



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, September 23, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

AGENDA

CALL TO ORDER

INTRODUCTION OF GUESTS/VISITORS

ADOPTION OF AGENDA

1. Motion adopting the Regular Meeting Agenda.

PRESENTATIONS

2. Presentation of Commission of Office to Matthew Winters as City Administrator.

APPROVAL OF MINUTES

3. Motion approving the Minutes of the Regular Meeting of September 3, 2024.

FINANCIAL AFFAIRS

4. Motion approving payment of the semimonthly bills.
5. Motion approving the City Collector's Report.
6. Motion approving the City Clerk's and Treasurer's Reports.

ACTION ITEMS

Power, Light, and Water Committee

7. Motion approving an increase in expenditure, in the amount of \$200,000.00, under Task Order Authorization No. 22-18, to Strickland Engineering, LC, of Jackson, Missouri, relative to providing additional engineering services under the Jackson Fire Department Building Renovations Project.
8. Bill proposing an Ordinance amending Chapter 3 (Administration) of the Code of Ordinances, relative to purchasing procedure and procedure for selection of task order assignments.
9. Motion approving an update to the Manual of Adopted Policies regarding purchase order procedure.

- [10.](#) Bill proposing an Ordinance approving a Release & Settlement Agreement with Horner & Shifrin, Inc., of St. Louis, Missouri, in the amount of \$1,321.69, regarding door design for the Jackson Water Plant Improvements Project - Phase 2, Project 2D.

Street, Sewer, and Cemetery Committee

11. Motion setting a public hearing for Monday, October 21, 2024, at 6:00 p.m., for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances, relative to applications for voluntary annexation with zoning.
- [12.](#) Amended Resolution approving a request to place a Revolutionary War Patriots marker in an alternate location at the entrance of the Old City Cemetery by the John Guild Chapter of the Daughters of the American Revolution.
- [13.](#) Motion accepting the bid of Apex Paving Company dba Asa Asphalt, of Cape Girardeau, Missouri, in the amount of \$323,622.17, relative to the 2024 Asphalt Pavement Improvement Program.
- [14.](#) Bill proposing an Ordinance authorizing a contractual agreement with Apex Paving Company dba Asa Asphalt, relative to the 2024 Asphalt Pavement Improvement Program.
- [15.](#) Motion approving the City's donation of right of way valued at \$9,800.00 to the Missouri Highways and Transportation Commission, relative to the Roundabout Project at North High Street and Deerwood Drive.
- [16.](#) Bill proposing an Ordinance authorizing the Mayor to execute a General Warranty Deed to the Missouri Highways and Transportation Commission, relative to the Roundabout Project at North High Street and Deerwood Drive.
- [17.](#) Bill proposing an Ordinance authorizing the donation of a General Warranty Deed to the Missouri Highways and Transportation Commission, relative to the Roundabout Project at North High Street and Deerwood Drive.

NON-AGENDA CITIZEN INPUT

INFORMATION ITEMS

18. Report by Mayor
19. Reports by Board Members
20. Report by City Attorney
21. Report by City Administrator
22. Discussion of future agenda items

EXECUTIVE SESSION

Due to a lack of items, an executive session is not anticipated.

ADJOURN

Posted on 9/20/2024 at 4:00 PM.

City of Jackson, Missouri,

COMMISSION OF OFFICE

WHEREAS Matthew Winters has been duly appointed as City Administrator of the City of Jackson, County of Cape Girardeau, and has filed his oath of office;

NOW, THEREFORE, I, Dwain Hahs, by the authority vested in me as Mayor of the City of Jackson, do hereby

APPOINT AND COMMISSION

Matthew Winters

to the office of City Administrator of the City of Jackson, Missouri until his successor is duly appointed and qualified.

Given under my hand with the corporate seal of said City of Jackson, Missouri, affixed this twenty-third day of September, 2024.



Mayor

Attest: City Clerk



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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)

By: Dwain L. Hahs (signed)
 Mayor

ATTEST:

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)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

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)



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Concreters, Inc., of Oak Ridge, Missouri,))
 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 CONCRETTERS, 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 CONCRETTERS, 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)

By: Dwain L. Hahs (signed)
 Mayor

ATTEST:

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)



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Street Sidewalk Improvements Project)

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)

BY: Dwain Hahs (signed)
 Mayor

ATTEST:

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.



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

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.



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

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)

BY: Dwain Hahs (signed)
Mayor

ATTEST:

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
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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 Croman 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
Tuesday, September 3, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

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

Board Chambers, City Hall, 101 Court St.

MINUTES

Angela Birk (signed)

City Clerk

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

CITY COLLECTOR'S REPORT FOR AUGUST 2024

DESCRIPTION	ELECTRIC FUND	WATER FUND	WASTEWATER FUND	LANDFILL FUND	GEN. REV. FUND	TOTAL
Service Charges (includes internal transfers)	1,734,469.29	301,238.99	235,678.50	65,190.57	-	2,336,577.35
Penalties	10,090.81	1,778.68	1,463.46	371.94	-	13,704.89
Sales Tax	51,117.21	8,916.41	-	-	-	60,033.62
Disconnect Fees	1,100.00	-	-	-	-	1,100.00
Returned Transaction Fees	390.00	-	-	-	-	390.00
Customer Relocation Fees	-	-	-	-	225.00	225.00
Trash Stickers	-	-	-	1,760.00	-	1,760.00
UTILITY COLLECTIONS	1,797,167.31	311,934.08	237,141.96	67,322.51	225.00	2,413,790.86
Adjustments - Penalties	-	-	-	-	-	-
Adjustments - Taxes	-	-	-	-	-	-
Adjustments - Service Fees	-	-	-	-	-	-
NET UTILITY COLLECTIONS	1,797,167.31	311,934.08	237,141.96	67,322.51	225.00	2,413,790.86
Business/Contractor Licenses	-	-	-	-	780.00	780.00
Event Fees/Misc. Charges	-	-	-	-	-	-
NON-UTILITY COLLECTIONS	-	-	-	-	780.00	780.00
Misc. Adjustments	-	-	-	-	-	-
Interest on Collector's bank account	-	-	-	-	-	1,267.82
Cash in bank	-	-	-	-	-	2,415,838.68
Missouri Sales Tax payment	(51,117.21)	(8,916.41)	-	-	-	(60,033.62)
TO CITY TREASURER					\$	2,355,805.06

Respectfully Submitted,



City Collector

	EL FUND	WATER FUND	SEWER	LANDFILL	GEN REV	TOTALS
Amount	1,746,050.10	303,017.67	237,141.96	67,322.51	1,005.00	2,354,537.24
Interest Breakdown	940.49	163.22	127.73	36.38		1,267.82
Totals	1,746,990.59	303,180.89	237,269.69	67,358.89	1,005.00	2,355,805.06



CITY CLERK'S REPORT FOR THE MONTH OF AUGUST 2024

ELECTRIC

Sale of Merchandise	0.00	
Cable TV Pole Rental	0.00	
Electric Meters	1,525.00	
Electric Service Lines	1,600.00	
Returned Check Fees	0.00	
URD Services	99.00	
Sales Tax Commission	947.80	
Labor and Equipment Use	0.00	
Miscellaneous-Scrap Metal	<u>0.00</u>	
TOTAL		4,171.80

WATER & SEWER

WATER

Water Taps & Water Meters	4,845.00	
Sale of Merchandise	0.00	
Miscellaneous-Scrap Metal	<u>0.00</u>	
TOTAL		4,845.00

WASTEWATER

Wastewater Miscellaneous	0.00	
Industrial Discharge Permit	<u>0.00</u>	
TOTAL		0.00

GENERAL REVENUE

Building Permits	1,986.78	
Electric Permits	220.00	
Gas Permits	100.00	
Plumbing/Sewer Permits	220.00	
Sewer Tap Permits	720.00	
Public Hearing & Plat Recording	0.00	
Stormwater Review Fees	250.00	
Street Repair or Mowing	0.00	
Gas Franchise	8,144.51	
Sale of Merchandise	0.00	
Community Room	0.00	
Cable TV Franchise	0.00	
Copies	58.00	
Telephone Franchise Fees	8,560.94	
Fire Cost Recovery	0.00	
Interest Earned	0.00	
Jail Expense Reimbursement	0.00	
Cell Tower Rental	1,058.00	
Health Insurance Reimbursement	25.68	
Street Repair or Scrap Metal	<u>0.00</u>	
TOTAL		21,343.91

LANDFILL

Refuse Collections	70.00	
Recyclables	5,183.82	
E-Cycle TV/Monitor Fees	0.00	
Royalties	<u>0.00</u>	
TOTAL		5,253.82

CEMETERY

Sale of Lots	1,500.00	
Sale of Niches	1,500.00	
Grave Openings	5,375.00	
Niche Openings	0.00	
Weekend/Holiday Grave Openings/Inurnments	0.00	
Disinterments/Disinurnments	<u>0.00</u>	
TOTAL		8,375.00

PARK

Misc. Park Rentals	30.00	
Rent - Howard St. House	467.80	
Ballfield Rentals	805.00	
Pavilion Rentals	<u>850.00</u>	
TOTAL		2,152.80
<u>PARK FOUNDATION</u>		
Donations	7,000.00	
Civic Center Donations	<u>0.00</u>	
TOTAL		7,000.00
<u>RECREATIONAL DEVELOPMENT</u>		
Pool Concession Receipts	936.52	
Swimming Pool Gate Receipts	5,309.00	
Pool Misc	0.00	
Basketball Entry Fees	0.00	
Basketball Sponsor Fees	0.00	
Softball Entry Fees	0.00	
Softball Sponsor Fees	0.00	
Softball Tournament Fees	0.00	
Volleyball Entry Fees	0.00	
Reimb./Donations/Special Events	0.00	
Soccer Entry Fees	13,875.00	
Soccer Sponsor	200.00	
Baseball Concessions	0.00	
Baseball Entry Fees	1,100.00	
Baseball Sponsor Fees	<u>0.00</u>	
TOTAL		21,420.52
<u>STORMWATER MAINTENANCE FUND</u>		
Stormwater Credit	20.06	
Stormwater Maintenance	<u>416.48</u>	
TOTAL		436.54
<u>TRUST & AGENCY</u>		
July 4th Receipts	0.00	
Farmers Market Fees	<u>0.00</u>	
TOTAL		0.00
<u>HEALTH INSURANCE FUND</u>		
Health Insurance Reimbursement	<u>1,274.38</u>	
TOTAL		1,274.38
<u>INMATE SECURITY FUND</u>		
Inmate Security Court Costs	<u>0.00</u>	
TOTAL		0.00
<u>TRANSPORTATION SALES TAX</u>		
Rent - Donna Drive Extension	<u>1,282.50</u>	
TOTAL		1,282.50
<u>RECREATIONAL SALES TAX FUND</u>		
Civic Center Rentals	8,448.13	
Civic Center Programs	0.00	
Civic Center Membership Fees	0.00	
Civic Center Entry Fees	1,171.25	
Civic Center Concessions	<u>189.75</u>	
TOTAL		9,809.13
REPORT TOTAL		<u>\$87,365.40</u>

Water & Light Deposit Accounts

AUGUST, 2024

Beginning Balance August 1, 2024:	\$268,686.61
TOTAL DEPOSITS	\$12,687.66
TOTAL REFUNDS	\$11,554.15
Ending Balance August 31, 2024:	\$269,820.12

Balance Consists of :

Checking Account for US Bank	\$59,820.12
Investments	\$210,000.00
	<hr/>
	\$269,820.12

CITY TREASURER'S REPORT FOR August, 2024

Item 6.

