

TI708871KV

**STUDY SESSION – July 6, 2020**

**NO ACTION TAKEN DURING THE STUDY SESSION**

The Cape Girardeau City Council held a study session at the Cape Girardeau City Hall on Monday, July 6, 2020, starting at 5:00 p.m. with Mayor Bob Fox presiding and Council Members Robbie Guard, Stacy Kinder, Dan Presson, Shelly Moore, Nate Thomas, and Shannon Truxel present.

**REGULAR SESSION – July 6, 2020**

**CALL TO ORDER**

The Cape Girardeau City Council convened in regular session at the Cape Girardeau City Hall on Monday, July 6, 2020, at 6:50 p.m., with Mayor Bob Fox presiding and Council Members Robbie Guard, Stacy Kinder, Dan Presson, Shelly Moore, Nate Thomas, and Shannon Truxel present.

**ADOPTION OF THE AGENDA**

A Motion was made by Robbie Guard, Seconded by Nate Thomas, to adopt the Agenda. Motion passed. 7-0. Ayes: Fox, Guard, Kinder, Moore, Presson, Thomas, Truxel.

**PUBLIC HEARINGS**

A public hearing to consider a request to rezone property at 920 North Middle Street from R-2 (Single-Family Urban Residential District) to RUMD (Residential Urban Mixed Density District).

Mayor Bob Fox opened the public hearing.  
There being no appearances the public hearing was closed.

A public hearing to consider a request to rezone property at 900 South Kingshighway from M-2 (Heavy Manufacturing/Industrial District) to M-1 (Light Manufacturing/Industrial District).

Mayor Bob Fox opened the public hearing.  
There being no appearances the public hearing was closed.

A public hearing to consider a request to rezone property located on the north side of LaSalle Avenue, east of Baldwin Drive, from C-2 (Highway Commercial District) to R-1 (Single-Family Suburban Residential District).

Mayor Bob Fox opened the public hearing.  
There being no appearances the public hearing was closed.

**APPEARANCES**

None.

### **CONSENT AGENDA**

Approval of the June 15, 2020, City Council regular session minutes and closed session minutes.

BILL NO. 20-96, an Ordinance approving the record plat of DeWitt Subdivision. Second and Third Readings.

BILL NO. 20-97, an Ordinance accepting a Permanent Utility Easement from Morgan Distributing, Inc., for property located at 4110 Nash Road. Second and Third Readings.

BILL NO. 20-98, a Resolution acknowledging receipt of an annexation petition from Midamerica Highway K, LLC, and setting a public hearing regarding the proposed annexation. Reading and Passage.

Bill No. 20-105, a Resolution authorizing the distribution of a Request for Proposals for property at 811 Broadway in the City of Cape Girardeau, Missouri, and authorizing certain actions connected therewith. Reading and Passage.

Acceptance of public improvements to serve Morgan Distributing, Inc. at 4110 Nash Road.

A Motion was made by Robbie Guard, Seconded by Dan Presson, to approve and adopt. Motion passed. 7-0. Ayes: Fox, Guard, Kinder, Moore, Presson, Thomas, Truxel.

BILL NO. 20-96 will be Ordinance No. 5307; BILL NO. 20-97 will be Ordinance No. 5308; BILL NO. 20-98 will be Resolution No. 3348; and BILL NO. 20-105 will be Resolution No. 3349.

### **ITEMS REMOVED FROM CONSENT AGENDA**

Bill 20-106, a Resolution of the Cape Girardeau City Council to Accept the Recommendation of the Historic Preservation Commission regarding the C.S.A. Monument in Ivers Square, in the City of Cape Girardeau, Missouri. Reading and Passage.

A Motion was made by Dan Presson, Seconded by Shannon Truxel, to approve and adopt.

The Council Members reviewed the recommendation made by the Historic Preservation Commission and asked for comments from the City Attorney, Deputy City Manager, and a member of the Historic Preservation Committee. Suggested locations were discussed as well as the challenges added by a portion of the recommendation and the physical size and weight of the monument. There was an inquiry about the cost and the timeline of removal, but staff did not have estimates. If the monument is removed, Mayor Fox recommended assigning the task of finding a new site to City staff. Council Member Robbie Guard said the decision before Council now, is whether the monument stays or goes. It was noted that the recommendation states the monument is to be removed immediately and stored until a site could be found. Mayor Fox stated that the Council could make their own Resolution or amend the Resolution accepting the Historic Preservation Commission's recommendation.

