



**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**

**Monday, August 07, 2023 at 6:00 PM**  
**Board Chambers, City Hall, 101 Court St.**

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**AGENDA**

**CALL TO ORDER**

**INTRODUCTION OF GUESTS/VISITORS**

**ADOPTION OF AGENDA**

1. Motion adopting the Regular Meeting Agenda.

**PUBLIC HEARINGS**

2. Hearing to consider removing the CO-1 (Enhanced Commercial Overlay) District from properties at the East Main Street, Old Orchard Road, and Interstate 55 area.
3. Hearing to consider the rezoning of a 1.91-acre tract at the southwest corner of East Main Street and South Shawnee Boulevard (County parcel number 15-113-00-16-001.00-0000), from R-4 (General Residential) District to C-2 (General Commercial) District, as submitted by the William J. Penrod Trust.
4. Hearing to consider a Special Use Permit request for an oversized attached sign, in a C-2 (General Commercial) District, at 1985 East Jackson Boulevard, as submitted by Cape Girardeau County Public Library District.
5. Hearing to consider a text amendment to Chapter 65 (Zoning) of the Code of Ordinances, regarding the addition of provisions for defining and limiting tiny houses.

**APPROVAL OF MINUTES**

6. Motion approving the Minutes of the Regular Meeting of July 17, 2023.

**FINANCIAL AFFAIRS**

7. Motion approving payment of the semimonthly bills.

**ACTION ITEMS**

**Power, Light, and Water Committee**

8. Motion to record in the minutes the disposal of City records which have met their retention life and were destroyed in compliance with the guidelines according to the Missouri Secretary of State's Record Retention Schedule, under RSMo 109.230, Subsection 4.
9. Motion renewing a contractual agreement with Precise Target Locating, of Cape Girardeau, Missouri, and increasing the ticket price to \$37.00 for the term ending June 30, 2024,

relative to providing services under the Underground Facilities Locating and Marking Services Program.

- [10.](#) Bill proposing an Ordinance amending Chapter 41 (Municipal Utilities) of the Code of Ordinances, relative to water service line specifications and fee schedule.
- [11.](#) Motion approving the updated fee schedule for water taps and meter fees, effective September 1, 2023.

#### **Street, Sewer, and Cemetery Committee**

- [12.](#) Motion approving an Addendum to the Contract Agreement with Bootheel Fence Co., Inc., of Jackson, Missouri, relative to a time extension under the City Parks Fencing Replacement and Repair Project.
- [13.](#) Motion approving an Addendum to the Contract Agreement with Capri Pools & Aquatics, of Edwardsville, Illinois, relative to a time extension for the purchase of chemicals and the installation of a chemical controller at the City Pool.
- [14.](#) Motion approving an Addendum to the Contract Agreement with Capri Pools & Aquatics, of Edwardsville, Illinois, relative to a time extension for the purchase and installation of a chemical feeder at the City Pool.
- [15.](#) Bill proposing an Ordinance removing the CO-1 (Enhanced Commercial Overlay) District from properties at the East Main Street, Old Orchard Road, and Interstate 55 area.
- [16.](#) Bill proposing an Ordinance approving the rezoning of a 1.91-acre tract at the southwest corner of East Main Street and South Shawnee Boulevard (County parcel number 15-113-00-16-001.00-0000), from R-4 (General Residential) District to C-2 (General Commercial) District, as submitted by the William J. Penrod Trust.
- [17.](#) Bill proposing an Ordinance approving a Special Use Permit for an oversized attached sign, in a C-2 (General Commercial) District, at 1985 East Jackson Boulevard, as submitted by Cape Girardeau County Public Library District.
- [18.](#) Bill proposing an Ordinance amending the Code of Ordinances, text amendment to Chapter 65 (Zoning) of the Code of Ordinances, regarding the addition of provisions for defining and limiting tiny houses.

