



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Tuesday, September 3, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES

The Board of Aldermen met in the Regular Session with Mayor Dwain L. Hahs in the chair and the following Board Members present: Mike Seabaugh, David Hitt, Eric Fraley, Katy Liley, Steve Stroder, David Reiminger, and Wanda Young. Present-7; Absent-1: Shana Williams

The meeting is opened by Mayor Dwain L. Hahs with the Pledge of Allegiance and a Moment of Silent Prayer.

Mayor Dwain L. Hahs to recognize)
Guests and Visitors)

Now comes forth Mayor Dwain L. Hahs to welcome guests and visitors.

Mayor Hahs to present a Plaque to City)
Administrator James Roach in)
Recognition of his retirement)

Now comes forth Mayor Hahs to present to City Administrator James Roach a plaque in recognition of his 27 years of service to the citizens of the City of Jackson from 1997 - 2024.

Motion to Adopt the Agenda)

Motion made by Alderman Fraley, seconded by Alderwoman Liley, to adopt the agenda, as presented. Ayes-7; Nays-0; Absent-1.

Motion to Approve the Minutes of the)
August 19, 2024, Regular Board Meeting)

Motion made by Alderwoman Liley, seconded by Alderman Hitt, to approve the minutes of the preceding Regular Board Meeting of Monday, August 19, 2024. Ayes-7; Nays-0; Absent-1.

Motion to Approve Bills of September,)
2024)

Now is presented the Semimonthly Bills Report, in the various funds for the month of September, 2024. Motion made by Alderman Hitt, seconded by Alderwoman Young, to approve the Semimonthly Bills in the various funds for September, 2024. Ayes-7; Nays-0; Absent-1.

Motion to Set the Annual City of)
Jackson Employee Appreciation and)
Christmas Luncheon for Thursday,)
December 5, 2024, at the Jackson)
Civic Center)

Motion made by Alderman Reiminger, seconded by Alderman Seabaugh, to set the annual City of Jackson Employee Appreciation and Christmas Luncheon for Thursday, December 5, 2024, from 11:00 a.m. to 1:00 p.m., at the Jackson Civic Center. Ayes-7; Nays-0; Absent-1.

Ordinance No. 24-71 Re: To Amend)
Chapter 5 (Alcoholic Beverages) of the)
Code of Ordinances, relative to public)
Intoxication)

The matter of amending Chapter 5 (Alcoholic Beverages) of the Code of Ordinances, relative to public intoxication, came on for consideration. Alderman Reiminger introduced Bill No. 24-71,



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being for an ordinance entitled as follows:

**AN ORDINANCE AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES OF
THE CITY OF JACKSON, MISSOURI, RELATIVE TO ALCOHOLIC BEVERAGES;
AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

On a motion made by Alderman Reiminger, seconded by Alderman Stroder, Bill No. 24-71 was placed on its first reading and was read by title, considered and discussed and was duly passed. On a motion by Alderman Reiminger, seconded by Alderman Stroder, Bill No. 24-71 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 24-71 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Seabaugh-aye; Alderwoman Young-aye; Alderman Hitt-aye; Alderwoman Williams-absent; Alderman Reiminger-aye; Alderman Fraley-aye; Alderwoman Liley-aye; and Alderman Stroder-aye.

BILL NO. 24-71

ORDINANCE NO. 24-71

**AN ORDINANCE AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES OF
THE CITY OF JACKSON, MISSOURI, RELATIVE TO ALCOHOLIC BEVERAGES;
AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF JACKSON, MISSOURI, AS FOLLOWS:

Section 1. That Chapter 5, Article I, Section 5-7, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 5-7. Consumption of alcoholic beverages in public places.

It shall be unlawful for any person to drink intoxicating liquor or nonintoxicating beer upon the public streets, parking lots, alleys, highways, thoroughfares, or sidewalks within the city unless the city has issued appropriate permits for activities that allow consumption at specific events.”

Section 2. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Jackson, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

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

Section 4. That this ordinance shall take effect and be in force from and after its passage and approval.



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Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: September 3 2024.

SECOND READING: September 3 2024.