FUND	FUND BALANCES	RECEIPTS	TRANSFER OF	DISBURSEMENTS	FUND BALANCES	INVESTMENTS	CASH BALANCE
	08-01-2024		FUNDS		08-31-2024		08-31-2024
ELECTRIC FUNDS							
Operation & Maintenance	-	1,754,148.74	(489,479.75)	1,264,668.99	-	-	-
Electric Surplus Fund	2,542,926.84	-	459,355.14	51,051.65	2,951,230.33	1,167,182.37	1,784,047.96
Electric Capital Projects Fund	3,521,311.75	-	-	26,336.17	3,494,975.58	3,490,000.00	4,975.58
WATER & SEWER FUNDS							
Water Operation & Maint.	-	309,931.61	(182,201.94)	127,729.67	-	-	-
Water & Sewer Revenue Bond Fund	208,051.55	-	120,939.50	102,280.00	226,711.05	-	226,711.05
Water & Sewer Deprec. Res. Fund	30,000.00	-	-	-	30,000.00	30,000.00	-
Water & Sewer Bond Reserve Fund	50,000.00	-	-	-	50,000.00	50,000.00	-
Water & Sewer Contingent Fund	30,000.00	-	-	-	30,000.00	30,000.00	-
Water & Sewer Surplus Fund	10,245,138.55	107,493.70	199,536.81	14,045.04	10,538,124.02	9,725,329.46	812,794.56
Water Replacement Fund	781,111.06	-	17,550.44	-	798,661.50	725,000.00	73,661.50
Wastewater Operation & Maint.	-	237,611.39	(181,984.98)	55,626.41	-	-	-
Wastewater Replacement Fund	1,062,497.23	-	-	-	1,062,497.23	906,412.03	156,085.20
W & S Construction Fund	3,863,946.70	1,674.08	-	112,834.89	3,752,785.89	950,000.00	2,802,785.89
General Revenue Fund	3,251,966.32	108,320.55	(87,713.95)	578,144.79	2,694,428.13	2,600,000.00	94,428.13
Landfill Fund	686,861.32	72,612.71	(6,247.24)	76,165.83	677,060.96	525,000.00	152,060.96
Cemetery Fund	1,044,258.91	9,120.20	(5,364.49)	16,413.51	1,031,601.11	870,000.00	161,601.11
City Park Fund	217,047.37	3,363.04	(6,425.70)	42,206.24	171,778.47	-	171,778.47
Public Park Foundation Fund	273,542.09	7,000.00	-	124,609.15	155,932.94	140,000.00	15,932.94
Recreational Development Fund	93,416.17	21,420.52	(52.99)	38,955.66	75,828.04	-	75,828.04
Band Fund	0.01	745.20	-	745.20	0.01	-	0.01
ARPA Fund	1,513,409.45	2,153.70	-	8,647.07	1,506,916.08	1,495,000.00	11,916.08
Road Use Tax Fund	889,252.64	74,463.04	-	21,200.55	942,515.13	754,000.00	188,515.13
Stormwater Maintenance Fund	298,505.82	436.54	-	-	298,942.36	268,000.00	30,942.36
Trust and Agency Fund	840,882.42	72,235.74	15,814.51	94,530.66	834,402.01	833,000.00	1,402.01
Health Insurance Fund	1,360,597.40	74,049.72	147,086.71	116,340.65	1,465,393.18	1,000,000.00	465,393.18
Inmate Security Fund	17,171.12	88.00	-	-	17,259.12	-	17,259.12
Equitable Sharing Fund	3,617.07	-	-	-	3,617.07	-	3,617.07
Transportation Sales Tax Fund	662,754.48	141,295.46	-	139,380.60	664,669.34	600,000.00	64,669.34
Transportation Capital Projects Fund	641,384.53	24,383.45	-	15,519.46	650,248.52	-	650,248.52
Sales Tax Fund	1,246,180.55	280,961.77	-	37,171.86	1,489,970.46	984,884.22	505,086.24
Recreation Sales Tax Fund	159,831.91	79,616.63	(812.07)	26,951.56	211,684.91	50,000.00	161,684.91
Public Safety Sales Tax Fund	136,035.13	139,531.07	-	-	275,566.20	-	275,566.20
Fire Protection Sales Tax Fund	70,862.98	69,807.49	-	-	140,670.47	-	140,670.47
Capital Projects Construction Fund	3,524,302.20	35,074.97	-	102,396.31	3,456,980.86	2,910,000.00	546,980.86
Economic Dev. Reserve Fund	886,598.78	-	-	-	886,598.78	850,000.00	36,598.78
CDBG Grant Fund	73,195.03	-	-	262.65	72,932.38	-	72,932.38
I-55 Corridor Special Alloc. Fund	2,317.69	-	-	-	2,317.69	-	2,317.69
TOTALS	40,228,975.07	3,627,539.32	0.00	3,194,214.57	40,662,299.82	30,953,808.07	9,708,491.75

Respectfully Submitted,



Angela Birk, City Clerk/Treasurer

Cash on Hand	1,475.00
General Account	7,347,594.62
Collectors Account	2,355,805.06
Equitable Sharing Fund	3,617.07

TOTAL	9,708,491.75
-------	--------------



STRICKLAND
ENGINEERING

113 W. Main Street, Suite 1 Jackson, MO 63755
Tel. 573-243-4080 Fax 573-243-2191
www.stricklandengineering.com

August 12, 2024

Mr. George Harris
City of Jackson
101 Court Street
Jackson, Missouri 63755

Dear Mr. Harris:

Thank you for the opportunity to provide design services for the City of Jackson. Based upon our discussion, we propose an increase in our contract due to the actual construction cost of the project growing from the \$1 Million budget to a \$3.6 Million construction contract for the renovation of the existing fire station buildings at 525 S. Hope Street and 503 S. Hope Street, Jackson, Missouri (PROJECT). I would like to submit the following proposal to the City of Jackson (CLIENT):

Scope of Services:

1. The Engineer will provide the Client the design services required to provide the construction drawings and technical specifications to solicit bids from contractors, secure necessary permits, and to construct the above project.
2. The Engineer will provide consultation to the Client during the bid phase of the above project.
3. The Engineer will provide consultation, shop drawing review for the Client, and site observation visits to the project during the construction phase of the above project.
4. The Engineer will assist the City of Jackson with management of the Owner Furnished Items and track the Contractor Allowances during the construction phase of the above project.

Compensation:

Strickland Engineering will continue to provide the above services for a time and material basis with a contract extension in the amount of \$200,000.00 as outlined above per our master service agreement with the City of Jackson. The total not to exceed amount for this project will be \$300,000.00

The services for the above project can be completed in a mutually agreed upon schedule once approval has been received. Strickland Engineering looks forward to working with you on this project. I hope this proposal meets with your approval. Please call with questions or if you require any additional information.

Sincerely,

Mark D. Strickland

Mark D. Strickland, P.E.
Strickland Engineering, LC



PUBLIC WORKS MEMORANDUM

City of Jackson

TO: Mayor and Board of Aldermen

CC: Jim Roach, City Administrator

FROM: George Harris, Engineer

DATE: April 1, 2024

RE: Fire Station No. 1 Renovation Project

Bids were received for the Fire Station No. 1 Renovation Project on Tuesday, March 19, 2024, at 2:00 pm. Bids were received from Kiefner Brothers, Inc. and Penzel Construction Company, Inc. The City advertised the project with the stipulation that award of contract would be on the basis of low base bid amount.

Both bidders submitted the requested information with their respective bids including:

- Bid Bond
- Acknowledgement of Addendums 1, 2, and 3
- List of Sub-contractors
- Time of completion information
- Base Bid Amount
- Alternate 1A Amount

Penzel Base Bid	\$3,618,700.00	Substantial Completion- 5/1/2025 Final Completion- 7/1/2025 (With 5/1/2024 Notice To Proceed)
-----------------	----------------	---

Kiefner Brothers Base Bid	\$3,709,500.00	Substantial Completion- 3/17/2025 Final Completion- 4/17/2025
---------------------------	----------------	--

Difference= \$90,800 (2.5%)

Alternate 1A was for the construction of a separate tornado shelter.

Penzel Alt. 1A Bid	\$47,600.00
Kiefner Bros. Alt. 1A Bid	\$40,850.00

Staff would recommend award of the project to Penzel Construction, contingent on project budget considerations.

BILL NO. 24-__

ORDINANCE NO. 24-__

AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO PURCHASING PROCEDURE AND TASK ORDER ASSIGNMENTS; 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 3, Article VII, Section 3-309, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 3-309. Purchasing procedure.

The city administrator or designate shall procure for the city all materials, supplies, equipment and contractual services needed by the city in accordance with the procedures described in this section. To that end, he shall have the power and be required to:

- (3) *Purchase orders.* If the consideration is more than one thousand five hundred dollars (\$1,500.00), the appropriate authority shall obtain a purchase order for any transaction.
- (4) *Competitive bidding.* When the city negotiates any purchase or other contract, there shall be provided ample opportunity for competitive bidding in the following manner:
 - a. If the consideration is more than two thousand dollars (\$2,000.00) but less than or equal to ten thousand dollars (\$10,000.00), the appropriate authority shall obtain at least three (3) quotations from qualified vendors for the materials, supplies, equipment or contractual services to be purchased. The quotations may be obtained orally and the award for the purchase shall be given to the responsible entity with proper qualifications submitting the lowest quote.
 - b. If the consideration is more than ten thousand dollars (\$10,000.00) but less than or equal to twenty thousand dollars (\$20,000.00), the appropriate authority shall solicit at least three (3) written quotations for the materials, supplies, equipment or contractual services to be purchased. The quotation shall be in written form and the award for the purchase shall be given to the responsible entity with proper qualifications submitting the lowest quote.”