#### **NON-AGENDA CITIZEN INPUT**

#### **INFORMATION ITEMS**

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

## **EXECUTIVE SESSION**

*Authority is Section 610.021(1) Revised Statutes of Missouri, relating to litigation; Section 610.021(2), Revised Statutes of Missouri, relating to the leasing, purchase, or sale of real estate; Section 610.021(3), Revised Statutes of Missouri, relating to personnel; and Section 610.021(12), Revised Statutes of Missouri, relating to contracts.*

## **ADJOURN**

Posted on 8/4/2023 at 4:00 PM.



**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**  
**Monday, July 17, 2023 at 6:00 PM**  
**Board Chambers, City Hall, 101 Court St.**

**MINUTES**

The Board of Aldermen met in the Regular Session with Mayor Pro Tem Dave Reiminger in the chair and the following Board Members present: Joe Bob Baker, Mike Seabaugh, Shana Williams, Katy Liley, David Hitt, Paul Sander, and Wanda Young. Present-8; Absent-0.

The meeting is opened by Mayor Pro Tem Dave Reiminger with the Pledge of Allegiance and a Moment of Silent Prayer.

Mayor Pro Tem Dave Reiminger to       )  
 Recognize Guests and Visitors       )

Now comes forth Mayor Pro Tem Dave Reiminger to welcome guests and visitors.

Motion to Adopt the Agenda       )

Motion made by Alderman Baker, seconded by Alderwoman Liley, to adopt the agenda, as presented. Ayes-8; Nays-0; Absent-0.

Public Hearing to Consider a Text       )  
 Amendment to Chapter 65 of the Code       )  
 of Ordinances, relative to the Required       )  
 Notice for Public Hearings of an Appeal       )  
 or Variance       )

Now comes forth a Public Hearing to consider a text amendment to Chapter 65 (Zoning) of the Code of Ordinances, relative to the required notice for public hearings of an appeal or variance.

Now comes forth Public Works Director Janet Sanders to state that the Planning & Zoning Commission voted to recommend approval of the text amendment. It is requested that the City Clerk admit the case material, all exhibit files, and other support information into the record so it may be incorporated as part of the proposed ordinance.

All witnesses to be sworn in by City Clerk Liza Walker prior to their testimony at this public hearing.

No one speaks at the Public Hearing.

The Public Hearing is now closed by Mayor Pro Tem Reiminger.

Motion to Approve the Minutes of the       )  
 July 5, 2023, Regular Board Meeting       )

Motion made by Alderwoman Liley, seconded by Alderman Hitt, to approve the minutes of the preceding Regular Board Meeting of Wednesday, July 5, 2023. Ayes-8; Nays-0; Absent-0.

Motion to Approve Bills of July, 2023       )

Now is presented the Semimonthly Bills Report, in the various funds for the month of July, 2023. Motion made by Alderman Hitt, seconded by Alderwoman Young, to approve the payment of Semimonthly Bills in the various funds for July, 2023. Ayes-8; Nays-0; Absent-0.

Motion to Approve the City Collector's       )  
 Electric, Water & Sewer, Taxes &       )  
 Licenses, and Refuse Report for       )



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**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**  
**Monday, July 17, 2023 at 6:00 PM**  
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**MINUTES**

June, 2023

)

Motion made by Alderwoman Young, seconded by Alderman Seabaugh, to approve the City Collector's Electric, Water & Sewer, Taxes & Licenses, and Refuse Report for June, 2023. Ayes-8; Nays-0; Absent-0.




## CITY OF JACKSON

## MAYOR &amp; BOARD OF ALDERMEN REGULAR MEETING

Monday, July 17, 2023 at 6:00 PM

Board Chambers, City Hall, 101 Court St.