PASSED AND APPROVED this 3rd day of September, 2024, by a vote of 7 ayes, 0 nays,
0 abstentions and 1 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

By: Dwain L. Hahs (signed)
Mayor

Angela Birk (signed)
City Clerk

Ordinance No. 24-72 Re: To Amend)
Chapter 45 (Offenses) of the Code of)
Ordinances, relative to Marijuana)

The matter of amending Chapter 45 (Offenses) of the Code of Ordinances, relative to Marijuana, came on for consideration. Alderman Reiminger introduced Bill No. 24-72, being for an ordinance entitled as follows:

**AN ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES
OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO MARIJUANA; AND
REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

On a motion made by Alderman Reiminger, seconded by Alderman Seabaugh, Bill No. 24-72 was placed on its first reading and was read by title, considered and discussed and was duly passed. On a motion by Alderman Reiminger, seconded by Alderman Seabaugh, Bill No. 24-72 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 24-72 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Stroder-aye; Alderwoman Liley-aye; Alderwoman Young-aye; Alderman Hitt-aye; Alderwoman Williams-absent; Alderman Reiminger-aye; Alderman Seabaugh-aye; and Alderman Fraley-aye.

BILL NO. 24-72

ORDINANCE NO. 24-72

**AN ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES
OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO MARIJUANA; AND
REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF JACKSON, MISSOURI, AS FOLLOWS:

Section 1. That Chapter 45, Article IX, Division 1, Section 45-906, of the Code of Ordinances
of the City of Jackson, Missouri, is hereby amended to read as follows:



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“Sec. 45-906. Controlled substances; definitions; prohibited acts.

A. Definitions for the purpose of this section:

1. “Controlled substance” means a drug, substance or immediate precursor as referred to in Schedules I through V, listed in Chapter 195, Revised Statutes of Missouri, except marijuana as defined by Article XIV of the Constitution of Missouri.

2. “Drug paraphernalia” means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance or an imitation controlled substance in violation of Chapter 195, Revised Statutes of Missouri.

B. It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia, to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or an imitation controlled substance as set forth in RSMo 195.017.

C. It is unlawful for any person to place in any newspaper, magazine, handbill or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia.

D. It is unlawful for any person to use, or to possess with intent to use, an imitation controlled substance in violation of this chapter.

E. It is unlawful for any person to place in any newspaper, magazine, handbill or other publication, or to post or distribute in any public place, any advertisement or solicitation with reasonable knowledge that the purpose of the advertisement or solicitation is to promote the distribution of imitation controlled substances.”

Section 2. That Chapter 45, Article IX, Division 1, Section 45-907, of the Code of Ordinances of the City of Jackson, Missouri, is hereby added as follows:

“Sec. 45-907. Marijuana.

A. Definitions for the purpose of this section:

1. To “Smoke Marijuana” means inhaling, exhaling, burning, or possessing any lighted cigar, cigarette, pipe, bong, or any other device used for the delivery of marijuana. This specifically includes the use of an electric or electronic smoking device, that creates an aerosol of vapor, in any manner, or in any form.

2. To “Consume Marijuana” means to ingest marijuana, by any means other than smoking. This includes, but is not limited to ingesting edibles,



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marijuana infused drinks, and eating food prepared with marijuana as an ingredient.

3. "Public Place" means any public or private property, or portion of public or private property that is open to the general public, including, but not limited to sidewalks, streets, bridges, parks, schools, and businesses.

4. All other definitions contained in this section are the same as used in Article XIV of the Missouri Constitution.

B. Marijuana use in a Vehicle:

1. No person shall smoke, consume, or be under the influence of marijuana while they are operating or are in physical control of any motor vehicle or other motorized form of transportation.

2. No person shall smoke marijuana within a motor vehicle or other motorized form of transportation, whether or not the vehicle is being operated.

3. Marijuana may not be stored or transported in any motor vehicle or other motorized form of transportation, unless it is stored in a sealed, odor-proof package, container, or receptacle.

C. Minors:

1. No person under the age of twenty-one (21) years may use, consume, smoke, possess, purchase, or attempt to purchase marijuana.

2. No person shall distribute, deliver, or sell with or without consideration, marijuana to any person under the age of twenty-one (21) years.

D. Public Use of Marijuana:

1. No person shall smoke or consume marijuana in any public place.

2. No person shall possess, smoke, or consume marijuana or possess marijuana accessories on the grounds of a public or private preschool, daycare, elementary school, secondary school, institution of higher education, vocational training facility, or on a school bus.

