by Appendix A.

(D) <u>Direct Costs</u>: The following are considered as direct costs and chargeable as such:

1. Salaries and fringe benefits.

2. Other non-salary expenses directly related to the completion of the work program activities, such as: classified advertising, contractual services, data processing, equipment maintenance and rental, meetings and conferences, postage, publications, reproduction, supplies, travel and long-distance calls.

(E) <u>Final Payment</u>: The final payment will be made only after acceptance by the Commission of a project completion report, summarizing the results of the job elements under this Agreement, considered to be satisfactory to the Commission. This project completion report is due within 60 days after the Agreement end date. The Commission's obligation will extend only to those costs incurred as verified by the final audit. A final audit will be completed after the acceptance of the project completion report. If Grantee was overcompensated according to final audit results, Grantee will reimburse the Commission the amount as specified by the final audit. If additional compensation is due Grantee, Grantee will present a supplemental invoice to the Commission for payment of the amount specified by the final audit.

(F) <u>Checks</u>: Checks in payment for the services rendered hereunder shall be drawn to the order of the City of Cape Girardeau. The Grantee hereby agrees that the acceptance of the check so drawn shall constitute full payment for the Commission to the Grantee for the services for which such payments are made. The parties, acting through their authorized representatives, may also arrange for the electronic transfer of funds instead of a physical check.

(G) <u>Title to Work Products</u>: The making of payments to the Grantee in the manner aforesaid shall vest in the Commission title to the studies, documents and material produced by the Grantee under the terms of this Agreement up to the time of such payments, and the Commission shall have the right to use the same for any public purpose or make any desirable alterations thereto without other further compensation to the Grantee or to any other such agency or persons.

(H) <u>Single Audit Requirement:</u> If the Grantee receives one million dollars (\$1,000,000.00) or more in a year total of all Federal assistance from all sources including Federal funds under this Agreement, it shall be required to have an independent annual single audit done in accordance with 2 C.F.R. Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal

Awards." A copy of the audit report shall be submitted to the Missouri Department of Transportation (MoDOT) within 30 calendar days of the issuance of the report. Subject to the requirements of 2 C.F.R. Part 200, if the Grantee obtains less than one million dollars (\$1,000,000.00), the Grantee may be exempt from 2 C.F.R. Part 200 auditing requirements, but records must be available for review by applicable State and Federal authorities in accordance with Paragraph (5). The Commission reserves the right to audit expenditures under this Agreement independently in a separate report.

INSPECTION OF RECORDS: Grantee shall The assure that (10) representatives of the Commission and FHWA shall have the privilege of inspecting and reviewing the work being done by the Grantee's contractor and subcontractor on the herein project. The Grantee shall also assure that its contractor, and all subcontractors, if any, maintain all books, documents, papers and other evidence pertaining to costs incurred in connection with the work program and make such materials available at such contractor's office at all reasonable times at no charge during this Agreement period, and for three (3) years from the date of final payment under this Agreement, for inspection by the Commission, FHWA or any authorized representatives of the Federal Government and the State of Missouri, and copies shall be furnished, upon request, to authorized representatives of the Commission, State, FHWA, or other Federal agencies.

(11) <u>CHANGES</u>: The Commission or the Grantee may, from time to time, request changes in the scope of UPWP work. Changes in the scope of UPWP work that do not involve any increase or decrease in the amount of the Grantee's compensation shall be made with the mutual agreement of the parties to this Agreement evidenced by letters from each to the other. Changes involving adjustments to limiting amounts contained in the scope of UPWP work of any increase or decrease in the total amount of compensation which are mutually agreed upon by and between the Commission and the Grantee shall be incorporated in written amendments or supplements to this Agreement.

(12) <u>INDEMNIFICATION</u>:

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

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

(13) <u>TERMINATION OF AGREEMENT</u>:

(A) <u>Non-Performance</u>: If Grantee shall for any cause fail to perform

any of the provisions of this Agreement or fail to complete any of the work described in this Agreement, the Commission may terminate this Agreement. Also, the Commission may terminate this Agreement if the conduct or progress of the work is such that it is not up to professional standards of objectiveness, fairness, accuracy and completeness.

(B) <u>Correction</u>: The Commission may provide Grantee with a written notice of the defect(s) in Grantee's performance specifying a period of time for Grantee to correct such defect(s).

(C) <u>Written Notice</u>: To terminate this Agreement, the Commission must give Grantee at least 15 days written notice specifying the reason(s) for termination.

(D) <u>Partial Payment</u>: If the Commission terminates the Agreement, the Commission shall be liable only for the work rendered to the date of termination based on the compensation described in the scope of services. Grantee, for itself, its successors, assigns and legal representatives, agrees to accept this amount of compensation in full satisfaction of all claims for compensation under this Agreement. This does not abrogate the Grantee's right under law.

(E) <u>Work Products</u>: In the event of termination, Grantee shall deliver to the Commission, as property of the Commission, all designs, reports, drawings, studies, estimates, surveys, computations, memoranda, documents and other papers or materials either furnished by the Commission or prepared by or for the Grantee under this Agreement. In addition, ownership of all designs, reports, drawings, studies, estimates, models, computations, etc. prepared under this Agreement shall vest in the Commission, at the Commission's option. The Commission reserves the right to postpone or abandon further work of the type described by this Agreement or to cause such work to be continued or completed in such manner, by such person(s), and under such terms and agreements as the Commission shall determine.

(14) <u>DISPUTES</u>: The Commission's chief engineer will in all cases decide any and all questions which may arise in connection with the work not disposed of by agreement among or between the parties to the contract.

(15) <u>NONDISCRIMINATION ASSURANCE</u>: With regard to work under this Agreement, Grantee agrees as follows:

(A) <u>Civil Rights Statutes</u>: The Grantee shall comply with all state and federal statutes relating to nondiscrimination, including but not limited to Title VI and Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d and 2000e), as well as any applicable titles of the Americans with Disabilities Act). In addition, if the Grantee is providing services or operating programs on behalf of Department or the Commission, it shall comply with all applicable provisions of Title II of the Americans with Disabilities Act.

(B) <u>Administrative Rules</u>: The Grantee shall comply with the

administrative rules of the U.S. Department of Transportation relative to nondiscrimination in federally assisted programs of the USDOT (49 CFR Subtitle A, Part 21) which are herein incorporated by reference and made part of this Agreement.

(C) <u>Nondiscrimination</u>: The Grantee shall not discriminate on grounds of the race, color, religion, sex, national origin, age or disability of any individual in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Grantee shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR Subtitle A, Part 21.5 including employment practices.

(D) <u>Solicitations for Subcontracts, Including Procurements of Material</u> and Equipment: These assurances concerning nondiscrimination also apply to subcontractors and suppliers of the Grantee. These apply to all solicitations either by competitive bidding or negotiation made by the Grantee for work to be performed under a subcontract including procurement of materials or equipment. Each potential subcontractor or supplier shall be notified by the Grantee of the requirements of this Agreement relative to nondiscrimination on grounds of the race, color, religion, sex, national origin, disability, or age of any individual.

(E) <u>Information and Reports</u>: The Grantee shall provide all information and reports required by the Agreement, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Commission or the USDOT to the pertinent to ascertain compliance with other such contracts, orders and instructions. Where any information required of the Grantee is in the exclusive possession of another who fails or refuses to furnish this information, the Grantee shall so certify to the Commission or the USDOT as appropriate and shall set forth what efforts it has made to obtain the information.

(F) <u>Sanctions for Noncompliance</u>: In the event the Grantee fails to comply with the nondiscrimination provisions of this Agreement, the Commission shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including but not limited to:

1. Withholding of payments to the Grantee under the Agreement until the Grantee complies; and/or

2. Cancellation, termination or suspension of the Agreement, in whole or in part.

(G) <u>Incorporation of Provisions</u>: The Grantee shall include the provisions of paragraph (15)(A) of this Agreement in every subcontract, including procurements of materials and leases of equipment, unless exempted by the statutes, executive order, administrative rules or instructions issued by the Commission or the USDOT. The Grantee will take such action with respect to any subcontract or

procurement as the Commission or the USDOT may direct as means of enforcing such provisions, including sanctions for noncompliance; provided that it in event the Grantee becomes involved in or is threatened with litigation with a subcontractor or supplier as a result of such direction, the Grantee may request the United States to enter into such litigation to protect the interests of the United States.

(H) <u>Title VI Program Reporting Requirements</u>: The Grantee shall comply with data collection and reporting requirements subject to Title VI of the Civil Rights Act of 1964 and the implementing regulations of 28 CFR Part 42, Subpart F and 49 CFR Part 21. Such general and program specific required information shall be provided to the Commission yearly if updated information is warranted or at a minimum of every three years. Required submittals shall be made by December of the current agreement period.

(16) <u>SECTION 504 ASSURANCES</u>: The Grantee shall comply with all the requirements imposed by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sections 790 *et seq.*) and the administrative rules of the USDOT (49 CFR Subtitle A, Part 27).

(17) <u>RESTRICTION ON LOBBYING</u>: The Grantee shall comply with the requirements of 31 U.S.C. Section 1352.

(18) <u>NO OBLIGATION BY THE FEDERAL GOVERNMENT</u>: The Grantee acknowledges and agrees that, notwithstanding any concurrence by the USDOT in or approval of the solicitation or award of the underlying contract, absent the express written consent by the USDOT, the USDOT is not a party to this Agreement and shall not be subject to any obligations or liabilities to the Grantee or any other party pertaining to any matter resulting from this Agreement. The Grantee agrees that it will ensure that the contractor will include the above clause in each subcontract financed in whole or in part with Federal assistance provided by FHWA. It is further agreed that the clause shall not be modified, except to identify the subcontractor who will be subject to its provisions.

(19) <u>CLEAN WATER:</u> The Grantee agrees to comply with all applicable standards, orders or regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. Part 1251 *et seq*. The Grantee will require its contractor to report each violation to the Grantee and understands and agrees that the Grantee will, in turn, report each violation as required to assure notification to FHWA and the appropriate United States Environmental Protection Agency (hereinafter, "EPA") Regional Office. The Grantee agrees that it will ensure that the contractor agrees to include these requirements in each subcontract exceeding \$100,000 financed in whole or in part with Federal assistance provided by FHWA.

(20) <u>ENERGY CONSERVATION</u>: The Grantee agrees to comply with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 USC 6321 *et seq.*).

(21) <u>FEDERAL CHANGES</u>: The Grantee shall at all times comply with all applicable FHWA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the most recent issued FHWA Master Agreement, as they may be amended or promulgated from time to time during the term of this Agreement. The Grantee's failure to comply shall constitute a material breach of this Agreement.

(22) <u>CLEAN AIR</u>: The Grantee agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 USC 7401 *et seq*. The Grantee shall ensure that its contractor will report each violation to the Grantee. The Grantee will, in turn, report each violation as required to assure notification to FHWA and the appropriate EPA Regional Office. The Grantee also agrees to include these requirements in each contract exceeding \$100,000 financed in whole or in part with Federal assistance provided by FHWA. It is further agreed that the clause shall not be modified, except to identify the subcontractor who will be subject to its provisions.

(23) <u>PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS OR</u> <u>RELATED ACTS:</u>

(A) The Grantee acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 USC 3801 *et seq.* and USDOT regulations, "Program Fraud Civil Remedies," 49 CFR Subtitle A, Part 31, apply to its actions pertaining to this Agreement. The Grantee shall ensure that the contractor will certify or affirm the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, pertaining to the underlying contract of the FHWA assisted project for which this contract work is being performed. In addition to other penalties that may be applicable, the Grantee further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the USDOT reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the Grantee to the extent the USDOT deems appropriate.

(B) The Grantee also acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the USDOT under a contract connected with a project that is financed in whole or in part with Federal assistance provided by FHWA and FTA under 23 U.S.C. Sections 104(f) and 134 and 49 USC 5303, the USDOT reserves the right to impose the penalties of 18 USC 1001 on the Grantee, to the extent the USDOT deems appropriate.