## MINUTES

CITY COLLECTOR'S REPORT FOR JUNE 2023						
DESCRIPTION	ELECTRIC FUND	WATER FUND	WASTEWATER FUND	LANDFILL FUND	GEN. REV. FUND	TOTAL
Service Charges (includes internal transfers)	1,174,214.13	274,171.92	218,460.73	61,564.33	-	1,728,411.11
Penalties	9,192.97	1,850.91	1,544.69	369.35	-	12,957.92
Sales Tax	32,451.32	7,904.59	-	-	-	40,355.91
Disconnect Fees	300.00	-	-	-	-	300.00
Returned Transaction Fees	600.00	-	-	-	-	600.00
Customer Relocation Fees	-	-	-	-	375.00	375.00
Trash Stickers	-	-	-	1,711.00	-	1,711.00
<b>UTILITY COLLECTIONS</b>	<b>1,216,758.42</b>	<b>283,927.42</b>	<b>220,005.42</b>	<b>63,644.68</b>	<b>375.00</b>	<b>1,784,710.94</b>
Adjustments - Services	-	-	-	-	-	-
Adjustments - Penalties	-	-	-	-	-	-
Adjustments - Taxes	-	-	-	-	-	-
Adjustments - Service Fees	-	-	-	-	-	-
<b>NET UTILITY COLLECTIONS</b>	<b>1,216,758.42</b>	<b>283,927.42</b>	<b>220,005.42</b>	<b>63,644.68</b>	<b>375.00</b>	<b>1,784,710.94</b>
Business/Contractor Licenses	-	-	-	-	1,927.50	1,927.50
Event Fees/Misc. Charges	-	-	-	-	-	-
<b>NON-UTILITY COLLECTIONS</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,927.50</b>	<b>1,927.50</b>
Misc. Adjustments	-	-	-	-	-	-
Interest on Collector's bank account	-	-	-	-	-	127.17
Cash in bank	-	-	-	-	-	1,786,765.61
Missouri Sales Tax payment	(32,451.32)	(7,904.59)	-	-	-	(40,355.91)
<b>TO CITY TREASURER</b>					<b>\$</b>	<b>1,746,409.70</b>
Respectfully Submitted,						
						
City Collector						

Motion to Approve the June, 2023  
City Clerk's and Treasurer's Reports )



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**MINUTES**

Motion made by Alderman Seabaugh, seconded by Alderwoman Williams, to approve the City Clerk's and City Treasurer's Reports for June, 2023. The City Clerk's Report is as follows: Electric Receipts – \$17,085.08; Cemetery Receipts – \$13,275.00; Water Receipts – \$7,540.00; Wastewater Receipts – \$0.00; General Revenue Receipts – \$29,932.66; Inmate Security Fund – \$0.00; Park Receipts – \$900.00; Trust & Agency Receipts – \$2,550.00; Park Foundation Receipts – \$1,000.00; Recreational Development Receipts – \$16,144.50; Landfill Receipts – \$538.22; Recreation Sales Tax Receipts – \$10,354.00; Health Insurance - \$1,177.00; Stormwater Maintenance Receipts – \$1,129.26; and Transportation Sales Tax Receipts – \$840.07. The Water & Light Deposit balance as of June 1, 2023 – \$287,885.05; Deposits – \$15,110.66; Refunds – \$21,644.72; balance as of June 30, 2023 – \$281,350.99. Ayes-8; Nays-0; Absent-0.