Section 2. That Chapter 3, Article IX, Section 3-374, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 3-374. Procedure for selection of task order assignments.

Whenever it becomes necessary for the city to negotiate task order assignments for architectural, engineering and land surveying services for individual projects, the following policy will be utilized:

- (2) For individual projects not anticipated to exceed five thousand dollars (\$5,000.00), the city administrator or designate shall solicit such services from one (1) or more firms on a time and materials basis according to the terms of the master services agreement on file for the person, firm or consultant.
- (3) For individual projects anticipated to exceed five thousand dollars (\$5,000.00), the city administrator or designate shall solicit a written scope of work, cost estimate and project schedule (based upon the project description as prepared by city staff) prior to making a final selection. Task order assignments shall be presented to the board of aldermen for approval if the project is anticipated to exceed five thousand dollars (\$5,000.00). All services shall be performed in accordance to the terms of the master services agreement on file for the person, firm or consultant.”

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 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 23, 2024.

SECOND READING: September 23, 2024.

PASSED AND APPROVED this 23rd day of September, 2024, by a vote of _____ ayes,
_____ nays, _____ abstentions and _____ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

BY: _____
Mayor

ATTEST:

City Clerk

POLICY UPDATE REGARDING PURCHASE ORDER PROCEDURE

This policy update is adopted by the Board of Aldermen of the City of Jackson, Missouri, on the day below written.

The purpose of this policy is to update the procedures for requesting and issuing purchase orders.

1. Complete a requisition form to initiate the order. The requisition is then approved and signed by the City Administrator or Assistant City Administrator.
2. Use the Purchase Order Requisition form for all requests as required by Section 3-309 of the City of Jackson Code of Ordinances. This includes any local, State, or Federal grant expenditures.
3. It is necessary to show the cost of each item as well as amounts for shipping charges. The use of estimates is generally discouraged.
4. To be sure your budget is properly expended, include the expense account number to be charged.

Failure to follow the above steps may result in a delay in issuing the purchase order.

Accounts Payable will prepare a Purchase Order upon receipt of an approved Purchase Order Requisition. A copy of the Purchase Order will be returned to the appropriate department. It is the requester's responsibility to place the order for the goods or services. No orders exceeding the specified amount should be placed until a Purchase Order has been issued.

Dated this ____ day of _____, 2024.

Mayor Dwain L. Hahs



PUBLIC WORKS MEMORANDUM

City of Jackson

TO: Mayor and Board of Aldermen

FROM: Janet Sanders, Director of Public Works

DATE: September 18, 2024

RE: Release & Settlement Agreement with Horner & Shifrin, Inc. – Door Design for Water Project 2D (Water Plant)

I previously made you aware of the need to replace a newly installed door in the ongoing Water Plant project due to a missing specification in the plan documents. The attached document is required by Horner and Shifrin to enable them to credit the City \$1,321.69 for the cost of that door.

The Board's approval is needed to authorize the Mayor to sign this Release and Settlement Agreement.

BILL NO. 24-__

ORDINANCE NO. 24-__

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A RELEASE AND SETTLEMENT AGREEMENT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND HORNER & SHIFRIN, INC., RELATIVE TO A DOOR DESIGN FOR THE WATER FACILITY SYSTEM IMPROVEMENTS PROJECT - PHASE 2, PROJECT 2D; 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 **Horner & Shifrin, Inc., of St. Louis, 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 agreement.

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 23, 2024.

SECOND READING: September 23, 2024.

PASSED AND APPROVED this 23rd day of September, 2024, by a vote of __ ayes, __ nays, __ abstentions and __ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

BY: _____
Mayor

City Clerk

RELEASE AND SETTLEMENT AGREEMENT

1. In consideration of the payment of the sum of \$1,321.69 (One Thousand Three Hundred and Twenty-One Dollars and Sixty-Nine Cents) payment of which will be issued within thirty (30) days of receipt of this signed and executed Release and Settlement Agreement.

THE CITY OF JACKSON, MISSOURI ("RELEASOR"), hereby release and forever discharge Horner & Shifrin, Inc. ("H&S"), as well as its principals, shareholders, officers, directors, servants, agents, employees, partners, representatives, successors, insurers, assigns, and affiliates (collectively, the "RELEASED PARTIES"), of and from any and all claims demands, actions, and causes of action, known or unknown, in any way arising from or relating to Item No. 2 of the Change Order 03, dated 7/24/2024 of the Jackson Water Plant Improvements Project.

THE RELEASING PARTIES agree that they will bear their own attorneys' fees and costs related to this matter, if any.

2. THE RELEASING PARTIES represent that in executing this Release and Settlement Agreement, they have the option to consult with an attorney regarding the terms and conditions of this Release and Settlement Agreement and, if they have done so, they have relied upon the legal advice of their own counsel and that the terms and conditions of this Release and Settlement Agreement have been explained to them by their own attorney and that they understand completely and voluntarily accept all terms and conditions of this Release and Settlement Agreement. THE RELEASING PARTIES represent that if they have not consulted an attorney regarding this Release and Settlement Agreement, they have relied upon their own reading of the Release and Settlement Agreement and voluntarily accept all terms and conditions of this Release and Settlement Agreement and that no representations about the content and effect of this Release and Settlement Agreement have been made by THE RELEASED PARTIES or their insurers.

3. It is expressly understood and agreed that the payment of any sum by Continental Casualty Company or by the RELEASED PARTIES shall not be deemed an admission of liability or wrongdoing by any of the RELEASED PARTIES and that this agreement represents the settlement of a doubtful and disputed claim.

4. This Release and Settlement Agreement constitutes the entire agreement between THE RELEASING PARTIES and THE RELEASED PARTIES. No change or modification of this Release and Settlement Agreement shall be valid unless it is in writing and signed by THE RELEASING PARTIES and THE RELEASED PARTIES.

5. This Release and Settlement Agreement shall be construed and interpreted in accordance with the laws of Missouri.

6. It is expressly understood this Release and Settlement Agreement may be executed in counterparts and that a photostatic copy of the Release and Settlement Agreement shall be as binding as the original.

IN WITNESS WHEREOF, this Release and Settlement Agreement has been signed by a designated representative of the Releasor on the date(s) indicated below.

Signature

Print name

DATED:

MEMORANDUM



City of Jackson

TO: Mayor and Board of Aldermen

FROM: Liza Walker, Assistant City Administrator

DATE: September 18, 2024

RE: Amended Resolution for DAR Monument Location

As a reminder, Resolution No. 2024-04 approved on April 15, 2024 allows the John Guild Chapter of the Daughters of the American Revolution to attach a Revolutionary War Patriots marker to the entrance wall at the Old City Cemetery. Due to the rough surface of the wall, the location was changed. The marker is now proposed to be placed on a monument in the area indicated in the picture below. Approval of the Amended Resolution will allow the monument to be placed in the new location.

As always, if you have questions, please contact me at 573-243-3568 x2015 or lwalker@jacksonmo.org.



RESOLUTION NO. 2024-____**AMENDED RESOLUTION**

AN AMENDED RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI, EXPRESSING AND CONFIRMING SUPPORT, AND GRANTING CONSENT, TO A REQUEST FROM THE JOHN GUILD CHAPTER, NSDAR, TO INSTALL A MONUMENT ON PROPERTY OWNED BY THE CITY OF JACKSON, MISSOURI.

WHEREAS, the Missouri Society of Daughters of the American Revolution was organized in Missouri in 1894; and

WHEREAS, there was established the John Guild Chapter of the Daughters of the American Revolution organized in Jackson, Missouri on March 25, 1914; and

WHEREAS, the Daughters of the American Revolution seek to perpetuate the memory and spirit of the men and women who achieved American independence; to promote, as an object of primary importance, institutions for the general diffusion of knowledge, thus developing an enlightened public opinion; and to cherish, maintain, and extend the institutions of American freedom, to foster true patriotism and love of country and to aid and secure for mankind all the blessings of liberty; and

WHEREAS, in carrying out the aforementioned objectives, the Daughters of the American Revolution desire to install a monument for the Revolutionary War Patriots who achieved American independence and fought valiantly to found a new nation from 1775-1783.

WHEREAS, on the 15th day of April, 2024 the Board of Aldermen passed Resolution No. 2024-04 which granted to the John Guild Chapter authority to attach a monument to the western wall of the entrance of the Old City Cemetery; and

WHEREAS, it was learned that the type of sign originally approved was not conducive to placement on the wall thereby necessitating a new design concept.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. The City of Jackson, Missouri, does hereby grant to the John Guild Chapter of the Daughters of the American Revolution the authority to install a granite monument between the curb and the right entry way to the entrance of the Old City Cemetery.
- 2. The monument shall be made of granite with a serpentine top and measure 2 1/2 feet long, 6 inches wide, and 2 feet tall.
- 3. This Amended Resolution shall be in full force and effect from and after its passage by the Board of Aldermen.

PASSED BY THE BOARD OF ALDERMEN. This 23rd day of September, 2024.

CITY OF JACKSON, MISSOURI

BY: _____
Dwain Hahs, Mayor

ATTEST:

Angela Birk, City Clerk



PUBLIC WORKS MEMORANDUM

City of Jackson

TO: Mayor and Board of Aldermen

FROM: Janet Sanders, Director of Public Works

DATE: September 18, 2024

RE: 2024 Asphalt Pavement Improvement Program

Bids for the 2024 Asphalt Pavement Improvement Program were opened on September 10th. The bid tabulation is attached. The low bidder was Apex Paving Company dba Asa Asphalt with a total combined bid of \$323,622.17 and that bid is recommended for acceptance and the associated contract recommended for approval.

This project will begin as soon as all required paperwork is received and the contract signed. The contractor has been asked to place the rumble strip removal at the beginning of the project schedule.