(C) The Grantee agrees to include the above two clauses in each of its contracts financed in whole or in part with Federal assistance provided by FHWA. It is further agreed that the clauses shall not be modified, except to identify the subcontractor who will be subject to the provisions.

(24) <u>DEBARMENT AND SUSPENSION</u>: The Grantee agrees to comply with the requirements of the *Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered* Transaction as submitted with the grant application.

(25) <u>SUBCONTRACTING</u>: All work to be subcontracted shall be identified in the UPWP, regardless of amount. All subcontracts of \$50,000 or more shall be submitted to the Commission for review and approval. Grantee's approved contracting administration procedures may be used provided assurance is given that they conform to applicable Federal statutes, executive orders and regulations in accordance with 49 CFR Part 18 or 23 CFR Part 172 and Missouri statutes. Approval to subcontract for services incidental to the study operations, such as printing and computer services, is not required. Copies of all executed subcontracts, except those for incidental services, shall be furnished to the Commission.

(26) EQUIPMENT AND INSTRUMENTATION:

(A) All equipment and instrumentation to be purchased under this agreement shall be identified specifically in the UPWP. Equipment or instrumentation mean an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost which equals \$10,000 or more. Grantee's approved procurement procedures may be used provided assurance is given that they conform to applicable Federal statutes, executive orders and regulations in accordance with 2 C.F.R. Part 200 and Missouri statutes.

(B) Purchases costing less than \$10,000 are not subject to 2 C.F.R. Part 200 but shall follow Grantee's procurement procedures. However, purchases may not be subdivided to avoid this limitation. The Grantee certifies that no equipment and instrumentation listed for purchase in the UPWP have been included in the indirect costs approved for this Agreement.

(27) <u>TRAVEL</u>: The Commission approves Grantee staff travel expenses for work performed under this Agreement and provided for in the scope of services. Any additional travel must have prior approval of the Commission to be eligible for a direct cost reimbursement. The rate of reimbursement shall be in accordance with the Grantee's approved travel policy.

(28) <u>COMPLIANCE WITH LAWS</u>: The Grantee agrees to comply with all federal, state and local laws and ordinances applicable to the prosecution of the work covered by this Agreement.

(29) <u>DISADVANTAGED BUSINESS ENTERPRISES</u>: Grantee agrees to prepare and submit for the Commission's approval, a disadvantaged business enterprise plan as defined in 49 CFR Part 26, if Grantee receives financial planning assistance from the U.S. Department of Transportation and will award prime contracts exceeding \$250,000 in a single fiscal year or if Grantee is required to do so by 49 CFR

Part 26.21.

(30) <u>BUDGET</u>:

(A) <u>Summary</u>: Appendix A, Section 1, includes a budget summary, which lists the following:

1. Estimated Expenditures: These would be the total of all UPWP components by federal funding type funded under this Agreement itemized by various cost categories. These categories may include but are not limited to: salaries, fringe benefits, indirect costs, contract services, equipment, data processing, meeting, conference, travel, printing, publications, supplies and other or miscellaneous expenses.

2. Estimated Revenues: These are the total anticipated funding and agency sources by federal funding type for work funded under this Agreement.

(B) <u>Payment</u>: The Grantee will receive payment by the Commission based on the following:

1. Agency Funding Participation: Appendix A, Section 2, lists estimated funding participation by various agencies for the UPWP program components funded under this Agreement. For the work by program component described in the UPWP and similarly identified in Appendix A, Section 2, payment will be made from the appropriate funds based on the proportionate share of FHWA PL or FTA Section 5303 funds, or consolidation of the two funds, being utilized from the Commission. The relationship of the manpower and cost borne under this Agreement to the total manpower and cost required to complete each program component is derived from the approved UPWP. The obligation of the Commission shall not exceed the amounts set out in Paragraph (9), Subparagraph (A).

2. Details of Missouri FHWA PL and/or FTA Section 5303 Matching Funds: Appendix A, Section 2, also lists the respective amounts of local matching funds by providing agency and the program components of the UPWP to which they are applied for the Missouri federal funds utilized under this Agreement. Application of local matching funds in the form of direct cost match or cash from the Commission to the various program components will be determined by the Commission in accordance with Missouri laws. Use of Commission local matching funds by the Grantee shall be based on the proportionate share of cost by program component as given in Appendix A, Section 2. Local matching funds from the Commission shall not exceed the federally required matching share for any Missouri federally funded program component. The Commission's cash payment obligation shall be in accordance with Paragraph (9), Subparagraph (A).

(C) <u>Procedures</u>: The following procedures shall be followed when deviations from Appendix A or the scope of services program components occur or are anticipated to occur:

1. Cost Overruns:

(I)

Α. Program component overruns of thirty percent (30%) or less will be considered as eligible costs provided: The total scope of services dollar amount is not

increased or;

(||)If the total scope of services dollar amount is increased, an amended scope of services is executed between the Commission and the

Grantee. Β. Program component overruns in excess of thirty percent (30%) will require a written request for approval and include the anticipated amount of overruns on other program components.

Requests for overruns in program components shall C. be in writing and include the anticipated amount of overruns on other program components.

2. Agency Funding Participation: Revisions in the agency (i.e. FHWA, FTA, HUD, EPA) funding participation as shown in the scope of services require written approval by the Commission's chief engineer. Requests for revisions shall include the reason for the revisions, the proposed agency funding and the effect of the revisions on program components.

3. The Grantee shall monitor costs and initiate timely requests for approval as outlined above. Retroactive revisions of this scope of services will not be allowed.

AMENDMENTS: Any change in this Agreement, whether by modification (31) and/or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the Grantee and the Commission.

COMMISSION REPRESENTATIVE: The Commission's Chief Engineer is (32) designated as the Commission's representative for the purpose of administering the provisions of this Agreement.

ENGINEER: As provided in this Agreement, "Engineer" means the Chief (33) Engineer or any other authorized representative of the Commission. Where the specific term "Chief Engineer" is used, it shall mean the Chief Engineer exclusively.

(34) ASSIGNMENT: The Grantee shall not assign or delegate any interest in the Agreement and shall not transfer any interest in the Agreement, whether by assignment or notation without the prior written consent of the Commission.

(35) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed

according to the laws of the State of Missouri. The Grantee shall comply with all local, state and federal laws and regulations relating to the performance of the Agreement.

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

[Remainder of Page Intentionally Left Blank]

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

Executed by the Grantee on	(Date).
Executed by the Commission on	(Date).
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION	GRANTEE
	Ву
Title	Title
ATTEST:	ATTEST:
Secretary to the Commission	Ву
	Title
Approved as to Form:	Approved as to Form:
Commission Counsel	Ву
	Title

Appendix A: SEMPO FY 2026 Budget

SEMPO FY 2026 BUDGET														
	N	lissouri CPG	FTA	Section		IWA PL (2.5%)		1issouri cal Match			linois te Match	Total Cos		
Staff Labor - City of Cape Girardeau														
Salaries	\$	41,681	\$	-	\$	-	\$	10,420	\$	5,757	\$	1,439	\$	59 <i>,</i> 298
Benefits	\$	10,971	\$	-	\$	-	\$	2,743	\$	1,515	\$	379	\$	15,608
Subtotal	\$	52,652	\$	-	\$	-	\$	13,163	\$	7,273	\$	1,818	\$	74,906
Consultant Contract - KLG														
Engineering, LLC														
Program Support	\$	12,301	\$	-	\$	-	\$	3,075	\$	1,699	\$	425	\$	17,500
Public Outreach	\$	3,515	\$	-	\$	-	\$	879	\$	485	\$	121	\$	5,000
Education and Training	\$	1,757	\$	-	\$	-	\$	439	\$	243	\$	61	\$	2,500
Subtotal	\$	17,573	\$	-	\$	-	\$	4,393	\$	2,427	\$	607	\$	25,000
Consultant Contract - Southeast Missouri Regional Planning & Economic Development Commission														
Data Collection and Management	\$	3,515	\$	-	\$	-	\$	879	\$	485	\$	121	\$	5,000
Transportation Improvement	\$	10,544	\$	-	\$	-	\$	2,636	\$	1,456	\$	364	\$	15,000
Program Management							<u> </u>							
Transportation Improvement	\$	24,602	\$	-	\$	-	\$	6,150	\$	3,398	\$	850	\$	35,000
Program Update Subtotal	Ś	38,660	\$	-	\$	-	\$	9,665	\$	5,340	\$	1,335	\$	55,000
	Ş	38,000	Ş	-	Ş	-	Ş	9,005	Ş	5,540	Ş	1,555	Ş	55,000
Consultant Contract - EcoInteractive	ć	45 422	ć		ć		¢	2.055	ć	2.420	ć	5 22	ć	24.040
TIP Tool Online Management & Support	\$	15,422	\$	-	\$	-	\$	3,855	\$	2,130	\$	533	\$	21,940
Subtotal	\$	15,422	\$	-	\$	-	Ś	3,855	\$	2,130	\$	533	\$	21,940
Consultant Contract - TBD	Ŧ		•		Ŧ		+	0,000	+	_,	· ·		Ŧ	,
Metropolitan Transportation Plan Update	\$	105,437	\$	-	\$	-	\$	26,359	\$	14,563	\$	3,641	\$	150,000
Subtotal	\$	105,437	\$	-	\$	-	\$	26,359	\$	14,563	\$	3,641	\$	150,000
Transit Transportation Planning Project - TBD														
Transit System Planning	\$	28,656	\$	39,498	\$	3,760	\$	7,164	\$	8,738	\$	2,185	\$	90,000
Subtotal	\$	28,656	\$	39,498	\$	3,760	\$	7,164	\$	8,738	\$	2,185	\$	90,000
Consultant Contract - TBD														
Multi-Modal Freight Plan	\$	70,291	\$	-	\$	-	\$	17,573	\$	9,709	\$	2,427	\$	100,000
Subtotal	\$	70,291	\$	-	\$	-	\$	17,573	\$	9,709	\$	2,427	\$	100,000
Other Direct Costs														
Advertising	\$	703	\$	-	\$	-	\$	176	\$	97	\$	24	\$	1,000
Books/Publications	\$	211	\$	-	\$	-	\$	53	\$	29	\$	7	\$	300
Copies	\$	703	\$	-	\$	-	\$	176	\$	97	\$	24	\$	1,000
Liability Insurance	\$	703	\$	-	\$	-	\$	176	\$	97	\$	24	\$	1,000
Meetings/Conferences	\$	2,812	\$	-	\$	-	\$	703	\$	388	\$	97	, \$	4,000
Office Supplies	\$	2,109	\$	-	\$	-	\$	527	\$	291		73	\$	3,000
Postage	\$	211	\$	-	\$	-	\$	53	\$	29	\$	7	\$	300
Printing	\$	703	\$	-	\$	-	\$	176	\$	97	\$	24	\$	1,000
Training/Education	\$	1,406	\$	-	\$	-	\$	351	\$	194	\$	49	\$	2,000
Dues and Memberships	\$	464	\$	-	\$	-	\$	116	\$	64	\$	16	\$	660
Website Hosting	\$	422	\$	-	\$	-	\$	105	\$	58	\$	15	\$	600
Subtotal	\$	10,445	\$	-	\$	-	\$	2,611	\$	1,443	\$	361	\$	14,860
Indirect Costs	\$		\$	-	\$	-	\$	2,011	\$	_,	\$	-	ب \$,
TOTAL	ې \$	339,135	ې \$	39,498	ې \$	3,760	ې Ś	84,784	ې \$	51,623	ې \$	12,906	ې \$	531,706

SEMPO FY 2026 UPWP

UPWP 2025 - 2026



"Serving the Transportation Needs of the Southeast Missouri Region"

FY 2026 Unified Planning Work Program

Cape Girardeau – Jackson Urbanized Area

Adopted April 16, 2025



Southeast Metropolitan Planning Organization C/O City of Cape Girardeau 44 North Lorimier Street, Cape Girardeau, Missouri 63701 Phone: (573) 339-6734 Fax: (573) 339-6303 www.southeastmpo.org