## CITY TREASURER'S REPORT FOR JUNE, 2023

FUND	FUND BALANCES 06-01-2023	RECEIPTS	TRANSFER OF FUNDS	DISBURSEMENTS	FUND BALANCES 06-30-2023	INVESTMENTS	CASH BALANCE 06-30-2023
<b>ELECTRIC FUND</b>							
Operation & Maintenance	-	1,202,827.36	(42,449.75)	1,160,377.61	-	-	-
Electric Surplus	4,678,487.47	-	(2,543,253.31)	19,245.08	2,115,989.08	880,174.71	1,235,814.37
Electric Capital Projects Fund	3,569,457.44	-	1,000,000.00	230,890.90	4,338,566.54	4,300,000.00	38,566.54
<b>General Revenue</b>	621,181.44	49,486.67	4,313,499.99	902,906.79	4,081,261.31	4,045,000.00	36,261.31
<b>Landfill Fund</b>	544,816.11	64,241.40	(13,057.69)	54,561.62	541,438.20	445,000.00	96,438.20
<b>City Park Fund</b>	120,047.13	2,747.48	190,027.26	63,156.20	249,665.67	240,000.00	9,665.67
<b>Public Park Foundation Fund</b>	134,779.48	1,000.00	2,500.00	-	138,279.48	-	138,279.48
<b>Cemetery Fund</b>	965,116.63	14,412.58	(8,308.32)	23,279.88	947,941.01	899,000.00	48,941.01
<b>Band Fund</b>	-	1,137.58	-	1,137.58	-	-	-
<b>Stormwater Maintenance Fund</b>	287,685.30	1,129.26	-	-	288,814.56	266,000.00	22,814.56
<b>ARPA Fund</b>	2,786,942.21	-	-	77,662.92	2,709,279.29	2,700,000.00	9,279.29
<b>Road Use Tax Fund</b>	1,182,252.47	64,414.31	(249,166.66)	372,194.00	625,306.12	625,000.00	306.12
<b>Sales Tax Fund</b>	3,297,097.06	268,260.32	(2,030,000.00)	32,108.83	1,503,248.55	1,499,001.35	4,247.20
<b>Fire Protection Sales Tax Fund</b>	105,633.79	63,220.22	(165,521.01)	-	3,333.00	-	3,333.00
<b>Recreation Sales Tax</b>	334,886.05	73,569.82	(301,787.55)	69,106.07	37,562.25	-	37,562.25
<b>Public Safety Sales Tax</b>	205,433.07	126,432.44	(330,865.51)	-	1,000.00	-	1,000.00
<b>Trust and Agency Fund</b>	1,058,786.27	5,548.38	44,262.18	22,482.67	1,086,114.16	1,080,000.00	6,114.16
<b>Recreational Development</b>	71,763.55	16,144.50	95,500.00	86,010.01	97,398.04	-	97,398.04
<b>Transportation Sales Tax</b>	1,306,599.82	139,280.58	(700,000.00)	367,020.99	378,859.41	375,000.00	3,859.41
<b>I-55 Corridor Special Alloc.</b>	1,262.55	-	-	-	1,262.55	-	1,262.55
<b>Capital Projects Construction</b>	1,550,000.00	432.61	500,000.00	25,443.00	2,024,989.61	2,000,000.00	24,989.61
<b>Economic Development Reserve</b>	1,000,000.00	-	-	-	1,000,000.00	500,000.00	500,000.00
<b>CDBG Grant Fund</b>	-	-	-	-	-	-	-
<b>Health Insurance Fund</b>	780,703.18	18,317.04	272,214.82	130,056.04	941,179.00	-	941,179.00
<b>Inmate Security Fund</b>	16,001.12	50.00	-	-	16,051.12	-	16,051.12
<b>Equitable Sharing Fund</b>	3,617.07	-	-	-	3,617.07	-	3,617.07
<b>WATER &amp; SEWER FUND</b>							
Water Operation & Maint.	-	289,942.98	(128,127.43)	161,815.55	-	-	-
Water Replacement	735,480.00	-	-	-	735,480.00	715,000.00	20,480.00
Water & Sewer Revenue Bond	788,403.09	-	-	596,301.51	192,101.58	175,000.00	17,101.58
Water & Sewer Deprec. Res.	30,000.00	-	-	-	30,000.00	30,000.00	-
Water & Sewer Bond Reserve	50,000.00	-	-	-	50,000.00	50,000.00	-
Water & Sewer Contingent	30,000.00	-	-	-	30,000.00	30,000.00	-
Water & Sewer Surplus	9,254,874.62	-	172,682.53	107,389.71	9,320,167.44	8,785,541.74	534,625.70
Wastewater Operation & Maint.	-	220,267.20	(78,149.55)	142,117.65	-	-	-
Wastewater Replacement	1,077,658.74	-	-	-	1,077,658.74	1,055,567.12	22,091.62
<b>W &amp; S Construction Fund</b>	4,332,000.99	-	-	8,092.00	4,323,908.99	200,000.00	4,123,908.99
<b>TOTALS</b>	<b>40,920,966.65</b>	<b>2,622,862.73</b>	<b>-</b>	<b>4,653,356.61</b>	<b>38,890,472.77</b>	<b>30,895,284.92</b>	<b>7,995,187.85</b>

Respectfully Submitted,

Liza Walker, City Clerk/Treasurer (signed)

Cash on Hand 1,675.00  
 General Account 6,243,486.08  
 Collectors Account 1,746,409.70  
 Equitable Sharing Fund 3,617.07



## CITY OF JACKSON

## MAYOR &amp; BOARD OF ALDERMEN REGULAR MEETING

Monday, July 17, 2023 at 6:00 PM

Board Chambers, City Hall, 101 Court St.