2024 Asphalt Pavement Improvement Program

	A	B	C	D	E	F	G	H	I	J	K	L
1	BASE PROPOSAL				ENGINEER'S ESTIMATE		JOKERST		BLACK DIAMOND / PAVING PROS		APEX / ASA ASPHALT	
2	ITEM	DESCRIPTION	EST QTY	UNITS	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
3	101	Milling	7611.67	SY	\$ 8.00	\$ 60,893.36	\$ 7.80	\$ 59,371.03	\$ 7.95	\$ 60,512.78	\$ 4.80	\$ 36,536.02
4	102	Excavation	134.77	CY	\$ 42.00	\$ 5,660.34	\$ 200.00	\$ 26,954.00	\$ 44.00	\$ 5,929.88	\$ 197.47	\$ 26,613.03
5	103	Aggregate	152.8	TON	\$ 45.00	\$ 6,876.00	\$ 200.00	\$ 30,560.00	\$ 33.00	\$ 5,042.40	\$ 51.87	\$ 7,925.74
6	104	Tack Coat	404.84	GAL	\$ 7.00	\$ 2,833.88	\$ 12.00	\$ 4,858.08	\$ 5.00	\$ 2,024.20	\$ 3.41	\$ 1,380.50
7	105	Asphalt	1347.49	TON	\$ 120.00	\$ 161,698.80	\$ 142.00	\$ 191,343.58	\$ 109.75	\$ 147,887.03	\$ 101.76	\$ 137,120.58
8	BASE PROPOSAL TOTAL					\$ 237,962.38		\$ 313,086.69		\$ 221,396.28		\$ 209,575.87
9												
10	BASE PROPOSAL - RUMBLE STRIP REMOVAL											
11	ITEM	DESCRIPTION	EST QTY	UNITS	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
12	201	Milling	172.22	SY	\$ 8.00	\$ 1,377.76	\$ 14.50	\$ 2,497.19	\$ 15.00	\$ 2,583.30	\$ 23.92	\$ 4,119.50
13	204	Tack Coat	8.61	GAL	\$ 7.00	\$ 60.27	\$ 35.00	\$ 301.35	\$ 5.00	\$ 43.05	\$ 3.41	\$ 29.36
14	205	Asphalt	19.11	TON	\$ 120.00	\$ 2,293.20	\$ 405.00	\$ 7,739.55	\$ 109.75	\$ 2,097.32	\$ 308.20	\$ 5,889.70
15	206	Striping	775	LIN FT	\$ 1.20	\$ 930.00	\$ 2.20	\$ 1,705.00	\$ 1.00	\$ 775.00	\$ 2.66	\$ 2,061.50
16						\$ 4,661.23		\$ 12,243.09		\$ 5,498.67		\$ 12,100.06
17												
18	ALTERNATE 1 - CEMETERY											
19	ITEM	DESCRIPTION	EST QTY	UNITS	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
20	301	Milling	6986.67	SY	\$ 8.00	\$ 55,893.36	\$ 6.20	\$ 43,317.35	\$ 7.95	\$ 55,544.03	\$ 3.68	\$ 25,710.95
21	304	Tack Coat	349.33	GAL	\$ 7.00	\$ 2,445.31	\$ 7.00	\$ 2,445.31	\$ 5.00	\$ 1,746.65	\$ 3.41	\$ 1,191.22
22	305	Asphalt	759.94	TON	\$ 120.00	\$ 91,192.80	\$ 132.50	\$ 100,692.05	\$ 109.76	\$ 83,411.01	\$ 98.75	\$ 75,044.08
23						\$ 149,531.47		\$ 146,454.71		\$ 140,701.69		\$ 101,946.24
24												
25	TOTAL BID					\$ 392,155.08		\$ 471,784.49		\$ 367,596.65		\$ 323,622.17

BILL NO. 24-__

ORDINANCE NO. 24-__

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND APEX PAVING COMPANY DBA ASA ASPHALT, OF CAPE GIRARDEAU, MISSOURI, RELATIVE TO THE 2024 ASPHALT PAVEMENT IMPROVEMENT PROGRAM; 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.

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 **Apex Paving Company dba Asa Asphalt, of Cape Girardeau, 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 23, 2024.

SECOND READING: September 23, 2024.

PASSED AND APPROVED this 23rd day of September, 2024, by a vote of __ ayes, __ nays, __ abstentions and __ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

BY: _____
Mayor

City Clerk

SECTION IV - CONTRACT AGREEMENT

THIS CONTRACT (the “**Contract**”) is entered into this

_____ day of _____, 2024,

by and between the **CITY OF JACKSON, MISSOURI**, Owner of the Project, hereinafter referred to as “**City**”, and

Apex Paving Company dba Asa Asphalt

hereinafter referred to as “**Contractor**,” in connection with that work or improvement known as

2024 Asphalt Pavement Improvement Program

to be constructed for the City located at: Various Locations.

WHEREAS, the City has selected the aforesaid Contractor for the Project and by Ordinance No. _____ has awarded the Contractor the Contract for the amounts named in the proposal/bid from the Contractor dated September 10, 2024, a copy of which is incorporated herein.

NOW, THEREFORE, the parties agree as follows:

- A. The Contract Documents for the Project are incorporated herein and shall describe this Project and nothing herein shall modify said Contract Documents. The Contract Documents may also consist of such special provisions, addendums, appendices, plans, and specifications as may be necessary for the Project.
- B. The Contractor shall perform the Work in compliance with the Contract Documents.
- C. The Contractor shall supply all labor, materials, equipment, and supervision necessary to complete all of the Work as described in the Contract Documents.
- D. The Work shall be commenced and completed according to the Project schedule, subject to such extensions and modifications as are made pursuant to the Contract Documents.
- E. The City shall pay the Contractor for performance of the Work, subject to additions and deductions as provided in the Contract Documents, the Contract Price of

\$323,622.17

(figures)

Three Hundred Twenty Three Thousand Six Hundred Twenty Two Dollars & Seventeen Cents

(words)

more fully described in the Contract Documents. All provisions regarding retention, security in lieu of retention, and liquidated damages are fully set forth in the Contract Documents.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

CITY:

City of Jackson, Missouri

Dwain Hahs, Mayor

ATTEST:

Angela Birk, City Clerk

Address:
101 Court Street
Jackson, Missouri 63755

CONTRACTOR:

Contractor Name

Signature

Printed Name

Title

ATTEST:

Signature

Printed Name

Title

Address:



PUBLIC WORKS MEMORANDUM

City of Jackson

TO: Mayor and Board of Aldermen

FROM: Janet Sanders, Director of Public Works

DATE: September 18, 2024

RE: Escrow Agreement for Deerwood Roundabout

The following three agenda items are related to the city's donation of right of way for the Deerwood roundabout.

RIGHT OF WAY FROM CITY PROPERTY – 681 W. DEERWOOD DR.

Item #15: The City has been asked to donate our portion of the right of way for this project. The value of the donation was established by MODOT as \$9,800, which will be credited toward the city's match on this MODOT cost share project.

Item #16: This item authorizes the Mayor to sign the General Warranty Deed transferring the right of way to the Missouri Highways and Transportation Commission.

Item #17: This item authorizes the Mayor to sign a letter of donation of the property in the General Warranty Deed to the Missouri Highways and Transportation Commission.

The one remaining right of way from the Taorminas (SEMO Motorsports) at 202 West Deerwood Drive has also been obtained by MODOT and will be on the next Board meeting agenda for approval of payment after closing costs have been determined by the title company.

NOMINAL ACQUISITION PAYMENT CHART Rte. 61 – Cape Girardeau County JSE0048 For Small Acquisitions of New Right of Way, Permanent or Temporary Easements with no Major Improvements					
Comparable 3 sold on 8/16/2022 @ a sale price of \$3.27 per SF.					
The above comparable vacant land sale has been verified and a copy is attached.					
(A) Parcel # & Owner	(B) Size of Subject Parcel	(C) New Right of Way, Easement or access rights needed	(D) Unit Price of Comparable Sale	(E) Percentage of Unit Price Applicable to Easement	(F) Calculated Payment
#04 City of Jackson	1.105 acres	0.069 Ac/2,986 SF of Right of Way	@ \$3.27 per SF	=	\$9,764.22
				Total	\$9,764.22
				Total Rounded	\$9,800.00

City of Jackson
 101 Court St.
 Jackson, MO 63755

Inspected by: Michael Cervantes
 April 04, 2024

Approved by: Brad Newberry
 Date: 6-26-24



Photos



View of acquisition looking southwesterly
(Sign is outside of acquisition)



View of acquisition looking southeasterly

NON-RESIDENTIAL SALE

Seller: Nabors Land Development, LLC
 Buyer: City of Jackson
 Instrument: WD Date 08/16/2022
 Recorded Instr.# 2022-08988
 County: Cape Girardeau
 Selling Price: \$144,000
 Unit Price: \$3.27 per SF
 Type of Transaction: Private Market
 Financing: Cash
 Site Dimensions: Irregular
 Zoning: C-2, General Commercial District

Zoning Compliance: Yes
 Highest & Best Use: Commercial
 Utilities in Use: Electric
 Utilities Available: Public
 Access: E. Deerwood Dr.



Identification of the Property: The property is located on the southeast corner of Route 61(N. High St.) and E. Deerwood Dr. in Jackson, MO., in Cape Girardeau County.

Sale price was confirmed by Pam Masterson on March 15, 2024, with Justin Swiney, Appraiser with On-Point Property Advisors. Appraiser confirms on Form 6-3.1B, Certificate of Appraiser, that sale was personally inspected.

NON-RESIDENTIAL SALE

Property Description:

Legal Description: See Attached Deed

Land: Located on the southeast corner of Route 61 (N. High St.) and E. Deerwood Dr. in the city limits of Jackson, MO., in Cape Girardeau County. The 1.01-acre (43,996 SF) lot is zoned as commercial and ready for commercial development as economic conditions warrant. The property is in a flood zone (roughly 93% is Zone AE and 7% is in a Zone X) and has access from E. Deerwood Dr. The site cleared for development. The property was not offered on the open market.