Table of Contents

BOARD	VOTING MEMBERS	1
NON-V	OTING MEMBERS	1
TPC VO	TING MEMBERS	2
NON-V	OTING MEMBERS	2
INTRO	DUCTION	3
REQUI	RED MPO PLANS AND DOCUMENTS	5
METRO	POLITAN PLANNING AREA	6
ELEME	NTS OF THE FY 2026 UNIFIED PLANNING WORK PROGRAM	9
1.0 P	ROGRAM ADMINISTRATION AND SUPPORT	9
1.1	Program Support	9
1.2	Public Outreach	
1.3	EDUCATION AND TRAINING	
2.0 D	DATA COLLECTION AND MANAGEMENT	14
2.1	DATA COLLECTION AND MANAGEMENT	14
3.0 Т	RANSPORTATION PLANNING	15
3.1	METROPOLITAN TRANSPORTATION PLAN UPDATE	
3.2	Performance Management	16
3.3	TRANSPORTATION IMPROVEMENT PROGRAM UPDATE	17
3.4	TRANSIT SYSTEM PLANNING	
3.5	TRANSPORTATION IMPROVEMENT PROGRAM (TIP) MANAGEMENT	
3.6	TRANSPORTATION IMPROVEMENT PROGRAM (TIP) TOOL ONLINE MANAGEMENT & SUPPORT	
3.7	Multi-Modal Freight Plan	20
3.8	AIR QUALITY PLANNING	21

List of Tables

Table 1: T	Timeline for updating required MPO plans and documents	5
Table 2: A	Available Federal Revenue (Missouri)	7
Table 3: A	Available Federal Revenue (Illinois)	7
Table 4: S	Summary of Total Available Federal, State, and Local Revenue	7
Table 5: 0	CPG Local Match Funding Sources (Missouri)	7
Table 6: S	SEMPO FY 2026 Budget	8
Table 7: P	Program Administration and Support	9
Table 8: D	Data Collection and Management	4
Table 9: T	ransportation Planning1	5

Attachments

Metropolitan Planning Area Map Position Listings and Full Time Equivalents Resolution of Adoption



The preparation of this document was financed in part by the U.S. Department of Transportation, Federal Highway Administration, and Federal Transit Administration in cooperation with the Missouri Department of Transportation and the Illinois Department of Transportation. The opinions, findings, and conclusions expressed in this document are not necessarily those of the above agencies. SEMPO operates its programs and services without regard to race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964. To request information on SEMPO's nondiscrimination obligations or if information is needed in another language, contact:

Alexander S. McElroy SEMPO Executive Director 44 North Lorimier Street Cape Girardeau, MO 63701 (573) 339-6734 <u>amcelroy@cityofcape.orq</u>



SEMPO Board of Directors

Board Voting Members

Stacy Kinder, City of Cape Girardeau Dwain Hahs, City of Jackson (Vice Chairperson) Kenneth Haskin, City of Cape Girardeau Mark Phillips, Cape Special Road District Matthew Winters, City of Jackson Ginny Smith, Cape Girardeau County Transit Authority Jeremy Tanz, Southeast Missouri Regional Planning and Economic Development Commission (Chairperson)

Non-Voting Members

Joe Aden, Village of East Cape Girardeau Mark Croarkin, Missouri Department of Transportation Jim Glueck, Scott County Jim Grebing, Bootheel Regional Planning and Economic Development Commission Tony Greep, Federal Transit Administration - Region 5 Joe E. Griggs, Alexander County Cary Harbison, Southeast Missouri Regional Port Authority Charlie Herbst, Cape Girardeau County Carrie Nelsen, Illinois Department of Transportation Mark Phillips, Cape Special Road District Richard Flotron, Southeast Missouri State University Gerri Doyle, Federal Transit Administration - Region 7 Todd Schmidt, Federal Highway Administration - Missouri Division Daniel Weitkamp, Federal Highway Administration - Missouri Division

<u>Staff</u>

Alex McElroy, City of Cape Girardeau (SEMPO Executive Director)

Program Administration/Support Consultant

Marla Mills, KLG Engineering

SEMPO Technical Planning Committee

TPC Voting Members

Joe Aden, Village of East Cape Girardeau JoJo Stuart, Cape Girardeau Regional Airport Rodney Bollinger, City of Jackson Cary Harbison, Southeast Missouri Regional Port Authority Drew Christian, Southeast Missouri Regional Planning and Economic Development Commission (Vice Chairperson) Jay Knudtson, Cape Girardeau County Jim Glueck, Scott County Jim Grebing, Bootheel Regional Planning and Economic Development Commission Joe E. Griggs, Alexander County Mark O'Dell, City of Scott City Mark Phillips, Cape Special Road District Richard Flotron, Southeast Missouri State University Ryan Shrimplin, City of Cape Girardeau (Chairperson) Ginny Smith, Cape Girardeau County Transit Authority

Non-Voting Members

Mike Brandon, Missouri Department of Transportation Tom Caldwell, Illinois Department of Transportation Corbin Carlton, Missouri Department of Transportation Tony Greep, Federal Transit Administration - Region 5 Michael Henderson, Missouri Department of Transportation Joe Killian, Missouri Department of Transportation Gerri Doyle, Federal Transit Administration - Region 7 Todd Schmidt, Federal Highway Administration – Illinois Division Daniel Weitkamp, Federal Highway Administration - Missouri Division Cecelie Cochran, Federal Highway Administration - Missouri Division

<u>Staff</u>

Alex McElroy, City of Cape Girardeau (SEMPO Executive Director)

Program Administration/Support Consultant

Marla Mills, KLG Engineering

Introduction

A metropolitan planning organization (MPO) is a federally mandated and funded policy-making organization that oversees transportation planning for an urbanized area. The requirements for MPOs are contained in 23 U.S.C. 134, 49 U.S.C. 5303, 23 CFR 450.308, and 23 CFR 450.314. The 1962 Federal Aid Highway Act required states and local governments to conduct cooperative, comprehensive, and continuing (3-C) transportation planning to continue receiving Federal funds for highway and transit improvements. Subsequently in 1973, an amendment to this act further required the governor of each state, with local concurrence, to designate a Metropolitan Planning Organization (MPO) for every urbanized area to coordinate area-wide transportation planning. In 1972, new federal legislation provided for the disbursement of Federal planning funds through the states to MPOs.

In accordance with the 3-C process, the MPO must adopt a Unified Planning Work Program (UPWP) that provides for consideration and implementation of projects, strategies and services that will address the following ten factors:

- 1. Support the economic vitality of the metropolitan area, especially by enabling global competiveness, productivity and efficiency;
- 2. Increase the safety of the transportation system for motorized and non-motorized users;
- 3. Increase the security of the transportation system for motorized and non-motorized users;
- 4. Increase the accessibility and mobility of people and freight;
- 5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and state and local planned growth and economic development patterns;
- 6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- 7. Promote efficient system management and operation;
- 8. Emphasize the preservation of the existing transportation system;
- 9. Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and
- 10. Enhance travel and tourism.

In 1991, the role of the MPO changed with the passage of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). ISTEA placed emphasis on the efficiency of the intermodal transportation system, and MPOs responded by focusing on these aspects.

In 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law. MAP-21 transformed federal transportation grant programs by establishing new requirements for performance management and performance-based planning and programming to ensure the most efficient investment of federal transportation funds. The Fixing America's Surface Transportation Act (FAST Act) was signed into law in 2015 which continued the performance management and performance-based planning requirements of MAP-21 with minor changes. In implementing MAP-21 and FAST Act, state Departments of Transportation (DOTs), MPOs, and providers of public transportation must:

• establish performance targets that reflect the measures;

- report on progress towards achieving those targets;
- develop performance based plans for safety and asset management; and
- implement a performance based approach to planning and programming.

On November 15, 2021, the President signed into law the Bipartisan Infrastructure Legislation (BIL). The legislation is also referred to as the Infrastructure Investment and Jobs Act (IIJA) as it was termed during the formation of the legislation. Among other improvements, the BIL encourages transportation planning be done in concert with housing and economic development planning, rather than as a reaction to those things.

Required MPO Plans and Documents

Fiscal Year	Qtr	МТР	TIP	UPWP	PT- HSTCP	Title VI	LAP	РРР
	1 CY25							
2020	2 CY25							
2026	3 CY26							
	4 CY26							
	1							
2027	2							
2027	3							
	4							
	1							
	2							
2028	3							
	4							
	1							
2020	2							
2029	3							
	4							
	1							
2020	2							
2030	3							
	4							
	1							
2021	2							
2031	3							
	4							
	1							
2032	2							
2032	3							
	4							

Table 1: Timeline for updating required MPO plans and documents

Fiscal Year: Q1 July – September; Q2 October – December; Q3 January – March; Q4 April – June

MTP – Metropolitan Transportation Plan TIP – Transportation Improvement Plan UPWP – Unified Planning Work Program PT-HSTCP – Public Transit – Human Services Transportation Coordination Plan Title VI – Title VI of the Civil Rights Act of 1964 LAP – Language Assistance Plan PPP – Public Participation Plan Approved April 2021 (Expires April 2026) Expires June 2023 (update every 2 years) Approved April 2023 (Expires June 2024) Approved June 2023 (Expires June 2028)

Approved June 2022 (Expires June 2025) Approved June 2022 (Expires June 2025) As needed

Metropolitan Planning Area

As the MPO for the Cape Girardeau – Jackson urbanized area, the Southeast Metropolitan Planning Organization (SEMPO) is responsible for meeting the federal metropolitan planning regulations for the metropolitan planning area (MPA) that includes the City of Cape Girardeau, the City of Jackson, and portions of Cape Girardeau County and Scott County, Missouri, as well as portions of the Village of East Cape Girardeau and Alexander County, Illinois. An MPA boundary map showing the SEMPO metropolitan planning area is attached at the end of this document. This area is faced with the challenge of maintaining a number of transportation systems that meet the needs of a growing region, including highways, railways, ports, airports, transit, bicyclists, and pedestrians. Addressing this challenge is SEMPO's top priority, followed by planning for expansion of these systems to accommodate future growth.

SEMPO was designated by the Governor of Missouri as the metropolitan planning organization for the urbanized area on March 12, 2013, and by the Governor of Illinois on February 7, 2013. It is comprised of a Board of Directors and a Technical Planning Committee. The Board of Directors consists of elected and appointed officials from the above jurisdictions, as well as various federal, state, and regional transportation agencies and local transit providers. The Technical Planning Committee primarily consists of staff from these jurisdictions and agencies; it serves in an advisory capacity to the Board of Directors on technical matters. The City of Cape Girardeau provides administrative services and staff support for SEMPO, as authorized in the Memorandum of Understanding and the Bylaws.

This UPWP covers the period from July 1, 2025 to June 30, 2026. It serves as a management tool for identifying, scheduling, budgeting and monitoring SEMPO's planning activities, and serves as the basis for funding agreements with the Missouri Department of Transportation (MoDOT) and Illinois Department of Transportation (IDOT). There are a number of activities that are considered eligible expenses for transportation planning funds, such as: data collection and maintenance, map preparation, land use studies, traffic volume studies, economic and fiscal studies, project evaluation studies, specialized plans, and other studies and plans relating to transportation. In accordance with the Bipartisan Infrastructure Law, MPOs are also required to use at least 2.5% of its planning funds on specified planning activities to increase safe and accessible options for multiple travel modes for people of all ages and abilities. The planning work of the Southeast Metropolitan Planning Organization (SEMPO) will remain in compliance with this set aside requirement and endeavor to consider each of these planning emphasis areas thoughtfully and thoroughly.

Tables 2 through 6 on the following pages contain SEMPO's funding and budget information.