3. No person shall possess or consume marijuana on the grounds of a correctional facility.

E. Marijuana Cultivation and Distribution:

1. No person shall grow, cultivate, distribute, deliver, sell, possess or manufacture with the intent to distribute, deliver or sell marijuana unless specifically licensed or otherwise authorized to do so under Missouri law or Article XIV of the Missouri Constitution.



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2. No person shall grow or cultivate any marijuana plant in an unlocked space or any place that is visible by normal, unaided vision from a public place.
- F. No person shall possess marijuana, marijuana products, or marijuana plants in excess of the weight or quantity limitations of Missouri law or Article XIV of the Missouri Constitution.
- G. It shall be a rebuttable presumption that products, containers, or packages labeled as containing marijuana actually contain marijuana and need not be tested to verify the presence of marijuana. A defendant may challenge the presumption that marijuana is present, but the burden of proof of such challenge shall be on the defendant.
- H. Penalties:
1. A person under the age of twenty-one (21) years who violates this section shall be subject to a civil penalty not to exceed \$100 and forfeiture of marijuana. Any such person shall be provided the option of attending up to four hours of drug education or counseling in lieu of the civil penalty. This limitation shall only apply to violations related to public consumption and possession of three ounces or less of marijuana.
 2. A person over the age of twenty-one (21) years who violates this section is subject to a civil penalty not to exceed \$100.
 3. A person who grows or cultivates marijuana in violation of this section is subject to a civil penalty not to exceed \$250 and forfeiture of the marijuana.
 4. A person of any age who possesses more than the weight or quantity of marijuana as authorized by Article XIV Missouri Constitution is subject to the following:
 - a. For the first violation, a civil penalty of \$250 and forfeiture of the marijuana.
 - b. For the second violation, a civil penalty of \$500 and forfeiture of the marijuana.
 - c. For the third or subsequent violation, a civil penalty of \$1000 and forfeiture of the marijuana.
 - d. The civil penalty may be satisfied by the performance of community service. The rate of pay down shall be either \$15 per hour, or the minimum wage of the State of Missouri that is effective at the time of judgment, whichever is greater.”

Section 3. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Jackson, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.

Section 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



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portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: September 3 2024.

SECOND READING: September 3 2024.

PASSED AND APPROVED this 3rd day of September, 2024, by a vote of 7 ayes, 0 nays, 0 abstentions and 1 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

By: Dwain L. Hahs (signed)
Mayor

Angela Birk (signed)
City Clerk

Motion to Approve payment to United)
Land Title, relative to the acquisition of)
Right of way and an easement from)
B2VS, LLC, for the Roundabout Project)
At North High Street And Deerwood)
Drive)

Motion made by Alderwoman Liley, seconded by Alderman Fraley, approving payment in the amount of \$9,311.90 to United Land Title, relative to the acquisition of right of way and an easement from B2VS, LLC, for the Roundabout Project at North High Street and Deerwood Drive. Ayes-7; Nays-0; Absent-1.

Motion to Approve Task Order)
Authorization No. 24-07, to Koehler)
Engineering & Land Surveying, Inc., of)
Cape Girardeau, relative to providing)
Engineering services under the Jackson)
North Industrial Park Subdivision)
Preliminary Plat and Roadway)
Descriptions Project)

Motion made by Alderwoman Liley, seconded by Alderman Hitt, approving Task Order Authorization No. 24-07, in the amount of \$3,440.00, to Koehler Engineering & Land Surveying, Inc., of Cape Girardeau, relative to providing engineering services under the Jackson North Industrial Park Subdivision Preliminary Plat and Roadway Descriptions Project. Ayes-7; Nays-0; Absent-1.

Motion to Accept the bid of Fronabarger)
Concreters, Inc., of Oak Ridge, Missouri,)



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Relative to the Jackson North Industrial)
Park Infrastructure Project)

Motion made by Alderwoman Liley, seconded by Alderwoman Young, to accept the bid of Fronabarger Concreters, Inc., of Oak Ridge, Missouri, in the amount of \$668,415.00, relative to the Jackson North Industrial Park Infrastructure Project. Ayes-7; Nays-0; Absent-1.