Improvements: None

Sale Number: Land Sale 3



Northeast View of Comparable Property.



eRecorded
DOCUMENT #
2022-10821

ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
10/11/2022 10:01:55 AM
REC FEE: 30.00
PAGES: 3

Title of Document: Affidavit of Scriveners Error

Date of Document: October 11, 2022

Grantor(s): Reliable Community Title Company, LLC
Nabors Land Developers, LLC

Grantee(s): City of Jackson, Missouri, a Municipal Corporation
Reliable Community Title Company, LLC

Mailing Address: c/o Reliable Community Title Company, LLC, 1319 N.
Mount Auburn Rd., Cape Girardeau, MO 63701

Legal Description: See Exhibit A attached

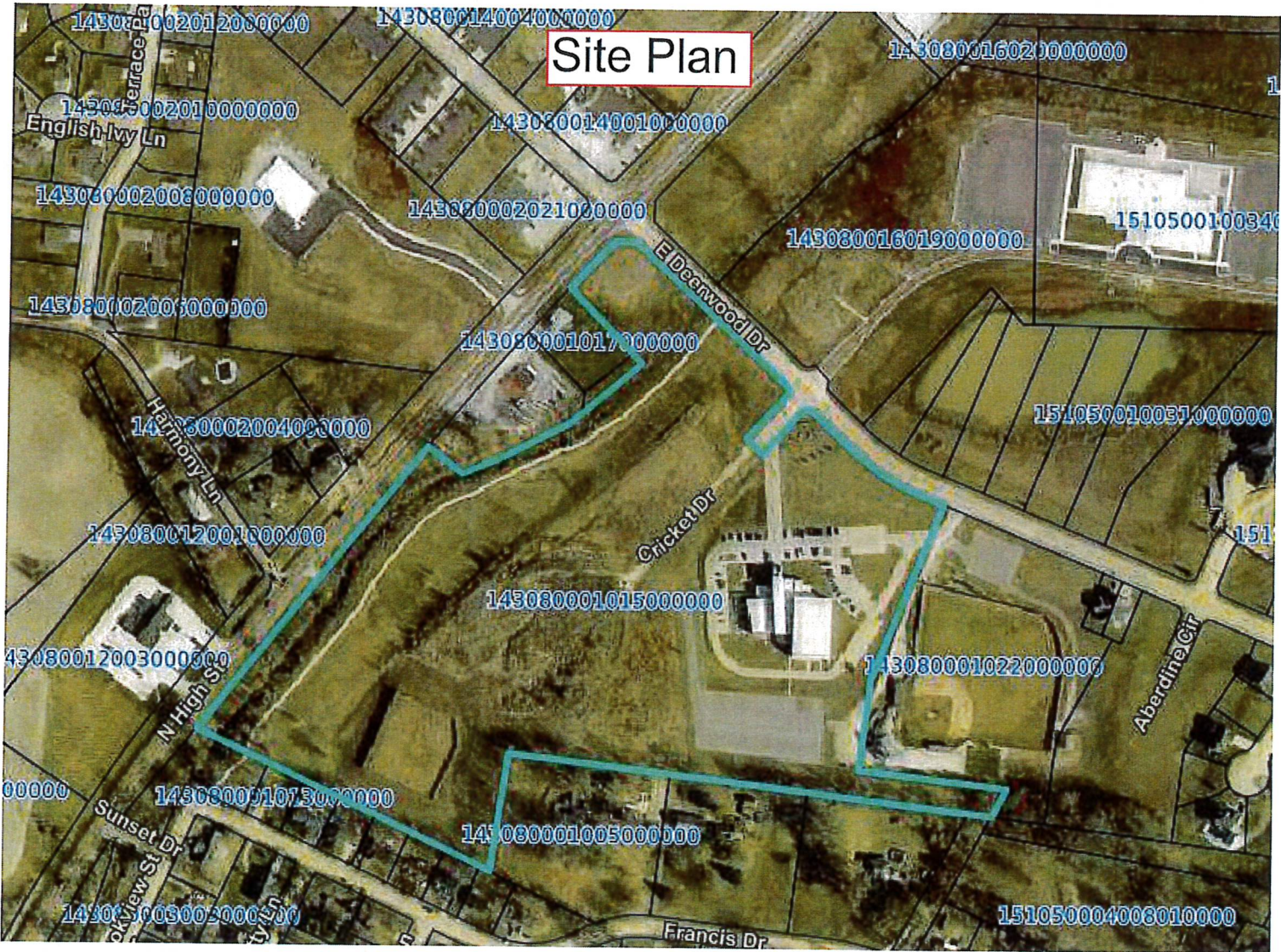
Reference Book and Page(s): **2022-08988**

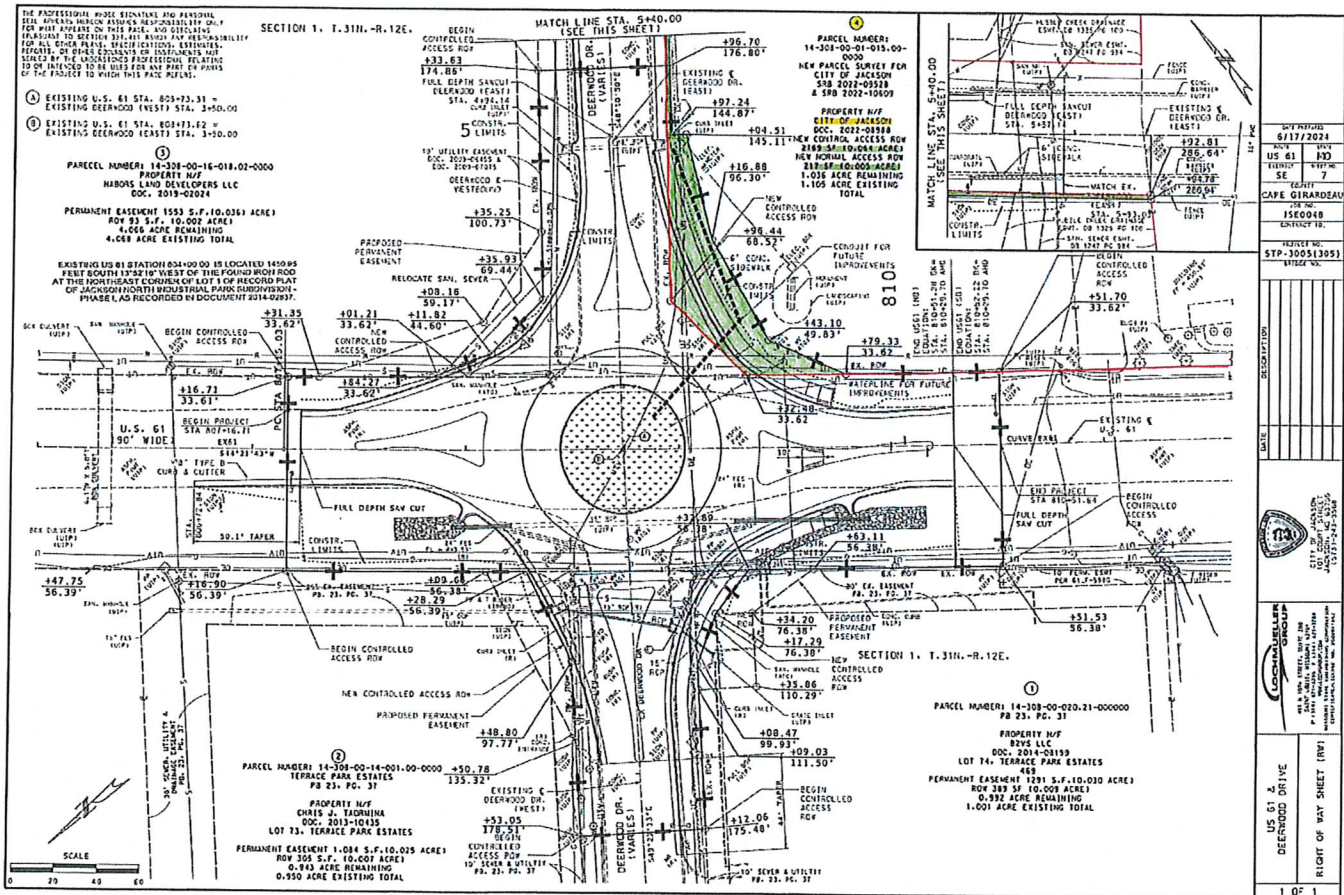
EXHIBIT A

**PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 31 NORTH,
RANGE 12 EAST OF THE FIFTH MERIDIAN, IN THE COUNTY OF CAPE
GIRARDEAU, STATE OF MISSOURI, AND MORE PARTICULARLY DESCRIBED
AS FOLLOWS:**

**BEGINNING AT THE MOST NORTHERN CORNER OF LOT 64 OF NINE OAKS
FOURTH SUBDIVISION RECORDED IN PLAT BOOK 24, PAGE 96, IN THE LAND
RECORDS OF CAPE GIRARDEAU COUNTY, SAID POINT BEING IN THE
CENTER OF HUBBLE CREEK; THENCE WITH THE CENTER OF SAID CREEK,
SOUTH 34°36'43" WEST, 121.66 FEET; THENCE SOUTH 68°49'49" WEST, 30.35
FEET; THENCE SOUTH 38°08'41" WEST, 30.60 FEET; THENCE LEAVING SAID
CREEK, NORTH 49°51'48" WEST, 260.28 FEET, TO THE EAST LINE OF NORTH
HIGH STREET; THENCE WITH SAID EAST LINE, ALONG THE ARC OF A NON-
TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 6423.05 FEET, A
DISTANCE OF 155.88 FEET, (THE CHORD OF SAID CURVE BEARS NORTH
42°46'58" EAST, 155.88 FEET) TO THE INTERSECTION OF THE SOUTH LINE OF
EAST DEERWOOD DRIVE; THENCE LEAVING SAID EAST LINE AND WITH THE
SOUTH LINE OF DEERWOOD DRIVE NORTH 87°33'20" EAST, 50.05 FEET;
THENCE SOUTH 47°29'25" EAST, 217.99 FEET, TO THE INTERSECTION OF THE
R.O.W. AND SAID CENTER OF CREEK; THENCE LEAVING SAID EAST LINE,
SOUTH 34°36'43" WEST, 2.26 FEET TO THE POINT OF BEGINNING,
CONTAINING 1.01 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY
EASEMENTS OF RECORD.**







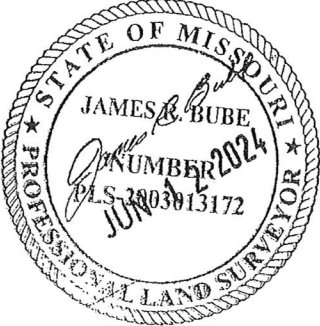

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION EXHIBIT A - PROPERTY DESCRIPTION

PARCEL 4 - NEW ROW

ALL BEARINGS USED IN THIS DESCRIPTION ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, EAST ZONE-GRID NORTH.