Table 2: Available Federal Revenue (Missouri)

SEMPO FY 2025 MISSOURI FEDERAL Consolidated Planning Grant (CPG) FUNDS	
FY 2024 Ending CPG Balance	\$ 597,382
FY 2025 CPG Allocation (Final)	\$ 187,877
Total FY 2025 CPG Funds Expected to be Expended by 6/30/2025	\$ (188,603)
Total SEMPO FY 2025 Missouri Federal CPG Funds	\$ 596,656
SEMPO FY 2026 MISSOURI FEDERAL (CPG) FUNDS	
FY 2026 CPG Allocation (Estimate)	\$ 187,877
Total Estimated CPG Funds Available for FY 2026 UPWP	\$ 784,533
Total Programmed CPG Funds for FY 2026 UPWP	\$ (382,393)
Remaining Unprogrammed Balance ¹	\$ 402,139

1 – SEMPO has elected not to program 100% of the anticipated available CPG funds. It is SEMPO's general policy to maintain a reserve of funds for potential large expense planning projects that may become necessary in the future. In addition, the SEMPO members who collectively provide the required local match have budgetary constraints, making it unlikely that they would be able to fully fund the local match if 100% of the CPG funds were programmed.

Table 3: Available Federal Revenue (Illinois)

SEMPO FY 2026 ILLINOIS FEDERAL FUNDS	
Federal Revenue Balance Prior to FY 2026	\$ -
Total Estimated Federal Revenue Available for FY 2026 UPWP	\$ 51,623
Total Programmed Federal Funds for FY 2026 UPWP	\$ (51,623)
Remaining Unprogrammed Balance ¹	\$ -

1 – Illinois is not a CPG state and does not have a carryover policy.

Table 4: Summary of Total Available Federal, State, and Local Revenue

SEMPO FY 2026 SUMMARY OF ALLOCATIONS	
CPG (Missouri) ¹	\$ 187,877
Local Match (Missouri) ²	\$ 64,784
Illinois ³	\$ 64,529
Total	\$ 337,190

1 – Missouri CPG funds consist of FHWA Missouri PL and FTA Section 5303 planning funds.

2 – Represents the amount to be collected in FY 2026. Invoices to MoDOT will be 80% reimbursable with the exception of FTA 5303 and FHWA PL (2.5%) set-aside funds which are 100% reimbursable.

3 – Illinois funds consist of FHWA Illinois PL and FTA Section 5303 planning funds and state match funds. A local match is not required. In FY2026, SEMPO will receive a higher than normal allotment of PL funds from Illinois due to an Illinois distribution policy of unspent PL funds for MPOs.

Table 5: CPG Local Match Funding Sources (Missouri)

SEMPO FY 2026 CPG LOCAL MATCH FUNDS		
City of Cape Girardeau	28.60%	\$ 24,248
City of Jackson	28.60%	\$ 24,248
Cape Girardeau County Transit Authority / Southeast Missouri State University ¹	14.30%	\$ 12,124
Cape Girardeau County / Cape Special Road District ²	14.30%	\$ 12,124
Southeast Missouri Regional Planning & Economic Development Commission	14.20%	\$ 12,039
Total	100.00%	\$ 84,784

1 – Transit match will be provided annually by Cape Girardeau County Transit Authority and Southeast Missouri State University, with each paying 7.15%.

^{2 –} Cape Girardeau County match will be provided annually by Cape Girardeau County and Cape Special Road District, with each paying 7.15%.

Table 6: SEMPO FY 2026 Budget

SEMPO FY 2026 BUDGET														
	N	lissouri CPG	FTA	A Section 5303		WA PL 2.5%)		⁄lissouri cal Match		llinois ederal)		linois ite Match	Т	otal Cost
Staff Labor - City of Cape Girardeau	\square													
Salaries	\$	41,681	\$	-	\$	-	\$	10,420	\$	5,757	\$	1,439	\$	59,298
Benefits	\$	10,971	\$	-	\$	-	\$	2,743	\$	1,515	\$	379	\$	15,608
Subtotal	\$	52,652	\$	-	\$	-	\$	13,163	\$	7,273	\$	1,818	\$	74,906
Consultant Contract - KLG														
Engineering, LLC														
Program Support	\$	12,301	\$	-	\$	-	\$	3,075	\$	1,699	\$	425	\$	17,500
Public Outreach	\$	3,515	\$	-	\$	-	\$	879	\$	485	\$	121	\$	5,000
Education and Training	\$	1,757	\$	-	\$	-	\$	439	\$	243	\$	61	\$	2,500
Subtotal	\$	17,573	\$	-	\$	-	\$	4,393	\$	2,427	\$	607	\$	25,000
Consultant Contract - Southeast Missouri Regional Planning & Economic Development Commission	-													
Data Collection and Management	\$	3,515	\$	-	\$	-	\$	879	\$	485	\$	121	\$	5,000
Transportation Improvement	\$	10,544	\$	-	\$	-	\$	2,636	\$	1,456	\$	364	\$	15,000
Program Management														
Transportation Improvement Program Update	\$	24,602	\$	-	\$	-	\$	6,150	\$	3,398	\$	850	\$	35,000
Subtotal	\$	38,660	\$	_	\$	_	\$	9,665	\$	5.340	\$	1,335	\$	55 <i>,</i> 000
Consultant Contract - EcoInteractive	Ţ	00,000	Ŷ		Ŷ		Ŷ	5,000	Ŷ	5,540	Ŷ	1,000	Ŷ	
TIP Tool Online Management & Support	\$	15,422	\$	-	\$	-	\$	3,855	\$	2,130	\$	533	\$	21,940
Subtotal	\$	15,422	\$	-	\$	-	\$	3,855	\$	2,130	\$	533	\$	21,940
Consultant Contract - TBD														
Metropolitan Transportation Plan Update	\$	105,437	\$	-	\$	-	\$	26,359	\$	14,563	\$	3,641	\$	150,000
Subtotal	\$	105,437	\$	-	\$	-	\$	26,359	\$	14,563	\$	3,641	\$	150,000
Transit Transportation Planning Project - TBD														
Transit System Planning	\$	28,656	\$	39 <i>,</i> 498	\$	3,760	\$	7,164	\$	8,738	\$	2,185	\$	90,000
Subtotal	\$	28,656	\$	39,498	\$	3,760	\$	7,164	\$	8,738	\$	2,185	\$	90,000
Consultant Contract - TBD														
Multi-Modal Freight Plan	\$	70,291	\$	-	\$	-	\$	17,573	\$	9,709	\$	2,427	\$	100,000
Subtotal	\$	70,291	\$	-	\$	-	\$	17,573	\$	9,709	\$	2,427	\$	100,000
Other Direct Costs														
Advertising	\$	703	\$	-	\$	-	\$	176	\$	97	\$	24	\$	1,000
Books/Publications	\$	211	\$	-	\$	-	\$	53	\$	29	\$	7	\$	300
Copies	\$	703	\$	-	\$	-	\$	176	\$	97	\$	24	\$	1,000
Liability Insurance	\$	703	\$	-	\$	-	\$	176	\$	97	\$	24	\$	1,000
Meetings/Conferences	\$	2,812	\$	-	\$	-	\$	703	\$	388	\$	97	\$	4,000
Office Supplies	\$	2,109	\$	-	\$	-	\$	527	\$	291	\$	73	\$	3,000
Postage	\$	211	\$	-	\$	-	\$	53	\$	29	\$	7	\$	300
Printing	\$	703	\$	-	\$	-	\$	176	\$	97	\$	24	\$	1,000
Training/Education	\$	1,406	\$	-	\$	-	\$	351	\$	194	\$	49	\$	2,000
Dues and Memberships	\$	464	\$	-	\$	-	\$	116	\$	64	\$	16	\$	660
Website Hosting	\$	422	\$	-	\$	-	\$	105	\$	58	\$	15	\$	600
Subtotal	\$	10,445	\$	-	\$	-	\$	2,611	\$	1,443	\$	361	\$	14,860
Indirect Costs	\$		\$	-	\$	-	\$		\$	-	\$	-	\$	-
TOTAL	\$	339,135		39,498	Ś	3,760	\$	84,784	Ś	51,623	Ś	12,906	_	531,706

SEMPO FY 2026 UPWP

* The Bipartisan Infrastructure Law (BIL) requires each MPO to use at least 2.5% of its PL funds on specified planning activities to increase safe and accessible options for multiple travel modes for people of all ages and abilities. [§ 11206(b)]. FY 2026 2.5% estimate is \$3,760 based off an anticipated \$150,379 in PL funds and is addressed under **Work Element 3.4.**

Elements of the FY 2026 Unified Planning Work Program

The UPWP is one of four key documents SEMPO is required to develop and maintain for the metropolitan planning area. The other key documents are the Metropolitan Transportation Plan (MTP), the Transportation Improvement Program (TIP), and the Public Participation Plan (PPP).

The UPWP is the management plan for the MPO and is prepared with cooperation and guidance from federal, state, and local government agencies as well as public and private transportation providers. It identifies and schedules all of the planning activities that need to be accomplished on an annual basis. It integrates policy, planning, and programming activities. This is also where the allocation of staff and funding resources occurs.

There are three work elements in this UPWP. Each element consists of sections that identify the lead agency; objective; program activities; prior year accomplishments; work products (with estimated completion dates); and budget. The budget allocation for each work element is included at the end of the element's description.

The SEMPO FY 2026 UPWP consists of the following work elements:

- 1.0 Program Administration and Support
- 2.0 Data Collection and Management
- 3.0 Transportation Planning

1.0 Program Administration and Support

This work element addresses the administrative and support functions for SEMPO, such as the UPWP, coordination of third party services, public outreach, education and training.

Table 7: Program Administration and Support

1.1 Program Support	\$ 69 <i>,</i> 934
1.2 Public Outreach	\$ 19,981
1.3 Education and Training	\$ 9,991
Subtotal	\$99,906

1.1 Program Support

1.1.1 Lead Agency: SEMPO staff with support via consulting contract with KLG Engineering, LLC

1.1.2 Objective:

SEMPO will conduct its activities in accordance with applicable federal, state, and local laws as well as its own plans and programs. The UPWP will be prepared

SEMPO FY 2026 UPWP

and adopted annually, and will serve as the basis for the transportation planning process, including technical and administrative support. SEMPO will participate in meetings with other agencies to ensure that its transportation planning process is properly coordinated with statewide and regional processes, and to provide input on matters affecting transportation in Southeast Missouri. In January 2020, the City of Cape Girardeau established a full time SEMPO Executive Director/City Grant Coordinator position. The position is structured to dedicate sixty percent of its time on SEMPO related tasks and forty percent on City grant coordination. Establishment of this position provides SEMPO with a dedicated staff member. In previous years, the City of Cape Girardeau's City Planner fulfilled these administrative duties with the assistance of KLG Engineering, LLC via a general services agreement established through a competitive request for gualifications process. Establishing a dedicated Executive Director position lessens the demand for outside consultant assistance for administrative services but does not completely eliminate the need. KLG Engineering retains a general services agreement through December 2026 and will be utilized as necessary to assist in the administrative service delivery to SEMPO.

1.1.3 Program Activities:

- a. Prepare agendas, minutes, presentations, information and materials for meetings of the SEMPO Board of Directors, Technical Planning Committee, and other committees/subcommittees as needed.
- b. Develop the FY 2027 UPWP; prepare and submit FY 2026 UPWP quarterly progress reports, billings and invoices; amend documents as needed.
- c. Contract with third party agencies and consultants on an as-needed basis, in accordance with the Consolidated Planning Grant Agreement with MoDOT and the Intergovernmental Agreement with IDOT; coordinate and review contracted work products.
- d. Participate in coordination and partnering programs with MoDOT and IDOT, and in intergovernmental organizations such as the Southeast Missouri Regional Planning and Economic Development Commission and the Bootheel Regional Planning and Economic Development Commission.
- e. Administer general services agreements with selected consulting firms.
- f. Respond to requests for information from outside jurisdictions, agencies, and the public.
- g. Maintain compliance with Title VI requirements; address complaints and environmental justice issues as necessary.
- h. Maintain compliance with applicable federal, state, and local laws and regulations.

1.1.4 FY 2025 Accomplishments:

- a. Prepared and adopted FY 2026 UPWP (May 2025)
- b. Prepared and submitted all FY2025 UPWP quarterly progress reports, billings, and invoices.
- c. Maintained SEMPO's website to enhance the accessibility of relative planning documentation, event information, and records retention (June 2025).