Ordinance No. 24-73 Re: To Authorize)
a contractual agreement with)
Fronabarger Concreters, Inc., of Oak)
Ridge, Missouri, relative to the Jackson)
North Industrial Park Infrastructure)
Project)

The matter of authorizing a contractual agreement with Fronabarger Concreters, Inc., of Oak Ridge, Missouri, relative to the Jackson North Industrial Park Infrastructure Project, came on for consideration. Alderwoman Liley introduced Bill No. 24-73, being for an ordinance entitled as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND FRONABARGER CONCRETERS, INC., OF OAK RIDGE, MISSOURI, RELATIVE TO THE JACKSON NORTH INDUSTRIAL PARK INFRASTRUCTURE PROJECT; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

On a motion made by Alderwoman Liley, seconded by Alderwoman Young, Bill No. 24-73 was placed on its first reading and was read by title, considered and discussed and was duly passed. On a motion by Alderwoman Liley, seconded by Alderwoman Young, Bill No. 24-73 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 24-73 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderwoman Young-aye; Alderman Fraley-aye; Alderwoman Liley-aye; Alderman Hitt-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderman Stroder-aye; and Alderwoman Williams-absent.

BILL NO. 24-73

ORDINANCE NO. 24-73

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND FRONABARGER CONCRETERS, INC., OF OAK RIDGE, MISSOURI, RELATIVE TO THE JACKSON NORTH INDUSTRIAL PARK INFRASTRUCTURE PROJECT; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have been presented a contract attached hereto and incorporated herein as if fully set forth; and

WHEREAS, the Mayor and Board of Aldermen of the City of Jackson, Missouri, deem it advisable to enter into said contract.



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NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI, AS FOLLOW:

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the contract attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and **Fronabarger Concreters, Inc., of Oak Ridge, Missouri.** It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said contract.

Section 2. That the Mayor is hereby authorized and directed to execute said contract for and on behalf of the City of Jackson, Missouri.

Section 3. That the City Clerk of the City of Jackson is hereby authorized and directed to attest to the signature of the Mayor on the attached contract.

Section 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.

Section 5. That this Ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: September 3 2024.

SECOND READING: September 3 2024.

PASSED AND APPROVED this 3rd day of September, 2024, by a vote of 7 ayes, 0 nays, 0 abstentions and 1 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

By: Dwain L. Hahs (signed)
Mayor

Angela Birk (signed)
City Clerk

Ordinance No. 24-74 Re: To Authorize a)
Supplemental Agreement with the)
Missouri Highways and Transportation)
Commission, relative to the East Main)
Street Sidewalk Improvements Project)



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The matter of authorizing a supplemental agreement with the Missouri Highways and Transportation Commission, extending the date to be under contract to May 12, 2025, relative to the East Main Street Sidewalk Improvements Project, came on for consideration. Alderwoman Liley introduced Bill No. 24-74, being for an ordinance entitled as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A SUPPLEMENTAL AGREEMENT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE *MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION*, RELATIVE TO THE EAST MAIN STREET SIDEWALK IMPROVEMENTS PROJECT; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

On a motion made by Alderwoman Liley, seconded by Alderman Fraley, Bill No. 24-74 was placed on its first reading and was read by title, considered and discussed and was duly passed. On a motion by Alderwoman Liley, seconded by Alderman Fraley, Bill No. 24-74 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 24-74 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Hitt-aye; Alderman Reiminger-aye; Alderman Fraley-aye; Alderman Seabaugh-aye; Alderman Stroder-aye; Alderwoman Young-aye; Alderwoman Williams-absent; and Alderwoman Liley-aye.

BILL NO. 24-74

ORDINANCE NO. 24-74

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A SUPPLEMENTAL AGREEMENT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE *MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION*, RELATIVE TO THE EAST MAIN STREET SIDEWALK IMPROVEMENTS PROJECT; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have been presented an agreement attached hereto and incorporated herein as if fully set forth; and

WHEREAS, the Mayor and Board of Aldermen of the City of Jackson, Missouri, deem it advisable to enter into said agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI, AS FOLLOW:

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the agreement attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and the **Missouri Highways and Transportation Commission**.

It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said agreement.



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Section 2. That the Mayor is hereby authorized and directed to execute said agreement for and on behalf of the City of Jackson, Missouri.

Section 3. That the City Clerk of the City of Jackson is hereby authorized and directed to attest to the signature of the Mayor on the attached agreement.