A TRACT OF LAND BEING PART OF TRACT 1 AS SHOWN ON A SURVEY RECORDED IN DOCUMENT #2022-10609 OF THE CAPE GIRARDEAU COUNTY, MISSOURI RECORDS, SAID TRACT ALSO BEING PROPERTY NOW OR FORMERLY OWNED BY CITY OF JACKSON, AS RECORDED IN DOCUMENT #2022-08988 AND CORRECTED IN DOCUMENT #2022-10821 OF THE CAPE GIRARDEAU COUNTY, MISSOURI RECORDS AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERN LINE OF EAST DEERWOOD DRIVE (60 FEET WIDE) WITH THE SOUTHEASTERN LINE OF U.S. HIGHWAY 61 (A.K.A. NORTH HIGH STREET), SAID POINT OF BEGINNING BEING 33.62 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+32.48 OF THE HERINAFTER DESCRIBED CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE ALONG SAID SOUTHWESTERN LINE OF EAST DEERWOOD DRIVE, THE FOLLOWING COURSES AND DISTANCES: NORTH 87 DEGREES 34 MINUTES 04 SECONDS EAST, 50.05 FEET TO A POINT BEING 68.52 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+96.44 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE SOUTH 47 DEGREES 28 MINUTES 41 SECONDS EAST, 218.16 FEET TO A POINT BEING 286.64 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+92.81 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE SOUTH 34 DEGREES 36 MINUTES 04 SECONDS WEST, 1.95 FEET TO A POINT BEING 286.94 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+94.78 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE LEAVING SAID SOUTHWESTERN LINE OF EAST DEERWOOD DRIVE, NORTH 47 DEGREES 31 MINUTES 12 SECONDS WEST, 142.09 FEET TO A POINT BEING 144.87 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+97.24 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE SOUTH 41 DEGREES 29 MINUTES 31 SECONDS WEST, 7.18 FEET TO A POINT BEING 145.11 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+04.51 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE NORTH 60 DEGREES 41 MINUTES 41 SECONDS WEST, 50.32 FEET TO A POINT BEING 96.30 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+16.88 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE NORTH 75 DEGREES 59 MINUTES 35 SECONDS WEST, 53.28 FEET TO A POINT BEING 49.83 FEET

Title (name or identification of project)		County		
Job Number STP-3005(305)		CAPE GIRARDEAU		
Route ROW		City (if applicable)	State	
Parcel 4		JACKSON	MO	
Licensee Name		Date Prepared	Sheet	
(sole proprietor, partnership, corporation, LLC, or government)		06/12/2024	1 of 3	
EFK Moen, LLC		Professional Surveyor Name (print)		
Civil Engineering Design		JAMES R. BUBE		
13523 Barrett Parkway Dr., Suite 250		Discipline		
St. Louis, MO 63021		Professional Land Surveyor		
		License or Certificate of Authority No.		
		MO # 2003013172		
Professional Surveyor (Signature)		Date		
		JUN 12 2024		
Only the following property description contained in this "EXHIBIT" is authenticated by this seal.				

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION EXHIBIT A -PROPERTY DESCRIPTION

PERPENDICULAR DISTANCE LEFT OF STATION 809+43.10 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE SOUTH 67 DEGREES 18 MINUTES 30 SECONDS WEST, 39.56 FEET TO A POINT OF NON-TANGENTIAL CURVE ON SAID SOUTHEASTERN LINE OF U.S. HIGHWAY 61, SAID POINT BEING 33.62 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+79.33 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE ALONG SAID SOUTHEASTERN LINE OF U.S. HIGHWAY 61, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 11,419.19 FEET, AND ARC LENGTH OF 46.71 FEET AND WHOSE CHORD BEARS, NORTH 43 DEGREES 09 MINUTES 13 SECONDS EAST, 46.71 FEET TO THE POINT OF BEGINNING. THIS DESCRIBED TRACT CONTAINS 217 SQUARE FEET OR 0.005 ACRES, MORE OR LESS OF NEW NORMAL ACCESS RIGHT OF WAY AND 2769 SQUARE FEET OR 0.064 ACRES, MORE OR LESS OF NEW CONTROLLED ACCESS RIGHT OF WAY (SEE BELOW), ACCORDING TO CALCULATIONS BY EFK MOEN, L.L.C. DURING THE MONTH OF JUNE, 2024.

PARCEL 4 - NEW CONTROLLED ACCESS ROW

ALL ABUTTERS' RIGHTS OF DIRECT ACCESS BETWEEN THE HIGHWAY NOW KNOWN AS ROUTE 61, AND GRANTORS' ABUTTING LAND IN PART OF TRACT 1 AS SHOWN ON A SURVEY RECORDED IN DOCUMENT #2022-10609 OF THE CAPE GIRARDEAU COUNTY, MISSOURI RECORDS, SAID TRACT ALSO BEING PROPERTY NOW OR FORMERLY OWNED BY CITY OF JACKSON, AS RECORDED IN DOCUMENT #2022-08988 AND CORRECTED IN DOCUMENT #2022-10821 OF THE CAPE GIRARDEAU COUNTY, MISSOURI RECORDS AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWESTERN LINE OF EAST DEERWOOD DRIVE (60 FEET WIDE), SAID POINT OF BEGINNING BEING 176.74 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+94.65 OF THE HERINAFTER DESCRIBED CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE LEAVING SAID SOUTHWESTERN LINE OF EAST DEERWOOD DRIVE SOUTH 41 DEGREES 49 MINUTES 10 SECONDS WEST, 2.01 FEET TO A POINT BEING 176.80 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+96.70 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE NORTH 47 DEGREES 31 MINUTES 12 SECONDS WEST, 31.93 FEET TO A POINT BEING 144.87 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+97.24 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE SOUTH 41 DEGREES 29 MINUTES 31 SECONDS WEST, 7.18 FEET TO A POINT BEING 145.11 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+04.51 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE NORTH 60 DEGREES 41 MINUTES 41 SECONDS WEST, 50.32 FEET TO A POINT BEING 96.30 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+16.88 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE NORTH 75 DEGREES 59 MINUTES 35 SECONDS WEST, 53.28 FEET TO A POINT BEING 49.83 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+43.10 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE SOUTH 67 DEGREES 18 MINUTES 30 SECONDS WEST, 39.56 FEET TO A POINT OF NON-TANGENTIAL CURVE ON THE SOUTHEASTERN LINE OF U.S. HIGHWAY 61 (A.K.A. NORTH HIGH STREET), SAID POINT BEING 33.62 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+79.33 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE ALONG SAID SOUTHEASTERN LINE OF U.S. HIGHWAY 61, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,419.19 FEET, AND ARC LENGTH OF 72.16 FEET AND WHOSE CHORD BEARS, SOUTH 42 DEGREES 51 MINUTES 19 SECONDS WEST, 72.16 FEET TO THE POINT OF BEGINNING ENDING, SAID POINT BEING 33.62 FEET PERPENDICULAR DISTANCE LEFT OF STATION 810+51.70 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61.

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION EXHIBIT A -PROPERTY DESCRIPTION

CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61 STATION 804+00.00-812+99.68 OF STP-3005(305) RELATIVE TO THE EXISTING CENTERLINE OF NORTH HIGH STREET (A.K.A. U.S. HIGHWAY 61) STATION 804+00.00-820+34.43

THE CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61 OF STP-3005(305)/CENTERLINE OF NORTH HIGH STREET (A.K.A. U.S. HIGHWAY 61) IS DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON ROD AT THE NORTHEAST CORNER OF LOT 1 OF RECORD PLAT OF JACKSON NORTH INDUSTRIAL PARK SUBDIVISION – PHASE I, AS DESCRIBED BY DOCUMENT NUMBER 2014-02837 OF THE CAPE GIRARDEAU COUNTY, MISSOURI RECORDS; THENCE SOUTH 13 DEGREES 52 MINUTES 16 SECONDS WEST, 1,450.95 FEET TO STATION 804+00.00 ON THE EXISTING CENTERLINE OF NORTH HIGH STREET (A.K.A. U.S. HIGHWAY 61); THENCE LEAVING SAID EXISTING CENTERLINE, SOUTH 45 DEGREES 38 MINUTES 17 SECONDS EAST, 6.39 FEET TO START STATION 804+00.00 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61 OF STP-3005(305); THENCE ALONG SAID CONSTRUCTION CENTERLINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 44 DEGREES 21 MINUTES 43 SECONDS WEST, 315.03 FEET TO PC STATION 807+15.03 AND ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11428.80 FEET, AND ARC LENGTH OF 584.64 FEET AND WHOSE CHORD BEARS, SOUTH 42 DEGREES 53 MINUTES 47 SECONDS WEST, 584.58 FEET TO END STATION 812+99.68; THENCE LEAVING SAID CONSTRUCTION CENTERLINE, NORTH 48 DEGREES 33 MINUTES 58 SECONDS WEST, 6.39 FEET TO STATION 813+00.00 OF SAID EXISTING CENTERLINE OF NORTH HIGH STREET (A.K.A. U.S. HIGHWAY 61), SAID POINT BEING A POINT OF NON-TANGENTIAL CURVE; THENCE ALONG SAID EXISTING CENTERLINE THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11459.19 FEET, AND ARC LENGTH OF 627.73 FEET AND WHOSE CHORD BEARS, SOUTH 39 DEGREES 51 MINUTES 52 SECONDS WEST, 627.65 FEET TO PT STATION 819+27.73 AND SOUTH 38 DEGREES 17 MINUTES 43 SECONDS WEST, 106.70 FEET TO STATION 820+34.43 AND THE POINT OF ENDING, SAID POINT OF ENDING BEING DISTANT SOUTH 24 DEGREES 13 MINUTES 43 SECONDS EAST, 614.37 FEET FROM A FOUND ½ INCH IRON ROD AT THE SOUTHEAST CORNER OF SURVEY 807, TOWNSHIP 31 NORTH, RANGE 12 EAST, AS PER SURVEY FOR DR. WANDA PIPKIN (LARRY BORGFELD), AS RECORDED IN SRB. 14, PG 51 OF THE CAPE GIRARDEAU COUNTY, MISSOURI RECORDS.

BILL NO. 24-____

ORDINANCE NO. 24-____

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI TO EXECUTE A GENERAL WARRANTY DEED BY AND BETWEEN THE CITY OF JACKSON, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION; 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 General Warranty Deed marked Exhibit A and 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 General Warranty 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 General Warranty Deed marked Exhibit A between the City of Jackson, Missouri, a municipal corporation and the Missouri Highways and Transportation Commission. 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 General Warranty 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 General Warranty 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 General Warranty Deed.

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 23, 2024.

SECOND READING: September 23, 2024.

PASSED AND APPROVED this 23rd day of September, 2024, by a vote of _____ ayes, _____ nays, _____ abstentions and _____ absent.