- d. Prepared Board and TPC 2025 Meeting Schedule (December 2024)
- e. Prepared and submitted prioritized needs list for MoDOT Funding Scenarios (July 2024)
- a. Prepared and approved Transportation Improvement Program Amendments No. 4, Amendment No. 5, and Amendment No. 6 for public comment (August 2024, November 2024, and February 2025)
- f. to the FY 2024 2027 Transportation Improvement Program Prepared and adopted a resolution supporting MoDOT and IDOT Performance Measure Targets (January 2025)
- g. Prepared and submitted STIP Project Request List to MoDOT (November 2024)

1.1.5 FY 2026 Work Products (estimated completion dates):

- a. Meeting agendas, minutes, presentations, information and materials (ongoing)
- b. Prepare and submit for approval FY 2027 UPWP (April 2025)
- c. FY 2026 UPWP progress reports (submitted quarterly)
- d. Amend FY 2026 UPWP as necessary
- e. Administer General Services Agreement for Contract Professional Services for 2022 2026 (ongoing)
- f. Issue solicitation for 2027 2031 General Services Agreement for Contract Professional Services
- **1.1.6 Budget:** \$69,934 (\$52,434 SEMPO Staff + \$17,500 KLG Engineering, LLC)

Total Cost	\$ 69 <i>,</i> 934
Missouri CPG (Federal)	\$ 47,585
Missouri Local Match	\$ 11,896
Illinois (Federal)	\$ 8,363
Illinois State Match	\$ 2,091

1.2 Public Outreach

1.2.1 Lead Agency: SEMPO staff with support via consulting contract with KLG Engineering, LLC

1.2.2 Objective:

SEMPO will conduct public outreach activities in accordance with the Public Participation Plan. This Plan, adopted on May 21, 2014 and amended in subsequent years, outlines a process for obtaining public input on SEMPO's planning documents, including but not limited to: the Public Participation Plan, the Title VI Program, the Unified Planning Work Program, the Metropolitan Transportation Plan, and the Transportation Improvement Program.

1.2.3 Program Activities:

- a. Provide public access to SEMPO information, including meeting schedules, agendas, minutes, data, work products, and opportunities for public input.
- b. Provide the public with timely notice of SEMPO meetings and public input sessions.
- c. Conduct public input sessions in accordance with the Public Participation Plan.

d. Promote communication with, and encourage participation from, persons in the communities served by SEMPO, including those traditionally underserved by transportation.

1.2.4 FY 2025 Accomplishments:

- b. Held Public Hearing on FY 2026 Unified Planning Work Program (UPWP) and released for public comment (April 2025)
- c. Held two Public Open Houses on the Comprehensive Safety Action Plan as part of the Safe Streets and Roads for All Program (October 2024)
- d. Held an Open House at the Jackson Civic Center and Osage Centre to solicit feedback on a regional trail connection study
- e. Released FY 2027 2027 TIP Amendment No. 4, Amendment No. 5, and Amendment No. 6 for public comment (August 2024, November 2024, and February 2025)
- f. Posted draft planning documents for public comment in accordance with Public Participation Plan
- g. Reviewed Public Participation Plan for any necessary updates (June 2025)
- h. Issued "SEMPO News and Information" monthly e-newsletter to 100+ subscribers and post on website for review (ongoing)
- i. Adopted a Comprehensive Safety Action Plan (January 2025)
- j. Adopted a Regional Trail Connection Study (May 2025)

1.2.5 FY 2026 Work Products (estimated completion dates):

- a. Host Open Houses for the development of a Transit System Plan
- b. Release for public comment draft Transit System Planning Study (March 2026)
- c. Host Open Houses and Stakeholder interviews for the development of the Metropolitan Transportation Plan Update (July 2025)
- d. Conduct public outreach activities via SEMPO website, postings in public buildings, legal advertisements, public input sessions, etc. (ongoing)
- e. Review Public Participation Plan to determine if an update is necessary (June 2026)
- f. Issue "SEMPO News and Information" monthly e-newsletter to subscriber list and post on SEMPO website for review (ongoing)
- **1.2.6** Budget: \$19,981 (\$14,981 SEMPO Staff + \$5,000 KLG Engineering, LLC)

•	
Total Cost	\$ 19,981
Missouri CPG (Federal)	\$ 13 <i>,</i> 596
Missouri Local Match	\$ 3,399
Illinois (Federal)	\$ 2,389
Illinois State Match	\$ 597

1.3 Education and Training

1.3.1 Lead Agency: SEMPO staff with support via consulting contract with KLG Engineering, LLC

1.3.2 Objective:

The SEMPO Board of Directors, Technical Planning Committee, and staff will be knowledgeable in applicable federal, state, and local laws; SEMPO policies,

SEMPO FY 2026 UPWP

procedures, and funding; and other matters affecting the purpose, function, and activities of SEMPO. Education and training are essential to maintaining knowledge that is up-to-date and relevant.

1.3.3 Program Activities:

- a. Attend meetings, seminars, workshops and conferences pertaining to transportation planning and related issues, as well as professional development and organizational membership needed for proper administration of SEMPO. Examples include:
 - American Planning Association (APA) national and state chapter conferences
 - Association of Metropolitan Planning Organizations (AMPO) Annual Membership
 - Association of Metropolitan Planning Organizations (AMPO) Annual Conference
 - MoDOT Statewide Planning Partner Meeting
 - Missouri MPO Conference
 - Illinois MPO Conference
 - Transit Midwest Conference
 - Federal and state workshops and training on the topics of civil rights, grant administration, transportation planning legislation and Department of Transportation regulations
 - Emergency management and safety planning training
 - Geographic information systems training
 - Data collection and analysis training
 - Computer software training

1.3.4 FY 2025 Accomplishments:

- a. Attended monthly SS4A CSAP conference calls with FHWA (monthly)
- b. Attended Reconnecting Communities Grant Writing Clinic (July 2024)
- c. Participated in a funding discussion with Government Accountability Office personnel (July 2024)
- d. Attended a Missouri Active Transportation Conference (August 2024)
- e. Attended Exit 93 Public Meeting (August 2024)
- f. Attended MoDOT Planning Partners Webinars (quarterly)
- g. Attended EcoInteractive TIP Tool Training (monthly)
- h. Attended Southeast Coalition for Roadway Safety Meetings (Quarterly)
- i. Attended MoDOT Statewide Planning Partners Conference (February 2025)
- j. Joined the MoDOT LPA Advisory Committee (2025)
- k. Attended SEMO Regional Planning Commission Transportation Advisory Committee meetings (quarterly)

1.3.5 FY 2026 Work Products (estimated completion dates):

- a. Verbal and/or written summaries of education and training received (ongoing)
- b. Distribute materials received from meetings, seminars, workshops and conferences (ongoing)

- c. Attend State and Federal transportation training events and seminars
- d. Continue membership with the Association of Metropolitan Planning Organizations (AMPO)
- e. Participate in MoDOT's statewide planning partner activities
- **1.3.6** Budget: \$9,991 (\$7,491 SEMPO Staff + \$2,500 KLG Engineering, LLC)

\$ 9,991
\$ 6,798
\$ 1,699
\$ 1,195
\$ 299
\$ \$ \$

2.0 Data Collection and Management

This work element addresses the data collection and management function for SEMPO.

Table 8: Data Collection and Management

2.1 Data Collection and Management	\$ 5,000
Subtotal	\$ 5,000

2.1 Data Collection and Management

2.1.1 Lead Agency: SEMPO via consulting contract with the Southeast Missouri Regional Planning and Economic Development Commission (SEMO RPC)

2.1.2 Objective:

The Southeast Missouri Regional Planning and Economic Development Commission will collect data and maintain databases and maps as needed to assist the SEMPO Board of Directors, Technical Planning Committee, and staff in fulfilling their respective duties. This information will also be available to outside jurisdictions and agencies as well as the public.

2.1.3 **Program Activities:**

- a. Coordinate with MoDOT, IDOT, Bootheel Regional Planning Commission, and other agencies in obtaining data for the SEMPO MPA.
- b. Conduct studies to obtain needed information not currently available.
- c. Compile data and maintain databases for various data types such as demographics, socioeconomics, land uses, traffic counts, traffic accidents, and crashes for the SEMPO MPA.
- d. Maintain an inventory of multi-modal transportation facilities and services within the SEMPO MPA for transit, rail, river, aviation, freight, and other transportation modes.
- e. Prepare maps for analysis, presentations, and work products.
- f. Serve as a data and information resource for SEMPO members, outside jurisdictions and agencies, and the public.

2.1.4 FY 2025 Accomplishments:

 Continued GIS Audit of current interactive maps, mapping data, and current uses of GIS information. Developed a plan to expand GIS information, analyze existing planning documents for potential GIS application, consider existing planning efforts and how work products may benefit from GIS based mapping, and enhanced the amount of interactive maps available for public review and edification (June 2025).

- b. Maintained GIS interactive map for SEMPO MPA (ongoing)
- c. Developed a GIS Story Map of all SEMPO MPA crash data for property damage, serious injury, and fatalities (January 2025)
- d. Compiled data for SEMPO MPA (ongoing)

2.1.5 FY 2026 Work Products (estimated completion dates):

a. Databases and maps containing demographic, socioeconomic, land use, traffic, and other data for SEMPO MPA (ongoing).

2.1.6	Budget (for contracted work):		
	Total Cost	\$	5,000
	Missouri CPG (Federal)	\$	3,402
	Missouri Local Match	\$	851
	Illinois (Federal)	\$	598
	Illinois State Match	\$	149

3.0 Transportation Planning

This work element addresses the transportation planning function for SEMPO, including the Metropolitan Transportation Plan, the Transportation Improvement Program, and other plans, programs, and studies.

Table 9: Transportation Planning

Transportation Planning Work Elements Completed in FY 2025		
Adopted a Comprehensive Safety Action Plan		
TIP Tool Online Management Services		
Solicited via RFP and negotiated contract for professional services for the Development of a		
Metropolitan Transportation Plan Update		
Adopted a Regional Trail Connection Study		
Completed a Title VI Program & Limited English Proficiency Plan Update		
Executed a Uniform Grant Budget Agreement with the State of Illinois for the use of unspent		
PL funds		
Transportation Planning Work Elements for FY 2025	UPWP Budget	
3.1 Metropolitan Transportation Plan Update	\$150,000	
	\$150,000	
3.2 Performance Management	-	
3.3 Transportation Improvement Program Update	\$35,000	
3.4 Transit System Planning	\$90,000	
3.5 Transportation Improvement Program (TIP) Management	\$15,000	
3.6 TIP Tool Online Management & Support	\$21,940	
3.7 Multi-Modal Freight Plan	\$100,000	
3.8 Air Quality Planning	-	
Subtotal	\$411,940	

3.1 Metropolitan Transportation Plan Update

- **3.1.1** Lead Agency: SEMPO via consulting contract with CBB Transportation Engineers + Planners
- **3.1.2 Objective:** In April 2021, the SEMPO Board of Directors approved the 2021 2045 Metropolitan Transportation Plan outlinging the multimodal transportation goals for the region. The plan is set to expire in April 2026 and will need updated in FY 2026. In October 2024, SEMPO issued a Request for Qualifications to 34 regional transportation-consulting firms soliciting proposals for the development of a Metropolitan Transportation Plan Update. Three proposals were received and the review committee recommended CBB Transportation Engineers + Planners to conduct the study. A professional services contract was approved in December 2024 for the development of the plan. SEMPO staff will work closely with CBB Transportation Engineers + Planners in FY 2026 to complete the plan update.