Section 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.

Section 5. That this Ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: September 3 2024.

SECOND READING: September 3 2024.

PASSED AND APPROVED this 3rd day of September, 2024, by a vote of 7 ayes, 0 nays, 0 abstentions and 1 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

BY: Dwain Hahs (signed)
Mayor

Angela Birk (signed)
City Clerk

Ordinance No. 24-75 Re: To Authorize)
The Mayor to execute a Utility Easement)
Deed on East Jefferson Street between)
South Hope Street and South Ohio)
Street, to the City of Jackson, Missouri)

The matter of authorizing the Mayor to execute a Utility Easement Deed on East Jefferson Street between South Hope Street and South Ohio Street, to the City of Jackson, Missouri, came on for consideration. Alderwoman Liley introduced Bill No. 24-75, being for an ordinance entitled as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI TO EXECUTE A UTILITY EASEMENT DEED BY AND BETWEEN THE CITY AND THE CITY OF JACKSON, MISSOURI; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.



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On a motion made by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 24-75 was placed on its first reading and was read by title, considered and discussed and was duly passed. On a motion by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 24-75 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 24-75 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderwoman Liley-aye; Alderman Hitt-aye; Alderman Reiminger-aye; Alderman Fraley-aye; Alderman Seabaugh-aye; Alderman Stroder-aye; Alderwoman Williams-absent; and Alderwoman Young-aye.

BILL NO. 24-75

ORDINANCE NO. 24-75

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI TO EXECUTE A UTILITY EASEMENT DEED BY AND BETWEEN THE CITY AND THE CITY OF JACKSON, MISSOURI; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen of the City of Jackson, Missouri, have heretofore been presented a Utility Easement Deed attached hereto and incorporated herein as if fully set forth; and

WHEREAS, the Mayor and Board of Aldermen of the City of Jackson, Missouri deem it advisable to enter into the conveyance of said Utility Easement Deed.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI, AS FOLLOWS:

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the conveyance of the Utility Easement Deed Marked attached hereto and incorporated herein as if fully set forth between the City of Jackson, Missouri, a municipal corporation and the City of Jackson, Missouri, a municipal corporation. It is the belief of the Mayor and Board of Aldermen of the City of Jackson, Missouri that it is in the best interests of the citizens of the City of Jackson, Missouri, that the City enter into said Utility Easement Deed.

Section 2. That the Mayor of the City of Jackson, Missouri, be and is hereby authorized and directed to execute said conveyance of a Utility Easement Deed for and on behalf of the City of Jackson, Missouri.

Section 3. The City Clerk of the City of Jackson, Missouri, is hereby authorized and directed to attest the signature of the Mayor on the attached Utility Easement Deed.



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Section 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.

Section 5. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: September 3 2024.

SECOND READING: September 3 2024.

PASSED AND APPROVED this 3rd day of September, 2024, by a vote of 7 ayes, 0 nays, 0 abstentions and 1 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST: BY: Dwain Hahs (signed)
Mayor

Angela Birk (signed)
City Clerk

Ordinance No. 24-76 Re: To Accept the)
Dedication of a Utility Easement Deed)
On East Jefferson Street between South)
Hope Street and South Ohio Street, from)
the City of Jackson, Missouri)

The matter of accepting the dedication of a Utility Easement Deed on East Jefferson Street between South Hope Street and South Ohio Street, from the City of Jackson, Missouri, came on for consideration. Alderwoman Liley introduced Bill No. 24-76, being for an ordinance entitled as follows:

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY DEEDED TO THE CITY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED UTILITY EASEMENT DEED.

On a motion made by Alderwoman Liley, seconded by Alderwoman Young, Bill No. 24-76 was placed on its first reading and was read by title, considered and discussed and was duly passed. On a motion by Alderwoman Liley, seconded by Alderwoman Young, Bill No. 24-76 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 24-76 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Fraley-aye; Alderwoman Liley-aye; Alderman Hitt-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderman Stroder-aye; Alderwoman Williams-absent; and Alderwoman Young-aye.



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Tuesday, September 3, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES

BILL NO. 24-76

ORDINANCE NO. 24-76

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY DEEDED TO THE CITY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED UTILITY EASEMENT DEED.