## MINUTES



**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**  
**Monday, July 17, 2023 at 6:00 PM**  
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**MINUTES**

Motion to Approve the Semi-Annual )  
 Financial Statement, ending June 30, )  
 2023 )

Motion made by Alderman Seabaugh, seconded by Alderman Sander, to approve the Semi-Annual Financial Statement, ending June 30, 2023. Ayes-8; Nays-0; Absent-0.

Motion to set a Public Hearing for )  
 Monday, August 21, 2023, to Consider )  
 the Proposed 2023 Tax Rates )

Motion made by Alderman Seabaugh, seconded by Alderwoman Williams, to set a public hearing for Monday, August 21, 2023, at 6:00 p.m., to consider the proposed 2023 Parks and Recreation, General Revenue, Cemetery, and Band Tax Rates. Ayes-8; Nays-0; Absent-0.

Motion to Approve Change Order No. 1 )  
 to Power Line Consultants, LLC, of )  
 Farmington, Missouri, relative to the I-55 )  
 Electric Substation Transmission and )  
 Distribution Line Project )

Motion made by Alderman Seabaugh, seconded by Alderman Sander, to approve Change Order No. 1, extending the contract time by 154 days, to Power Line Consultants, LLC, of Farmington, Missouri, relative to the I-55 Electric Substation Transmission and Distribution Line Project. Ayes-8; Nays-0; Absent-0.

Motion to Approve Change Order No. 1 )  
 to Power Grid Company, of Fayetteville, )  
 Georgia, relative to the I-55 Electric )  
 Substation Build-Out Project )

Motion made by Alderman Seabaugh, seconded by Alderwoman Williams, to approve Change Order No. 1, extending the contract time by 152 days, to Power Grid Company, of Fayetteville, Georgia, relative to the I-55 Electric Substation Build-Out Project. Ayes-8; Nays-0; Absent-0.

Motion to Accept the Bid of Sunbelt )  
 Solomon Service, LLC, of Temple, )  
 Texas, relative to the Purchase of an )  
 Electric Distribution Transformer )

Motion made by Alderman Seabaugh, seconded by Alderman Sander, to accept the bid of Sunbelt Solomon Service, LLC, of Temple, Texas, in the amount of \$58,865.00, relative to the purchase of an electric distribution transformer. Ayes-8; Nays-0; Absent-0.

Ordinance No. 23-51 Re: To Authorize a )  
 Contractual Agreement with Sunbelt )  
 Solomon Service, LLC, of Temple, )  
 Texas, relative to the Purchase of an )  
 Electric Distribution Transformer )

The matter of authorizing a contractual agreement with Sunbelt Solomon Service, LLC, of Temple, Texas, relative to the purchase of an electric distribution transformer, came on for consideration. Alderman Seabaugh introduced Bill No. 23-52 being for an ordinance entitled as follows:



**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**

Monday, July 17, 2023 at 6:00 PM  
 Board Chambers, City Hall, 101 Court St.

**MINUTES**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND *SUNBELT SOLOMON SERVICE, LLC, OF TEMPLE, TEXAS*, RELATIVE TO THE *PURCHASE OF AN ELECTRIC DISTRIBUTION TRANSFORMER*; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

On a motion made by Alderman Seabaugh, seconded by Alderwoman Williams, Bill No. 23-52 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Seabaugh, seconded by Alderwoman Williams, Bill No. 23-52 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 23-51 and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderman Hitt-aye; Alderman Sander-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderwoman Young-aye; Alderman Baker-aye; Alderwoman Liley-aye; and Alderwoman Williams-aye.