3.1.3 Program Activities:

- a. Analyze survey and public input map results
- b. Develop programs and policy recommendations
- c. Develop safety toolkits
- d. Analyze VMT reduction strategies
- e. Complete an administrative draft
- f. Host 3rd Public Open House on administrative draft
- g. Ensure the Comprehensive safety Action Plan satisfies the federal requirements outlined within the Safe Streets and Roads for All grant program
- h. Adopt the finalized plan on or before January 31, 2025

3.1.4 FY 2025 Accomplishments:

- a. Solicited and procured professional service to assist in the development of the Metropolitan Transportation Plan (December 2024)
- b. Held a Project Kick-off meeting with the Technical Planning Committee (January 2025)

3.1.5 FY 2026 Work Products (estimated completion dates):

a. SEMPO will assist in developing and finalizing the draft plan and approve the final plan (adoption June 2025)

3.1.6 Budget (for contract work):

Total Cost	\$ 150,000	
Missouri CPG (Federal)	\$ 102,063	
Missouri Local Match (SEMPO)	\$ 25,516	
Illinois (Federal)	\$ 17,937	
Illinois (State)	\$ 4,484	

3.2 Performance Management

3.2.1 Lead Agency: SEMPO staff

3.2.2 Objective: On May 27, 2016, the Federal Register published the final rule on the metropolitan and statewide requirements for performance-based planning and programming established by MAP-21 and FAST Act. These requirements are as follows:

TIP (from final rule):

(d) The TIP shall include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets identified in the metropolitan transportation plan, linking investment priorities to those performance targets.

MTP (from final rule):

(f) The metropolitan transportation plan shall, at a minimum, include:

(3) A description of the performance measures and performance targets used in assessing the performance of the transportation system in accordance with § 450.306(d).

(4) A system performance report and subsequent updates evaluating the condition and performance of the transportation system with respect to the performance targets described in § 450.306(d), including—

(i) Progress achieved by the metropolitan planning organization in meeting the performance targets in comparison with system performance recorded in previous reports, including baseline data;

On December 16, 2020, SEMPO passed a resolution supporting the safety, system condition, and system performance measure targets set by MoDOT, IDOT, and CGCTA. On January 20, 2021, SEMPO passed a resolution supporting the safety performance measure targets set by SEMO University. On October 18, 2024, SEMPO passed a resolution supporting performance measure targets set by MoDOT and IDOT for PM(1) Safety. On December 18, 2024 SEMPO passed a resolution supporting the performance targets set by MoDOT and IDOT for PM(2), System Performance PM(3). SEMPO staff ensures compliance with the Metropolitan Planning Organization requirements for performance-based planning and programming established by MAP-21 and FAST Act, the cost of which is reflected in work element 1.1 Program Support.

3.3 Transportation Improvement Program Update

- **3.3.1 Lead Agency:** SEMPO via consulting contract (TBD)
- **3.3.2 Objective:** The 2024-2047 Transportation Improvement Program (TIP) was adopted by the Board of Directors on June 21, 2023. The TIP outlines the region's upcoming transportation projects and investments over a 4-year span. SEMPO developed the TIP in collaboration with state and local governments, public transit agencies, and other stakeholders. Its primary purpose is to ensure that transportation improvements are identified, funded, and scheduled in a coordinated manner that supports regional mobility, economic growth, and environmental sustainability. More recently, SEMPO invested in EcoInteractive, an online TIP Tool Management software, in efforts to provide the public more information regarding transportation investments within the region. Now that the software is operational, an update to the TIP may now take place outlining the next 4-years of transportation investments throughout the region.

3.3.3 Program Activities:

- a. Issue a Task Order to the Regional Planning Commission to assist in the development of a TIP Update.
- b. Develop and approve a draft and final TIP Update.

3.3.4 FY 2025 Accomplishments:

- a. Finalized the conversion to EcoInteractive online TIP Tool Management software (November 2024)
- b. Monitored and reviewed 2027 2047 TIP for necessary amendments.

3.3.5 FY 2026 Work Products (estimated completion dates):

a. Develop and adopt a TIP Update (March 2026)

3.3.6 Budget (for contract work)

Total Cost	\$ 35,000
Missouri CPG (Federal)	\$ 23,815
Missouri Local Match	\$ 5 <i>,</i> 954
Illinois (Federal)	\$ 4,185
Illinois State Match	\$ 1,046

3.4 Transit System Planning

- **3.4.1** Lead Agency: SEMPO via consulting contract (TBD)
- **3.4.2 Objective:** Development of a Transit System Planning initiative to enhance mobility and accessibility, increased cost efficiency, and route optimization.

3.4.3 Program Activities:

- a. Define project scope, goals, and expected deliverables.
- b. Solicit consultants to partner in the development of the project.
- c. Establish a subcommittee for plan development oversight.
- d. Ensure public outreach and engagement efforts align with the Public Participation Plan (PPP).
- e. Review draft plan and release for public comment
- f. Adopt final Transit System Plan

3.4.4 FY 2026 Work Products (estimated completion dates)

- a. Prepare and adopt the Transit System Plan (June 2026).
- b. Utilize study findings and options to seek potential funding opportunities and enhance transit operations.

3.4.5 Budget (for contracted work):

Total Cost	\$ 90,000
Missouri CPG (Federal)	\$ 26,631
FTA Section 5303	\$ 39,498
Illinois (Federal)	\$ 10,762
Missouri Local Match	\$ 6 <i>,</i> 658
*2.5% PL Set-Aside	\$ 3,760
Illinois State Match	\$ 2,691

3.5 Transportation Improvement Program (TIP) Management

- **3.5.1 Lead Agency:** SEMPO via consulting contract with the Southeast Missouri Regional Planning and Economic Development Commission (SEMO RPC)
- **3.5.2 Objective:** The TIP is a prioritized, fiscally-constrained, multi-year list of federally funded transportation projects and improvements within the SEMPO MPA, which authorizes the obligation of federal funds for listed projects and operations. At least every four (4) years, the proposed improvement projects, plans, studies, and other activities expected to occur over the next four (4) years will be taken from the MTP and entered into the programming process, culminating in the development of a TIP, and then included by reference in the Statewide Transportation Improvement Program (STIP). In doing so, SEMPO will certify its compliance with federal, state, environmental, and civil rights regulations. In addition, SEMPO will make amendments and administrative modifications to the TIP as necessary to reflect project additions, deletions, and changes, and to include written provisions for performance management as described in 3.2.

3.5.3 Program Activities:

- a. Make amendments and administrative modifications to FY 2024-2027 TIP as necessary.
- b. Incorporate annual transit Program of Projects public participation activities into the TIP public participation activities.
- c. Include public outreach in the TIP process in accordance with the Public Participation Plan (PPP).

3.5.4 FY 2025 Accomplishments:

a. Prepared and approved FY 2024-2027 TIP Amendment No. 4 (August 2024), Amendment No. 5 (November 2024), and Amendment No. 6 (February 2025)

3.5.5 FY 2026 Work Products (estimated completion dates):

a. 2024-2027 TIP Amendments and Administrative Modifications (as necessary)

3.5.6 Budget (for contracted work):

Total Cost	\$ 15,000
Missouri CPG (Federal)	\$ 10,206
Missouri Local Match	\$ 2,552
Illinois (Federal)	\$ 1,794
Illinois State Match	\$ 448

3.6 Transportation Improvement Program (TIP) Tool Online Management & Support

- 3.6.1 Lead Agency: SEMPO via consulting contract with EcoInteractive
- **3.6.2 Objective:** In FY 2019, SEMPO hired Data Transfer Solutions, LLC (DTS) to develop a web-based tool for viewing and managing the TIP. The maintenance and service agreement expired in 2023. TIP Tool software has advanced in mapping functionality, reporting capabilities, and permission level authorization technologies significantly over the past five years. SEMPO conducted a competitive RFP process to solicit a new online management and service agreement for TIP Tool services. Through this competitive selection process, EcoInteractive was chosen as the preferred vendor. SEMPO has entered into a

3-year (2024 – 2027) user agreement with EcoInteractive for TIP Tool online software management and maintenance services.

3.6.3 **Program Activities:**

a. TIP tool maintenance and support

3.6.4 FY 2025 Accomplishments:

a. Received TIP Tool training and went live with new software (September 2024)

3.6.5 FY 2026 Work Products (estimated completion dates):

- a. Work with the new vendor to import GIS data into interactive map environment (July 2025)
- b. Maintain updated TIP Tool database

3.6.6 Budget (for contracted work):

Total Cost	\$ 21,940
Missouri CPG (Federal)	\$ 14,928
Missouri Local Match	\$ 3,732
Illinois (Federal)	\$ 2,624
Illinois State Match	\$ 656

3.7 Multi-Modal Freight Plan

- **3.7.1** Lead Agency: SEMPO via consulting contract (TBD)
- **3.7.2 Objective:** Development of a Multi-Modal Freight Plan to enhance the efficiency, resilience, and sustainability of freight movement across various transportation modes, ensuring seamless integration and optimized infrastructure within the region.

3.7.3 Program Activities:

- g. Define project scope, goals, and expected deliverables.
- h. Solicit consultants to partner in the development of the project.
- i. Establish a subcommittee for plan development oversight.
- j. Ensure public outreach and engagement efforts align with the Public Participation Plan (PPP).
- k. Review draft plan and release for public comment
- I. Adopt final Multi-Modal Freight Plan

3.7.4 FY 2026 Work Products (estimated completion dates)

- c. Prepare and adopt the Multi-Modal Freight Plan (June 2026).
- d. Utilize study findings and options to seek potential funding opportunities and enhance transit operations.

3.7.5 Budget (for contracted work):

Total Cost	\$ 100,000
Missouri CPG (Federal)	\$ 70,291
Missouri Local Match	\$ 17 <i>,</i> 573
Illinois (Federal)	\$ 9,709
Illinois State Match	\$ 2,427

3.8 Air Quality Planning

3.8.1 Lead Agency: SEMPO staff

3.8.2 Objective: Air quality and transportation are intimately connected through United States Environmental Protection Agency (EPA) regulation. The Clean Air Act, which was last amended in 1990, requires EPA to set National Ambient Air Quality Standards for pollutants considered harmful to public health and the environment. The EPA Office of Air Quality Planning and Standards (OAQPS) has set National Ambient Air Quality Standards for six principal pollutants, which are called "criteria" pollutants. The current standards for these criteria pollutants are detailed in the 2021 – 2045 Metropolitan Transportation Plan.

Of the six pollutants, particulate matter and ozone are most affected by the transportation system. While particulate matter is well under the standard in the Cape Girardeau area, ozone remains a contaminant of concern.

As of the approval date for this document, the Cape Girardeau/Jackson Urbanized Area is currently in attainment (within compliance of ambient air quality standards), and the SEMPO staff will proceed with its work this year under that attainment designation. A change in the air quality designation for the Cape Girardeau/Jackson Urbanized Area is not expected to occur in FY2026 (June 30, 2025 – July 1, 2026); however, this situation could change in future years.

3.8.3 **Program Activities:**

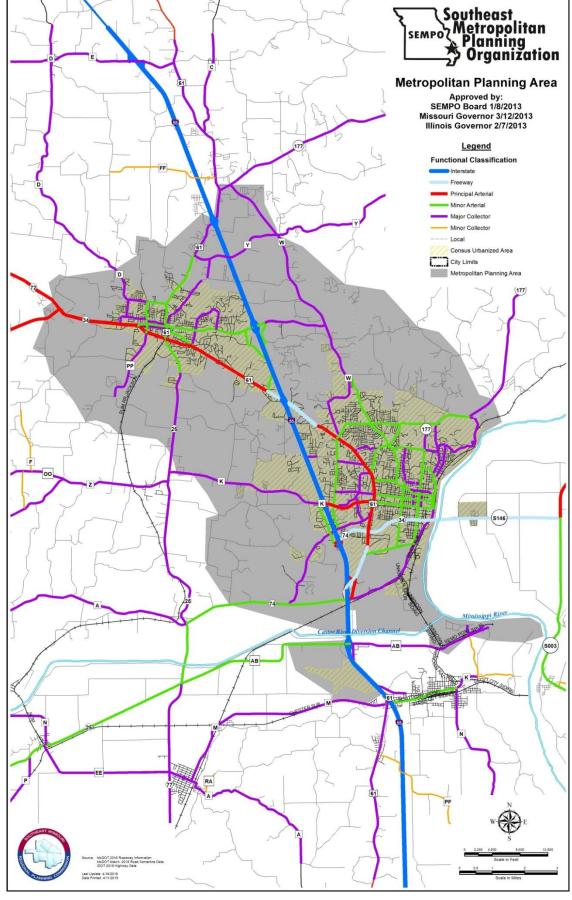
a. Monitor the ongoing discussions about possible non-attainment status for the Cape Girardeau/Jackson Urbanized Area and work with EPA, MoDOT, FHWA, FTA and other agencies to revise MPO plans, reports and processes so the Cape Girardeau/Jackson Urbanized Area is in compliance with air quality regulations (as needed).