WHEREAS, the **City of Jackson, Missouri**, of the County of Cape Girardeau, State of Missouri, deeded to the City of Jackson, Missouri, the property described in the Utility Easement Deed attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI, AS FOLLOWS:

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, do hereby accept the deed which is attached hereto, subject to all of the terms and conditions therein expressed.

Section 2. That the Mayor and City Clerk of the City of Jackson, Missouri, are hereby authorized to do all acts and execute all instruments appropriate and necessary to accept said deed.

Section 3. The City Clerk of the City of Jackson, Missouri, is hereby directed to file a copy of said deed with the Recorder of Deeds, Cape Girardeau County, Missouri.

Section 4. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: September 3 2024.

SECOND READING: September 3 2024.

PASSED AND APPROVED this 3rd day of September, 2024, by a vote of 7 ayes, 0 nays, 0 abstentions and 1 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

BY: Dwain Hahs (signed)
Mayor

Angela Birk (signed)
City Clerk



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Tuesday, September 3, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES

Ordinance No. 24-77 Re: To Vacate the)
East Jefferson Street public right of way)
between South Hope Street and South)
Ohio Street, as requested by the Roman)
Catholic Diocese of Springfield-Cape)
Girardeau)

The matter of vacating the East Jefferson Street public right of way between South Hope Street and South Ohio Street, as requested by the Roman Catholic Diocese of Springfield-Cape Girardeau, came on for consideration. Alderwoman Liley introduced Bill No. 24-77, being for an ordinance entitled as follows:

AN ORDINANCE VACATING A CERTAIN PORTION OF EAST JEFFERSON STREET LOCATED IN THE CITY OF JACKSON, MISSOURI; SPECIFICALLY DESCRIBING SAID STREET; TRANSFERRING TITLE OF SAID AREA TO OWNERS OF RECORD; AUTHORIZING TRANSFER OF SAID AREA; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

On a motion made by Alderwoman Liley, seconded by Alderman Fraley, Bill No. 24-77 was placed on its first reading and was read by title, considered and discussed and was duly passed. On a motion by Alderwoman Liley, seconded by Alderman Fraley, Bill No. 24-77 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 24-77 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Reiminger-aye; Alderman Fraley-aye; Alderwoman Liley-abstain; Alderman Hitt-aye; Alderman Seabaugh-aye; Alderman Stroder-aye; Alderwoman Williams-absent; and Alderwoman Young-aye.

BILL NO. 24-77

ORDINANCE NO. 24-77

AN ORDINANCE VACATING A CERTAIN PORTION OF EAST JEFFERSON STREET LOCATED IN THE CITY OF JACKSON, MISSOURI; SPECIFICALLY DESCRIBING SAID STREET; TRANSFERRING TITLE OF SAID AREA TO OWNERS OF RECORD; AUTHORIZING TRANSFER OF SAID AREA; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, The Roman Catholic Diocese of Springfield – Cape Girardeau has requested vacation of the following described area in the City of Jackson, Missouri, to-wit:

A Part of United States Private Survey No. 527, Township 31 North, Range 12 East of the Fifth Principal Meridian, City of Jackson, County of Cape Girardeau, State of Missouri, Being More Particularly Described as Follows:

Beginning at the Southwest corner of Lot No. 43 of the Original Town of Jackson, Missouri as recorded in the land records of the County Recorder's Office in Plat Book No. 1 at Page No. 21, said point also being the intersection of the North right of way line of E. Jefferson Street and the East right of way line of S. Hope Street; Thence S 82° 37' 29" E, 296.98 feet along the North right of way line of said E. Jefferson Street to the Southeast corner of Lot



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Tuesday, September 3, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES

No. 127 of the aforementioned Original Town of Jackson, Missouri, said point also being the intersection of the North right of way line of E. Jefferson Street and the West right of way line of S. Ohio Street; Thence S 07° 26' 00" W, 49.50 feet along the West right of way line of S. Ohio Street to the Northeast corner of Lot No. 128 of the aforementioned Original Town of Jackson, Missouri, said point also being the intersection of the South right of way line of E. Jefferson Street and the West right of way line of S. Ohio Street; Thence N 82° 37' 29" W, 297.12 feet along the South right of way line of E. Jefferson Street to the Northwest corner of Lot No. 144 of the aforementioned Original Town of Jackson, Missouri, said point also being the intersection of the South right of way line of E. Jefferson Street and the East right of way line of S. Hope Street; Thence N 07° 35' 33" E, 49.50 feet along the East right of way line of S. Hope Street, to the point of beginning, containing 0.34 acres more or less.

and,

WHEREAS, the Board of Aldermen of the City of Jackson, Missouri, deems it in the best interest of the City of Jackson, Missouri, that said areas be vacated.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI, AS FOLLOWS:

Section 1. That the Mayor and Board of Aldermen have determined that the portion of the street right-of-way more particularly described above and known as East Jefferson Street should be vacated in accordance with the provisions hereof.