(SEAL)

CITY OF JACKSON, MISSOURI

BY: _____
Mayor

ATTEST:

City Clerk

ROUTE	61
COUNTY	Cape Girardeau
PROJECT	JSE0048
PARCEL	04

C E R T I F I C A T E

I hereby certify that the following is a true and correct copy of an excerpt from the minutes of the meeting of the Mayor and Board of Aldermen of the City of Jackson, Missouri, held on the 23rd day of September, 2024:

WHEREAS, the Missouri Highways and Transportation Commission of Jefferson City, Missouri, desires to purchase from City of Jackson, Missouri, property and property rights owned by the said city, for the improvement of State Route 61, Project JSE0048, in Cape Girardeau County, Missouri for the sum of One and no/100--- DOLLARS (\$1.00), and other good and valuable consideration, said property and property rights more particularly described in the attached Exhibit A.

WHEREAS, it is the desire of City of Jackson, Missouri, to sell the above described property and property rights to the Missouri Highways and Transportation Commission;

THEREFORE, BE IT HEREBY RESOLVED, City of Jackson, Missouri, of the County of Cape Girardeau, State of Missouri sell to the Missouri Highways and Transportation Commission the above described property and property rights, and the Mayor of the City of Jackson, Dwain L. Hahs, is hereby authorized and directed to execute a General Warranty Deed for and on behalf of the said City.

APPROVED:

City of Jackson, Missouri

By: _____
Angela Birk, City Clerk

CCO FORM: RW03
Approved: 12/92 (TLP)
Revised: 10/23 (JDS)
Modified:

COUNTY: Cape Girardeau
ROUTE: 61
PROJECT: JSE0048
FED. PROJECT: N/A
PARCEL: 04

GENERAL WARRANTY DEED

(1) PARTIES: THIS AGREEMENT, made this ____ day of _____, 2024, by and between City of Jackson, (hereinafter, "Grantor"), of the County of Cape Girardeau, and State of Missouri, 101 Court Street, Jackson, MO 63755 and the STATE OF MISSOURI, acting by and through the MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, 105 W. Capitol Avenue, Jefferson City, MO 65102 (hereinafter, "Grantee").

(2) CONSIDERATION: Grantor, in consideration of the sum of One and NO/100 DOLLARS (\$1.00), and other good and valuable consideration to be paid by the Grantee, the receipt of which is hereby acknowledged, does hereby grant, bargain, and sell, convey, and confirm to the Grantee fee simple title in the property described in this deed.

(3) PROPERTY DESCRIPTION: Grantor conveys to the Grantee the real estate and interests in real estate in the County of Cape Girardeau, State of Missouri, and being more particularly described as follows:

A tract of land being part of Tract 1 as shown on a survey recorded in document #2022-10609 of the Cape Girardeau County, Missouri Records, said tract being more particularly described in Exhibit A attached hereto.

(4) RIGHTS OF GRANTEE: Grantee shall obtain all rights, privileges, appurtenances, and immunities belonging to Grantor, its successors and assigns forever.

(5) WARRANTY: Grantor hereby covenants that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed. Grantor covenants that it has good right to convey the property. Grantor covenants that the said premises are free and clear of any encumbrances done or suffered by it or those under whom it claims; and that it will warrant and defend the title to said premises unto the Grantee and unto its successors and assigns, forever, against the lawful claims and demands of all persons whomsoever.

(6) DATE: IN WITNESS WHEREOF, the said Grantor executed the above the day and year first above written.

City of Jackson

Dwain Hahs, Mayor

Attest:

Angela Birk, City Clerk

ACKNOWLEDGMENT BY CITY

STATE OF _____)
)
COUNTY OF _____) SS

On this ____ day of _____, 2024, before me appeared Dwain Hahs personally known to me, who being by me duly sworn, did say that he is the Mayor of the City of Jackson and that the foregoing instrument was signed on behalf of the City of Jackson and that he acknowledged said instrument to be the free act and deed of the City of Jackson and that it was executed for the consideration stated therein and no other.

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

Notary Public

My Commission Expires: _____

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION


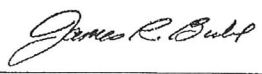
EXHIBIT A - PROPERTY DESCRIPTION

PARCEL 4 - NEW ROW

ALL BEARINGS USED IN THIS DESCRIPTION ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, EAST ZONE-GRID NORTH.

A TRACT OF LAND BEING PART OF TRACT 1 AS SHOWN ON A SURVEY RECORDED IN DOCUMENT #2022-10609 OF THE CAPE GIRARDEAU COUNTY, MISSOURI RECORDS, SAID TRACT ALSO BEING PROPERTY NOW OR FORMERLY OWNED BY CITY OF JACKSON, AS RECORDED IN DOCUMENT #2022-08988 AND CORRECTED IN DOCUMENT #2022-10821 OF THE CAPE GIRARDEAU COUNTY, MISSOURI RECORDS AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERN LINE OF EAST DEERWOOD DRIVE (60 FEET WIDE) WITH THE SOUTHEASTERN LINE OF U.S. HIGHWAY 61 (A.K.A. NORTH HIGH STREET), SAID POINT OF BEGINNING BEING 33.62 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+32.48 OF THE HERINAFTER DESCRIBED CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE ALONG SAID SOUTHWESTERN LINE OF EAST DEERWOOD DRIVE, THE FOLLOWING COURSES AND DISTANCES: NORTH 87 DEGREES 34 MINUTES 04 SECONDS EAST, 50.05 FEET TO A POINT BEING 68.52 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+96.44 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE SOUTH 47 DEGREES 28 MINUTES 41 SECONDS EAST, 218.16 FEET TO A POINT BEING 286.64 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+92.81 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE SOUTH 34 DEGREES 36 MINUTES 04 SECONDS WEST, 1.95 FEET TO A POINT BEING 286.94 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+94.78 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE LEAVING SAID SOUTHWESTERN LINE OF EAST DEERWOOD DRIVE, NORTH 47 DEGREES 31 MINUTES 12 SECONDS WEST, 142.09 FEET TO A POINT BEING 144.87 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+97.24 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE SOUTH 41 DEGREES 29 MINUTES 31 SECONDS WEST, 7.18 FEET TO A POINT BEING 145.11 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+04.51 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE NORTH 60 DEGREES 41 MINUTES 41 SECONDS WEST, 50.32 FEET TO A POINT BEING 96.30 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+16.88 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE NORTH 75 DEGREES 59 MINUTES 35 SECONDS WEST, 53.28 FEET TO A POINT BEING 49.83 FEET

Title <i>(name or identification of project)</i>	County			
Job Number STP-3005(305)	CAPE GIRARDEAU			
Route ROW	City <i>(if applicable)</i>	State		
Parcel 4	JACKSON	MO		
Licensee Name <i>(sole proprietor, partnership, corporation, LLC, or government)</i>	Date Prepared	Sheet		
EFK Moen, LLC	06/12/2024	1 of 3		
Civil Engineering Design	Professional Surveyor Name <i>(print)</i>			
13523 Barrett Parkway Dr., Suite 250	JAMES R. BUBE			
St. Louis, MO 63021	Discipline			
Professional Surveyor <i>(Signature)</i>	Professional Land Surveyor			
	License or Certificate of Authority No.			
	MO #	2003013172		
	Date			
	JUN 12 2024			Only the following property description contained in this "EXHIBIT" is authenticated by this seal.

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION EXHIBIT A -PROPERTY DESCRIPTION

PERPENDICULAR DISTANCE LEFT OF STATION 809+43.10 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE SOUTH 67 DEGREES 18 MINUTES 30 SECONDS WEST, 39.56 FEET TO A POINT OF NON-TANGENTIAL CURVE ON SAID SOUTHEASTERN LINE OF U.S. HIGHWAY 61, SAID POINT BEING 33.62 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+79.33 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE ALONG SAID SOUTHEASTERN LINE OF U.S. HIGHWAY 61, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 11,419.19 FEET, AND ARC LENGTH OF 46.71 FEET AND WHOSE CHORD BEARS, NORTH 43 DEGREES 09 MINUTES 13 SECONDS EAST, 46.71 FEET TO THE POINT OF BEGINNING. THIS DESCRIBED TRACT CONTAINS 217 SQUARE FEET OR 0.005 ACRES, MORE OR LESS OF NEW NORMAL ACCESS RIGHT OF WAY AND 2769 SQUARE FEET OR 0.064 ACRES, MORE OR LESS OF NEW CONTROLLED ACCESS RIGHT OF WAY (SEE BELOW), ACCORDING TO CALCULATIONS BY EFK MOEN, L.L.C. DURING THE MONTH OF JUNE, 2024.

PARCEL 4 - NEW CONTROLLED ACCESS ROW

ALL ABUTTERS' RIGHTS OF DIRECT ACCESS BETWEEN THE HIGHWAY NOW KNOWN AS ROUTE 61, AND GRANTORS' ABUTTING LAND IN PART OF TRACT 1 AS SHOWN ON A SURVEY RECORDED IN DOCUMENT #2022-10609 OF THE CAPE GIRARDEAU COUNTY, MISSOURI RECORDS, SAID TRACT ALSO BEING PROPERTY NOW OR FORMERLY OWNED BY CITY OF JACKSON, AS RECORDED IN DOCUMENT #2022-08988 AND CORRECTED IN DOCUMENT #2022-10821 OF THE CAPE GIRARDEAU COUNTY, MISSOURI RECORDS AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