3.8.4 Work Products:

a. Continue to support efforts by local groups that are encouraging actions which lead to reductions in air pollutant emissions (ongoing)

Attachments

Metropolitan Planning Area Map Position Listings and Full Time Equivalents Resolution of Adoption



SEMPO FY 2026 UPWP

Position Listings and Full Time Equivalents

FTE = Full-Time Equivalent. Ratio represents the estimated proportion of the employee's full-time compensable hours (40 hours per week x 52 weeks per year) that is devoted to SEMPO.

City of Cape Girardeau

SEMPO Executive Director (0.60 FTE)

Administrative Coordinator (0.02 FTE)

Southeast Missouri Regional Planning and Economic Development Commission (SEMO RPC)

Executive Director (0.02 FTE)

Deputy Director (0.18 FTE)

GIS Specialist (0.02 FTE)

Fiscal Officer (0.02 FTE)

KLG Engineering, LLC

Principal (0.07 FTE)

Administrative Coordinator (0.02 FTE)

RESOLUTION NO. 25-04

SOUTHEAST METROPOLITAN PLANNING ORGANIZATION

RESOLUTION NO. 2025-04

A RESOLUTION ADOPTING THE FY 2026 UNIFIED PLANNING WORK PROGRAM

WHEREAS, the Board of Directors of the Southeast Metropolitan Planning Organization is the Executive Body of the metropolitan planning organization designated by the Governor of the State of Missouri and the Governor of the State of Illinois for the Cape Girardeau - Jackson urbanized area, and responsible for carrying out the provisions of 23 U.S.C. 134, 49 U.S.C. 5303, 23 CFR 450.308, and 23 CFR 450.314; and

WHEREAS, the Southeast Metropolitan Planning Organization is charged with the preparation and adoption of an annual Unified Planning Work Program as specified in 23 CFR 450.308 as part of a continuous, cooperative, and comprehensive transportation planning process; and

WHEREAS, the FY 2026 Unified Planning Work Program has been prepared in accordance with the federal regulations; and

WHEREAS, the FY 2026 Unified Planning Work Program has been presented to the public for review and comment; and

WHEREAS, the Technical Planning Committee has complied and reviewed the transportation projects identified within the FY 2026 Unified Planning Work Program to be presented to the Board of Directors for consideration of approval.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Southeast Metropolitan Planning Organization hereby adopt the FY 2026 Unified Planning Work Program as shown in the attached exhibit, which is incorporated herein by reference.

PASSED AND APPROVED THIS 16th DAY OF APRIL, 2025.

Stacy Kinder, Vice Chairman

ATTEST:

Alex McElroy, Executive Director

	Gayle L. Conrad, CMC/MPCC,
Staff:	Director of Citizen Services/City
Agenda:	Clerk
C	5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

Appointment of two regular members to the Board of Adjustment for terms expiring March 6, 2027, and March 6, 2030, and one alternate member for a term expiring September 4, 2025.

EXECUTIVE SUMMARY

Glenn "Skip" Smallwood has served on the board since 2013 (first as an alternate and then two full terms). This term expired March 6, 2025. Skip is not eligible to serve again due to term limits.

Reg Swan has resigned from his position on the Board of Adjustment.

One alternate position is currently vacant.

The following individuals have expressed interest in serving on the board. (Their applications are attached for your review.)

FULL NAME	WARD	CITIZENS ACADEMY GRAD	
			BACKGROUND/DISCUSSION
			The Board of Adjustment hears and decides
Larry Caldwell	4	NO	exceptions to or variations from the height, area,
Jordan Drury	6	NO	bulk and setback requirements as set out in the
Holly Godwin	5	NO	City's Zoning Ordinance. Members serve a 5-year
C. Donald Harris	5	NO	term.
Richard Knote	4	NO	STAFF RECOMMENDATION

It is recommended that three appointments be made to the Board of Adjustment: One regular appointment to expire March 6, 2027, one regular appointment to expire March 6, 2030, and one alternate appointment to expire September 4, 2025.

BOARD OR COMMISSION RECOMMENDATION

The Board of Adjustment recommends that Larry Caldwell be appointed to the board for a term expiring March 6, 2027, Richard Knote be appointed for a term expiring March 6, 2030, and Jordan Drury be appointed as an alternate for a term expiring September 4, 2025.

ATTACHMENTS:										
Name:	Description:									
□ <u>ADVISORY_BOARD_ROSTERS.pdf</u>	Board of Adjustment Roster									
<u>ADVISORY_BOARD_ATTENDANCE.pdf</u>	Board of Adjustment Attendance									

BOARD OF ADJUSTMENT

3/17/2025 ROSTER

NAME	TERM #	APPOINTED	TERM EXPIRES
Dowdy, Larry	1	4/15/2024	3/6/2029
Hill, Gary	1	5/1/2023	3/6/2028
Robertson, Ron	1	3/15/2021	3/6/2026
	ALT	10/5/2020	9/4/2025
Smallwood, Skip (Glenn)	2	3/2/2020	3/6/2025
	1	3/16/2015	3/6/2020
	ALT	3/4/2013	
Swan, Reg	1	5/2/2022	3/6/2027
Hart, Edward (ALT)	ALT	8/17/2020	9/4/2025
	ALT	11/2/2015	9/4/2020
	ALT	9/20/2010	9/4/2015
	ALT	8/15/2005	9/4/2010
	ALT	1/22/2002	9/4/2005
Hinton, David (ALT)	ALT	8/17/2020	9/4/2025
	ALT	11/2/2015	9/4/2020
	ALT	4/15/2013	9/4/2015
Vacant (ALT)	n/a		9/4/2025

P = Partial Term

DESCRIPTION: Hears and decides appeals from decisions of the building official in the enforcement of the zoning ordinance. Hears requests for variances from provisions of the zoning ordinance where strict enforcement would cause undue hardship due to circumstances unique to the individual under consideration. The Board of Adjustment shall not permit, as a variance, any use in a district that is not permitted under the zoning ordinance. The Board may impose conditions in the granting of variances to insure compliance and to protect adjacent property.

NUMBER OF MEMBERS: 5 (3 alternate members may be appointed to serve in the absence of, or the disqualification of, the regular members)
MEETING TIME: Monthly, First Thursday at 5:30 pm in the Council Chambers
TERM LIMIT: 2 Full Term Limits (5-Year Terms)
RESIDENCY: City of Cape Girardeau
STAFF LIAISON: Ryan Shrimplin, City Planner (Coordinator: Carol Peters)

BOARD OF ADJUSTMENT - ATTENDANCE RECORDS

Meeting Time: Monthly, First Thursday at 5:30 pm in the Council Chambers

Ordinance Effective: 04/13/2000

2025	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC	Te		Termination
2025	2	6	6	3	1	5	3	7	4	2	6	4	Warning Letters		Letter
Dowdy, Larry	NM	NM	NM	Р	NM										
Hill, Gary	NM	NM	NM	Р	NM										
Robertson, Ron	NM	NM	NM	Р	NM										
Smallwood, Skip (Glenn)	NM	NM	NM												
Swan, Reg	NM	NM	NM												
Hart, Edward (ALT)	NM	NM	NM	Α	NM										
Hinton, Dave (ALT)	NM	NM	NM	Р	NM										
AGENDA RCVD	NM	NM	NM	х	NM										
MINUTES RCVD	NM	NM	NM	х	NM]		

2024	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC		Termination
2024	4	1	7	4	2	6	4	1	5	3	7	5	Warning Letters	Letter
Dowdy, Larry					NM	Р								
Hill, Gary	NM	NM	NM	Р	NM	Р								
Kelley, Timothy	NM	NM	NM											
Robertson, Ron	NM	NM	NM	Р	NM	Р								
Smallwood, Skip (Glenn)	NM	NM	NM	Р	NM	Р								
Swan, Reg	NM	NM	NM	Р	NM	А								
Hart, Edward (ALT)	NM	NM	NM	А	NM	А								
Hinton, David (ALT)	NM	NM	NM	Р	NM	Р								
AGENDA RCVD	NM	NM	NM	х	NM	х								
MINUTES RCVD	NM	NM	NM	х	NM	х]							

P = Present

A = Absent

SMp = Special Meeting Present SMa = Special Meeting Absent

NM = No Meeting or Meeting Cancelled

	Gayle L. Conrad, CMC/MPCC,
Staff:	Director of Citizen Services/City
Agenda:	Clerk
C	5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

Appointment of the Jaycee representative on the Golf Course Advisory Board for a term expiring September 4, 2026.

EXECUTIVE SUMMARY

Eric Craiglow has served as the Jaycee's representative on the Golf Course Advisory Board since 2022. He has resigned from this position. This term is set to expire September 4, 2026.

BACKGROUND/DISCUSSION

The Municipal Golf Course Advisory Board acts in an advisory capacity to the City Council to review, promote and expedite development and use of the Jaycee Municipal Golf Course facilities. The Board may study any problem or condition relating to the construction, operation, maintenance or improvement of, or addition to the golf course or related facilities and may present its findings and related recommendations to the City Council.

The City Council shall appoint the nine members of the Board by formal motion and vote. Members of the Board serve for terms of three years. One member of the Municipal Golf Course Advisory Board shall be a member of Cape Jaycees and designated by that organization as its representative on the Board. The Cape Girardeau Jaycees submitted an application for Jarod Handley, an active Cape Girardeau Jaycees member, to fill the term on the Golf Course Advisory Board.

STAFF RECOMMENDATION

It is recommended that one appointment for the Jaycee's designee be made to the Golf Course Advisory Board for a term expiring September 4, 2026.

BOARD OR COMMISSION RECOMMENDATION

The Cape Girardeau Jaycees submitted an application for Jarod Handley, an active Cape Girardeau Jaycees member, to fill the term on the Golf Course Advisory Board which expires September 4, 2026.

ATTACHMENTS:

Name:

<u>ADVISORY_BOARD_ROSTERS.pdf</u>	Golf Course Advisory Board Roster				
□ <u>ADVISORY_BOARD_ATTENDANCE.pdf</u>	Golf Course AB Attendance				

GOLF COURSE ADVISORY BOARD 4/8/2025 ROSTER

NAME	TERM #	APPOINTED	TERM EXPIRES
Craiglow, Eric (Jaycees)	1	9/5/2023	9/4/2026
	Р	7/5/2022	9/4/2023
Esicar, Janet	2	11/4/2024	11/12/2027
	1	11/1/2021	11/12/2024
	Р	3/1/2021	11/12/2021
Gannon, Cindy	2	3/6/2023	1/18/2026
	1	1/21/2020	1/18/2023
	Р	9/3/2019	1/18/2020
Jones, Kristen	Р	9/3/2024	11/12/2025
Kelley, Timothy	Р	3/18/2025	1/18/2026
Kneer, Claire	2	11/20/2023	11/12/2026
	1	11/2/2020	11/12/2023
Parham, Josh	2	11/4/2024	11/12/2027
	1	11/1/2021	11/12/2024
	Р	3/1/2021	11/12/2021
Pingel, Dale	1	11/7/2022	11/12/2025
Pippins, Lindsey	1	9/5/2023	9/4/2026

P = Partial Term

DESCRIPTION: Recommends policy regarding capital improvements and programming to staff. One member shall be a member of Cape Jaycees and designated by that organization as its representative.