Section 2. That the Mayor and Board of Aldermen have determined that the following named entity may be affected by the vacation: the Roman Catholic Diocese of Springfield – Cape Girardeau.

Section 3. That the Mayor and Board of Aldermen have determined that no actual damages shall accrue to any individual, firm or corporation as a result of said vacation.

Section 4. That the adjacent property owner is the Roman Catholic Diocese of Springfield – Cape Girardeau and it has notice indicating the City's intent to vacate a portion of East Jefferson Street in the City of Jackson, Missouri, as described above.



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
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MINUTES

Section 5. That notice was given that the City of Jackson, Missouri, would consider a request to vacate a portion of East Jefferson Street in the City of Jackson, Missouri, as described above by publication in The Cash-Book Journal, a weekly newspaper of general circulation in the County of Cape Girardeau, Missouri, on Wednesday, May 16, 2018. That said notice announced a public hearing for 6:00 p.m. on Monday, June 4, 2018.

Section 6. That a public hearing was held as scheduled before the Board of Aldermen on Monday, June 4, 2018, at 6:00 p.m.

Section 7. That with due consideration the Mayor and Board of Aldermen do hereby vacate that portion of the street right-of-way known as East Jefferson Street and more particularly described above in accordance with the provisions hereof.

Section 8. That the City of Jackson, Missouri, retains the right through its properly granted and accepted Utility Easement Deed to construct, maintain, repair, replace and operate general utilities and services of whatsoever kind and necessary appurtenances thereto, over, upon, across, under, in and through the area vacated.

Section 9. That in accordance with the laws of the State of Missouri, upon vacation of the street set forth herein, title to the land herein vacated shall pass to the abutting property owners.

Section 10. That the City Clerk of the City of Jackson, Missouri, is hereby ordered to record a copy of this ordinance on effective date hereof with the Recorder of Deeds of Cape Girardeau County, Missouri.

Section 11. That this ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: September 3 2024.

SECOND READING: September 3 2024.

PASSED AND APPROVED this 3rd day of September, 2024, by a vote of 6 ayes, 0 nays, 1 abstention and 1 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

BY: Dwain Hahs (signed)
Mayor



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Tuesday, September 3, 2024 at 6:00 PM
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MINUTES

Angela Birk (signed)
City Clerk

Mr. Donald Blattner to Bring Information)
To The Board of Aldermen)

Now comes forth Mr. Donald Blattner to show the Board a presentation regarding a hit and run accident that he was involved.

City Administrator James Roach)
requests Closed Session)

Now comes forth City Administrator James Roach to request to proceed into closed session for one item of real estate in accordance with Section 610.021(2) RSMo and one contract item in accordance with Section 610.021(12) RSMo.

Motion to Recess the Meeting to Study)
Session)

Motion made by Alderman Stroder, seconded by Alderwoman Liley, to recess the meeting at 6:36 P.M., to convene to the Study Session. Ayes-7; Nays-0; Absent-1.

Motion to Proceed into Closed Session)
and to Adjourn the Meeting)

Meeting concluded at 6:56 P.M. On a motion by Alderman Seabaugh, seconded by Alderwoman Liley, it is ordered that the Board now convene into closed session for, for one item of real estate in accordance with Section 610.021(2) RSMo and one contract item in accordance with Section 610.021(12) RSMo and that the meeting will stand adjourned upon the adjournment of the closed session. On roll call: Alderman Seabaugh-aye; Alderwoman Williams-absent; Alderman Stroder-aye; Alderwoman Young-aye; Alderman Hitt-aye; Alderwoman Reiminger-aye; Alderwoman Liley-aye; and Alderman Fraley-aye. Ayes-7; Nays-0; Absent-1.

ATTEST:

Mayor

City Clerk