A Motion was made by Stacy Kinder, Seconded by Shannon Truxel, to amend the Resolution by striking the phrase, "and that the new home should not be on public property or supported by public funding."

Motion passed. 7-0. Ayes: Fox, Guard, Kinder, Moore, Presson, Thomas, Truxel.

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Council Member Stacy Kinder said that the purpose of the proposed amendment was so the monument can be removed and something done with it later, and to leave options open that may not have been explored yet. Council Member Guard said he wished there was some place to take the monument now.

Mayor Bob Fox called for the vote to approve the Resolution as amended.

Motion passed. 6-1. Ayes: Fox, Kinder, Moore, Presson, Thomas, Truxel. Nays: Guard.

BILL NO. 20-106 will be Resolution No. 3350.

### NEW ORDINANCES

BILL NO. 20-99, 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 920 North Middle Street, in the City and County of Cape Girardeau, Missouri, from R-2 to RUMD. First Reading.

A Motion was made by Dan Presson, Seconded by Robbie Guard, to approve.

Motion passed. 7-0. Ayes: Fox, Guard, Kinder, Moore, Presson, Thomas, Truxel.

BILL NO. 20-100, 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 900 South Kingshighway, in the City and County of Cape Girardeau, Missouri, from M-2 to M-1. First Reading.

A Motion was made by Dan Presson, Seconded by Nate Thomas, to approve.

Motion passed. 7-0. Ayes: Fox, Kinder, Moore, Presson, Thomas, Truxel. Abstain: Guard

Council Member Robbie Guard abstained for financial reason, due to his employment with MRV Bank.

BILL NO. 20-101, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located on the north side of LaSalle Avenue, east of Baldwin Drive, in the City and County of Cape Girardeau, Missouri, from C-2 to R-1. First Reading.

A Motion was made by Stacy Kinder, Seconded by Shannon Truxel, to approve.

Motion passed. 7-0. Ayes: Fox, Guard, Kinder, Moore, Presson, Thomas, Truxel.

BILL NO. 20-102 An Ordinance Amending Chapter 26 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding Speed Limits and Penalties. First Reading.

A Motion was made by Robbie Guard, Seconded by Dan Presson, to approve.

Motion passed. 7-0. Ayes: Fox, Guard, Kinder, Moore, Presson, Thomas, Truxel.

BILL NO. 20-103, an Ordinance accepting a Permanent Utility Easement from Liberty Apartments of Cape, LLC, for property located at 1145 Walnut Street, in the City of Cape Girardeau, Missouri. First Reading.

A Motion was made by Robbie Guard, Seconded by Dan Presson, to approve.

Motion passed. 7-0. Ayes: Fox, Guard, Kinder, Moore, Presson, Thomas, Truxel.

BILL NO. 20-104, an Ordinance to repeal Ordinance No. 5076, regarding a Permanent Utility and Sewer Easement for unimproved Decatur Street Right-of-Way, in the City of Cape Girardeau, Missouri. First Reading.

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A Motion was made by Dan Presson, Seconded by Robbie Guard, to approve.  
Motion passed. 7-0. Ayes: Fox, Guard, Kinder, Moore, Presson, Thomas, Truxel.

BILL NO. 20-107, an Ordinance amending Schedule G of Section 26-249 and Schedule R of Section 26-248 of the City Code, by establishing 30 minute parking along Broadway Street, in the City of Cape Girardeau, Missouri. First Reading.

A Motion was made by Nate Thomas, Seconded by Shannon Truxel, to approve.  
Motion passed. 7-0. Ayes: Fox, Guard, Kinder, Moore, Presson, Thomas, Truxel.

**MEETING ADJOURNMENT**

A Motion was made by Dan Presson, Seconded by Robbie Guard, to adjourn from regular session and convene to closed session for legal actions and litigation, confidential communications with legal counsel, and property transactions, pursuant to RSMo. Sections 610.021(1), and (2).  
Motion passed. 7-0. Ayes: Fox, Guard, Kinder, Moore, Presson, Thomas, Truxel.

The Regular Session ended at 7:20 p.m.

  
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Bob Fox, Mayor

  
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Bruce Taylor, Deputy City Clerk