NUMBER OF MEMBERS: 9

MEETING TIME: Bi-Monthly (even months), Fourth Thursday at noon at the Osage Centre TERM LIMIT: 3 Full Term Limits (3-Year Terms)
RESIDENCY: City of Cape Girardeau
STAFF LIAISON: Doug Gannon, Parks Director (Coordinator: Natalia Beasley)

GOLF COURSE ADVISORY BOARD - ATTENDANCE RECORDS

Meeting Time: Bi-Monthly (even months), Fourth Thursday at noon at the Osage Centre

Ordinance Effective: 04/13/2000

2025	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC				Termination
2025		27		24		26		28		23		?	Warning Letters Lette		Letter	
Craiglow, Eric (Jaycees)	NM	Р	NM													
Esicar, Janet	NM	А	NM													
Gannon, Cindy	NM	Р	NM													
Jones, Kristen	NM	А	NM													
Kelley, Timothy			NM													
Kneer, Claire	NM	Р	NM													
Parham, Josh	NM	Р	NM													
Pingel, Dale	NM	Р	NM													
Pippins, Lindsey	NM	Р	NM													
Wittenborn, Brad	NM	Р														
AGENDA RCVD	NM	х	NM												•	
MINUTES RCVD	NM	х	NM]			

2024	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	ОСТ	NOV	DEC			Termination
2024		22		25		27		22		24		5	Warning Letters		Letter
Craiglow, Eric (Jaycees)	NM	А	NM	Р	NM	А	NM	А	NM	Р	NM	SMp	08/28/24		
Esicar, Janet	NM	А	NM	Ρ	NM	Р	NM	Р	NM	Р	NM	SMa			
Gannon, Cindy	NM	Р	NM	SMa											
Jones, Kristin										Р	NM	SMp			
Kneer, Clair	NM	Р	NM	Р	NM	Р	NM	Р	NM	А	NM	SMa			
Parham, Josh	NM	А	NM	Р	NM	Р	NM	Р	NM	Р	NM	SMp			
Pingel, Dale	NM	Р	NM	SMp											
Pippens, Lindsey	NM	Р	NM	SMp											
Saverino, Nate	NM	Р	NM	Р	NM	Р	NM	Р							6/10/2024
Wittenborn, Brad	NM	Р	NM	SMp											
AGENDA RCVD	NM	х		-											
MINUTES RCVD	NM	х													

P = Present

A = Absent

SMp = Special Meeting Present SMa = Special Meeting Absent

NM = No Meeting or Meeting Cancelled

Gayle L. Conrad, CMC/MPCC, Staff: Director of Citizen Services/City Agenda: Clerk 5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

Appointment of two members to the Tax Increment Financing Commission for terms expiring April 1, 2029.

Danny Essner has served on the commission since 2002. This term is set to expire April 1, 2025. Mr. Essner is not interested in re-appointment.

Al Spradling has served on the commission since 2002. This term is set to expire April 1, 2025. Mr. Spradling is not interested in re-appointment.

EXECUTIVE SUMMARY

The appointments to the TIF Commission are made by the Mayor with the consent of a majority of the City Council.

BACKGROUND/DISCUSSION

In April of 2002, the City Council appointed an 11 member TIF Commission to review and make recommendations with respect to proposed Tax Increment Financing Projects. Six members of the commission were appointed by the city, two by the school district, two by the county, and one by the outside taxing district that was within the project area. Commission members appointed by the City serve for a four year term. The City positions on the commission are dedicated positions, while the remaining positions are project specific and are appointed at the time of the creation of a TIF project. The following individuals have expressed interest in serving on the TIF Commission:

FULL NAME	WARD	CITIZENS
		ACADEMY GRAD
Ryan Essex	5	NO
Kevin Greaser	4	NO

STAFF RECOMMENDATION

Mayor Kinder recommends the appointments of Ryan Essex and Kevin Greaser to the Tax Increment Financing Commission for terms set to expire April 1, 2029.

ATTACHMENTS:		
Name:	Description:	
□ <u>ADVISORY_BOARD_ROSTERS.pdf</u>	TIF Commission Roster	

TIF (Tax Increment Financing) Commission

4/8/2025 ROSTER

NAME		APPOINTED	TERM EXPIRES
Gilligan, Rob	city	4/3/2023	4/1/2026
Haynes, Liz	city	5/20/2024	4/1/2028
Henry, Adrienne	city	4/4/2022	4/1/2026
		4/2/2018	4/1/2022
		8/3/2015	4/1/2018
Knudtson, Jay	city	4/15/2024	4/1/2028
		4/20/2020	4/1/2024
		4/4/2016	4/1/2020
		4/2/2012	4/1/2016
Vacancy	city		4/1/2029
Vacancy	city		4/1/2029
Vacancy	city		4/1/2029

Staff: Agenda: 5/5/2025

AGENDA REPORT Cape Girardeau City Council

SUBJECT

Advisory Board Minutes

• Planning and Zoning Commission - 04/09/2025

ATTACHMENTS:		
Name:	Description:	
Planning_and_Zoning_Commission_Minutes_04-09-25Draft.pdf	Planning & Zoning 04-09-25 draft	

PLANNING & ZONING COMMISSION

PLANNING & ZONING COMMISSION

MEETING MINUTES

April 9, 2025

City Hall – Council Chambers 44 North Lorimier Street

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

Commission Members Absent: Trae Bertrand

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. Nick Martin and seconded by Mr. Chris Martin to approve the minutes of the March 12, 2025 meeting as submitted. The motion passed by a unanimous vote.

REZONINGS, SPECIAL USE PERMITS, AND EXCEPTIONS

 A public hearing was held on the request of Majeed Investment Group, LLC to rezone property located at 212 South West End Boulevard from C-1 (General Commercial District) to R-3 (High Density Single-Family Residential District). Mr. Steven Majeed, Majeed Investment Group, LLC, presented the request. He explained that he purchased the property nine years ago and has been using it as a duplex. He recently submitted plans for renovating the dwelling, which is when he learned of the property's commercial zoning. He stated that he is requesting the rezoning to a residential district that aligns with the use of the property.

Chairman Blank opened the public hearing. Seeing no appearances to speak, he closed the public hearing. A staff report was submitted to the Commission, which recommended approval of the rezoning request. A motion was made by Mr. Guard and seconded by Mr. Nick Martin to recommend approval of the rezoning request. The motion passed with a roll call vote of 8 in favor, 0 in opposition, and 0 abstaining (*Aye: Blank, Greaser, Guard, Jackson, Jones, C. Martin, N. Martin, McElreath*).

2. A public hearing was held on the request of HRM Services to rezone property located at 3100 and 3130 Ragan Street from R-4 (Medium Density Multifamily Residential District) to R-3 (High Density Single-Family Residential District). Mr. Greaser and Mr. Guard abstained from the discussion and vote due to financial conflict of interest. Mr. Kyle Miller, Crockett Engineering Consultants, appearing with Mr. Brad Schlosser, Star Vue Rentals, LLC, presented the request. Mr. Miller explained that Star Vue Rentals, LLC owns a 16.47-acre parcel that is proposed to be subdivided to create a separate 7.60-acre parcel. Mr. Schlosser has plans to develop the 7.60 acres for duplexes. The current R-4 zoning does not allow land





City of Cape Girardeau Planning & Zoning Commission Meeting Minutes April 9, 2025 Page 2 of 3

to be subdivided for duplexes. The request is to rezone the 7.60 acres to R-3, which does allow subdivision of land for duplexes. He noted that the request is to downzone the property.

Chairman Blank opened the public hearing.

Mr. Don Beckham, 1820 Silverthorne Trail, stated that he owns property adjacent to the 16.47acre parcel and that he is appearing on behalf of the collective property owners in the Silverthorne subdivision. He explained that Mr. Schlosser purchased the property several years ago and was successful in getting it rezoned to R-4 in order to develop Star Vue Apartments. The Silverthorne property owners opposed the rezoning until Mr. Schlosser agreed to execute and record a private Declaration of Restrictions document establishing a 75-foot setback from the west boundary line and a 30-foot height limit. Mr. Schlosser has shared the plan for the duplex development with the owners and assured them that the Declaration of Restrictions will be honored. It is with this understanding that the Silverthorne property owners are not opposed to the rezoning of the 7.60 acres to R-3. He stated that the owners are pleased with how the Star Vue Apartments development turned out. He then asked Mr. Shrimplin why the rezoning is necessary when the R-4 district allows duplexes. Mr. Shrimplin explained that the R-4 district allows duplexes on existing lots only. The 7.60-acre site proposed to be developed for duplexes is not an existing lot; rather, it is part of a larger lot that is to be subdivided in order to transfer the 7.60-acre lot to a different owner.

Seeing no other appearances to speak, Chairman Blank closed the public hearing. A staff report was submitted to the Commission, which recommended approval of the rezoning request. A motion was made by Mr. Nick Martin and seconded by Mr. Jackson to recommend approval of the rezoning request. The motion passed with a roll call vote of 6 in favor, 0 in opposition, and 2 abstaining (Aye: Blank, Jackson, Jones, C. Martin, N. Martin, McElreath; Abstain: Greaser, Guard).

SUBDIVISION PLATS

3. The record plat of Strawberry Fields Subdivision – Phase 1 was reviewed by the Commission. A staff report was submitted to the Commission, which recommended approval of the record plat, subject to staff's comments being successfully addressed. No one was in attendance to present the request. A motion was made by Mr. Greaser and seconded by Mr. Nick Martin to table this agenda item. The motion passed with a roll call vote of 8 in favor, 0 in opposition, and 0 abstaining (Aye: Blank, Greaser, Guard, Jackson, Jones, C. Martin, N. Martin, *McElreath*). Mr. Chris Lix, B and C Properties, LLC, owner and developer of the subdivision, arrived at this time. A motion was made by Mr. Jackson and seconded by Mr. Nick Martin to remove the item from the table. The motion passed unanimously. Mr. Lix then presented the plat. He explained that Phase 1 contains three duplex lots, four multifamily lots, and one lot reserved for a stormwater detention basin, along with right-of-way for a public street. Mr. Nick Martin stated that, during the Commission's public hearing on the rezoning of the property a few years ago, the owner of the adjacent property at 735 Lexington Avenue requested that the developer install a 6-foot high black metal picket fence along the property line. He asked Mr. Lix if he intends to honor that request. Mr. Lix stated that he will make sure the fence is installed.

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



City of Cape Girardeau Planning & Zoning Commission Meeting Minutes April 9, 2025 Page 3 of 3

passed with a roll call vote of 8 in favor, 0 in opposition, and 0 abstaining (Aye: Blank, Greaser, Guard, Jackson, Jones, C. Martin, N. Martin, McElreath).

OTHER ITEMS AND COMMUNICATION

Commission Communication

Chairman Blank reported that the TTF-7 tax initiative to extend the half-cent sales tax for road improvements for another five years was approved with overwhelming support by the voters on April 8, 2025.

Mr. Nick Martin mentioned that he was recently made aware of plans to submit a rezoning application for a church property on Bertling Street. Mr. Shrimplin reminded the Commission to be mindful of the Missouri Sunshine Law. He stated that he will look into scheduling a training at an upcoming Commission meeting.

Staff Communication

Mr. Shrimplin gave the following updates:

1. Update on items from previous Commission meetings going on to City Council

The City Council approved the following on March 17, 2025:

- Webster Sprigg Subdivision Record Plat 2nd & 3rd Readings
- Younghouse Meadowbrook Subdivision Record Plat 2nd & 3rd Readings

The City Council approved the following on April 7, 2025:

• 1918 North Kingshighway Rezoning – 1st Reading

The City Council denied the following on April 7, 2025

• 524 & 546 North Silver Springs Road Rezoning – 1st Reading

Mr. Pulley thanked the Commission members for supporting the TTF-7 tax initiative.

<u>Adjournment</u>

There being no further business, the Commission voted unanimously to adjourn the meeting at 6:00 p.m. upon a motion made by Mr. Greaser and seconded by Mr. Nick Martin.

Respectfully submitted,

Chris Martin, Secretary