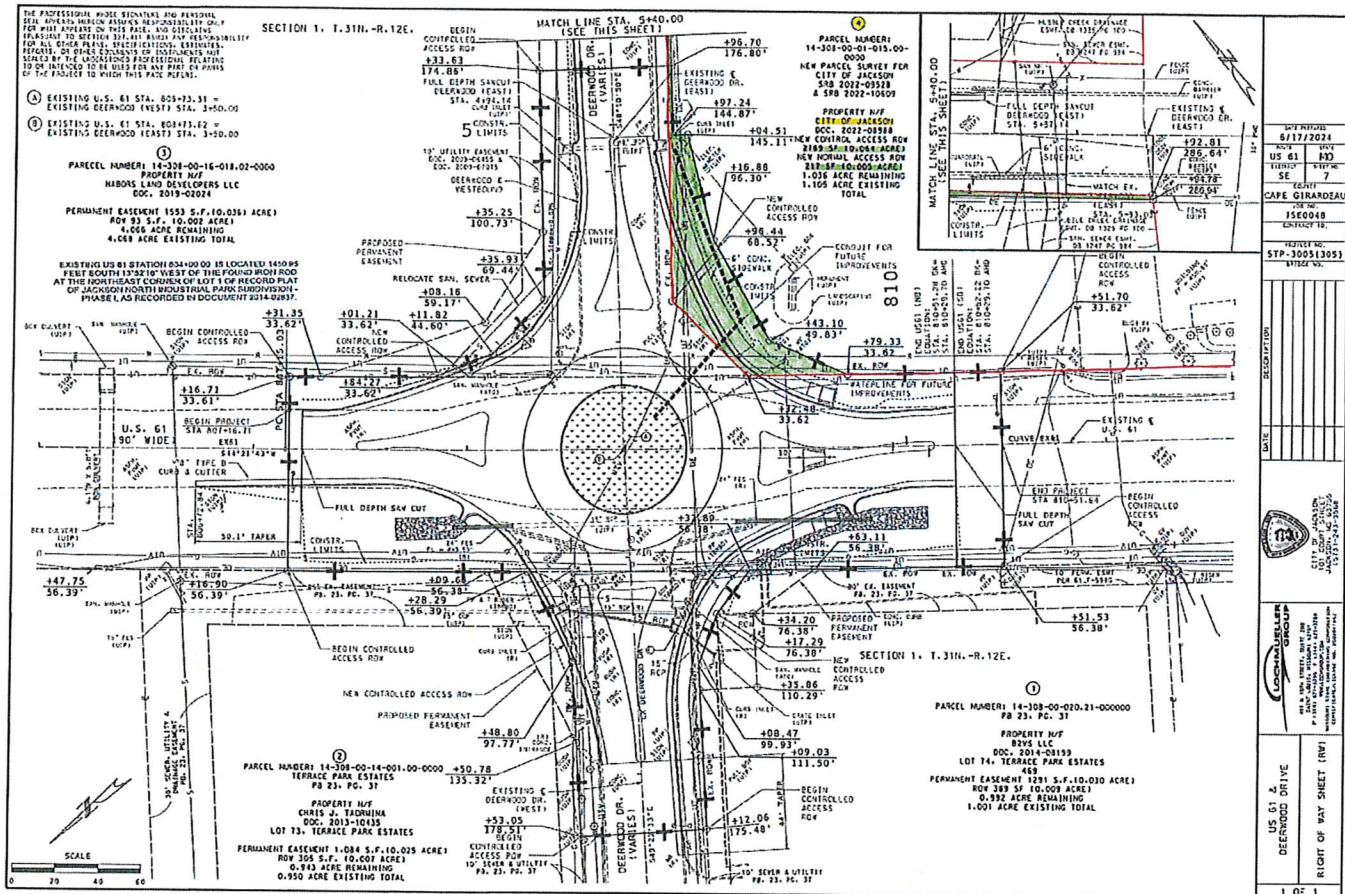
BEGINNING AT A POINT ON THE SOUTHWESTERN LINE OF EAST DEERWOOD DRIVE (60 FEET WIDE), SAID POINT OF BEGINNING BEING 176.74 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+94.65 OF THE HERINAFTER DESCRIBED CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE LEAVING SAID SOUTHWESTERN LINE OF EAST DEERWOOD DRIVE SOUTH 41 DEGREES 49 MINUTES 10 SECONDS WEST, 2.01 FEET TO A POINT BEING 176.80 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+96.70 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE NORTH 47 DEGREES 31 MINUTES 12 SECONDS WEST, 31.93 FEET TO A POINT BEING 144.87 FEET PERPENDICULAR DISTANCE LEFT OF STATION 808+97.24 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE SOUTH 41 DEGREES 29 MINUTES 31 SECONDS WEST, 7.18 FEET TO A POINT BEING 145.11 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+04.51 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE NORTH 60 DEGREES 41 MINUTES 41 SECONDS WEST, 50.32 FEET TO A POINT BEING 96.30 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+16.88 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE NORTH 75 DEGREES 59 MINUTES 35 SECONDS WEST, 53.28 FEET TO A POINT BEING 49.83 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+43.10 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE SOUTH 67 DEGREES 18 MINUTES 30 SECONDS WEST, 39.56 FEET TO A POINT OF NON-TANGENTIAL CURVE ON THE SOUTHEASTERN LINE OF U.S. HIGHWAY 61 (A.K.A. NORTH HIGH STREET), SAID POINT BEING 33.62 FEET PERPENDICULAR DISTANCE LEFT OF STATION 809+79.33 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61; THENCE ALONG SAID SOUTHEASTERN LINE OF U.S. HIGHWAY 61, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11,419.19 FEET, AND ARC LENGTH OF 72.16 FEET AND WHOSE CHORD BEARS, SOUTH 42 DEGREES 51 MINUTES 19 SECONDS WEST, 72.16 FEET TO THE POINT OF BEGINNING ENDING, SAID POINT BEING 33.62 FEET PERPENDICULAR DISTANCE LEFT OF STATION 810+51.70 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61.

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION EXHIBIT A -PROPERTY DESCRIPTION

CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61 STATION 804+00.00-812+99.68 OF STP-3005(305) RELATIVE TO THE EXISTING CENTERLINE OF NORTH HIGH STREET (A.K.A. U.S. HIGHWAY 61) STATION 804+00.00-820+34.43

THE CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61 OF STP-3005(305)/CENTERLINE OF NORTH HIGH STREET (A.K.A. U.S. HIGHWAY 61) IS DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON ROD AT THE NORTHEAST CORNER OF LOT 1 OF RECORD PLAT OF JACKSON NORTH INDUSTRIAL PARK SUBDIVISION – PHASE I, AS DESCRIBED BY DOCUMENT NUMBER 2014-02837 OF THE CAPE GIRARDEAU COUNTY, MISSOURI RECORDS; THENCE SOUTH 13 DEGREES 52 MINUTES 16 SECONDS WEST, 1,450.95 FEET TO STATION 804+00.00 ON THE EXISTING CENTERLINE OF NORTH HIGH STREET (A.K.A. U.S. HIGHWAY 61); THENCE LEAVING SAID EXISTING CENTERLINE, SOUTH 45 DEGREES 38 MINUTES 17 SECONDS EAST, 6.39 FEET TO START STATION 804+00.00 OF SAID CONSTRUCTION CENTERLINE OF U.S. HIGHWAY 61 OF STP-3005(305); THENCE ALONG SAID CONSTRUCTION CENTERLINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 44 DEGREES 21 MINUTES 43 SECONDS WEST, 315.03 FEET TO PC STATION 807+15.03 AND ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11428.80 FEET, AND ARC LENGTH OF 584.64 FEET AND WHOSE CHORD BEARS, SOUTH 42 DEGREES 53 MINUTES 47 SECONDS WEST, 584.58 FEET TO END STATION 812+99.68; THENCE LEAVING SAID CONSTRUCTION CENTERLINE, NORTH 48 DEGREES 33 MINUTES 58 SECONDS WEST, 6.39 FEET TO STATION 813+00.00 OF SAID EXISTING CENTERLINE OF NORTH HIGH STREET (A.K.A. U.S. HIGHWAY 61), SAID POINT BEING A POINT OF NON-TANGENTIAL CURVE; THENCE ALONG SAID EXISTING CENTERLINE THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 11459.19 FEET, AND ARC LENGTH OF 627.73 FEET AND WHOSE CHORD BEARS, SOUTH 39 DEGREES 51 MINUTES 52 SECONDS WEST, 627.65 FEET TO PT STATION 819+27.73 AND SOUTH 38 DEGREES 17 MINUTES 43 SECONDS WEST, 106.70 FEET TO STATION 820+34.43 AND THE POINT OF ENDING, SAID POINT OF ENDING BEING DISTANT SOUTH 24 DEGREES 13 MINUTES 43 SECONDS EAST, 614.37 FEET FROM A FOUND ½ INCH IRON ROD AT THE SOUTHEAST CORNER OF SURVEY 807, TOWNSHIP 31 NORTH, RANGE 12 EAST, AS PER SURVEY FOR DR. WANDA PIPKIN (LARRY BORGFELD), AS RECORDED IN SRB. 14, PG 51 OF THE CAPE GIRARDEAU COUNTY, MISSOURI RECORDS.



BILL NO. 24-__

ORDINANCE NO. 24-__

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI TO EXECUTE A LETTER FROM THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION RELATIVE TO THE DONATION OF A GENERAL WARRANTY DEED.

WHEREAS, the Mayor and Board of Aldermen of the City of Jackson, Missouri, have heretofore been presented a letter from the Missouri Highways and Transportation Commission marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and

WHEREAS, the purpose of the letter is to confirm the donation by the City of Jackson, Missouri to the Missouri Highways and Transportation Commission of a general warranty deed for property owned by the City; and

WHEREAS, the Mayor and Board of Aldermen of the City of Jackson, Missouri deem it advisable to execute the letter of donation.

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 execution of the letter marked Exhibit A from the Missouri Highways and Transportation Commission. 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 execute the letter confirming the donation.

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

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

FIRST READING: September 23, 2024.

SECOND READING: September 23, 2024.

PASSED AND APPROVED this 23rd day of September, 2024, by a vote of _____ ayes, _____ nays, _____ abstentions and _____ absent.

(SEAL)

CITY OF JACKSON, MISSOURI

BY: _____
Mayor

ATTEST:

City Clerk



Southeast District
Mark Croarkin, District Engineer

Missouri Department of Transportation

2675 North Main Street
Sikeston, Missouri 63801
573.472.5333
Fax: 573.472.5351
1.888.ASK MODOT (275.6636)

Re: Acquisition of Right of Way
County: Cape Girardeau
Route: 61
Project: JSE0048
Parcel: 04

July _____, 2024 September 23, 2024

City of Jackson
101 Court Street
Jackson, MO 63755

Dear Mr. Hahs:

The Missouri Department of Transportation is pleased to inform you of an improvement planned for your area. Engineering drawings which describe the proposed project are attached.

We do want to inform you of your right to receive compensation for the land and/or property rights in question, as determined by an appraisal of the rights to be acquired from your property.

We are hopeful that, because of the benefits to be derived from the project, we can reach an agreement with you to donate the required land and/or property rights to accomplish the proposed construction. Should you choose to donate, we would appreciate your signing this letter, waiving your right to compensation and pro rata tax adjustment and returning it to us. To comply with regulations, we will also need your signature later on a formal conveyance document.

An acquisition brochure is furnished with this letter. Its purpose is to explain the process which must be followed to acquire right of way.




Our mission is to provide a world-class transportation system that is safe, innovative, reliable and dedicated to a prosperous Missouri.

www.modot.org

We look forward to the completion of this improvement project and appreciate your cooperation.

Respectfully,



Missouri Department of Transportation

Pamela K. Masterson

Right of Way Manager

ACCEPTED BY PROPERTY OWNER

Dwain Hahs, Mayor