**BILL NO. 23-52**

**ORDINANCE NO. 23-51**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND *SUNBELT SOLOMON SERVICE, LLC, OF TEMPLE, TEXAS*, RELATIVE TO THE *PURCHASE OF AN ELECTRIC DISTRIBUTION TRANSFORMER*; 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 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 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 marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and **Sunbelt Solomon Service, LLC, of Temple, Texas**. 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.



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**MINUTES**

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: July 17, 2023.

SECOND READING: July 17, 2023.

PASSED AND APPROVED this 17th day of July, 2023, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
City Clerk

Motion to Authorize a Payment to the )  
Cape Girardeau County Treasurer, )  
relative to the Late Filing of a Permit )  
Application with the Missouri )  
Department of Natural Resources )

Motion made by Alderman Seabaugh, seconded by Alderman Sander, to authorize payment in the amount of \$3,000.00 to the Cape Girardeau County Treasurer, relative to the late filing of a permit application with the Missouri Department of Natural Resources. Ayes-8; Nays-0; Absent-0.

Ordinance No. 23-52 Re: To Authorize a )  
Contractual Agreement with the )  
Missouri Department of Natural )  
Resources, relative to the Late Filing of )  
a Permit Application )

The matter of authorizing a contractual agreement with the Missouri Department of Natural Resources, relative to the late filing of a permit application, came on for consideration. Alderman Seabaugh introduced Bill No. 23-53, 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 THE MISSOURI DEPARTMENT OF NATURAL**



**CITY OF JACKSON**  
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**MINUTES**

***RESOURCES, RELATIVE TO THE LATE FILING OF A PERMIT APPLICATION; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.***

On a motion made by Alderman Seabaugh, seconded by Alderwoman Williams, Bill No. 23-53 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Seabaugh, seconded by Alderwoman Williams, Bill No. 23-53 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 23-52 and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderwoman Liley-aye; Alderman Sander-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderwoman Young-aye; Alderman Hitt-aye; Alderman Baker-aye; and Alderwoman Williams-aye.

**BILL NO. 23-53**

**ORDINANCE NO. 23-52**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE *MISSOURI DEPARTMENT OF NATURAL RESOURCES*, RELATIVE TO THE LATE FILING OF A PERMIT APPLICATION; 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 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 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 marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and **Missouri Department of Natural Resources**. 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.



**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**  
**Monday, July 17, 2023 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. That this Ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: July 17, 2023.

SECOND READING: July 17, 2023.

PASSED AND APPROVED this 17th day of July, 2023, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
 Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
 City Clerk

Ordinance No. 23-53 Re: To Approve a )  
 Memorandum of Understanding with the )  
 Uptown Jackson Revitalization )  
 Organization, relative to American )  
 Rescue Plan Act Funds )

The matter of approving a Memorandum of Understanding with the Uptown Jackson Revitalization Organization, relative to American Rescue Plan Act Funds, came on for reconsideration. Alderman Seabaugh introduced Bill No. 23-54, being for an ordinance entitled as follows:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE UPTOWN JACKSON REVITALIZATION ORGANIZATION, RELATIVE TO AMERICAN RESCUE PLAN ACT FUNDS; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

On a motion made by Alderman Seabaugh, seconded by Alderman Sander, Bill No. 23-54 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Seabaugh, seconded by Alderman Sander, Bill No. 23-54 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 23-53 and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderman Baker-aye; Alderman Sander-aye; Alderman Reiminger-aye; Alderman



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Seabaugh-aye; Alderwoman Young-aye; Alderman Hitt-aye; Alderwoman Liley-aye; and Alderwoman Williams-aye.

**BILL NO. 23-54**

**ORDINANCE NO. 23-53**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE *UPTOWN JACKSON REVITALIZATION ORGANIZATION*, RELATIVE TO *AMERICAN RESCUE PLAN ACT FUNDS*; 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 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 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 marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and the **Uptown Jackson Revitalization Organization**. 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.



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FIRST READING: July 17, 2023.

SECOND READING: July 17, 2023.

PASSED AND APPROVED this 17th day of July, 2023, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
 Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
 City Clerk

Ordinance No. 23-54 Re: To Approve a )  
 Memorandum of Understanding with the )  
 Jackson Chamber of Commerce, )  
 Relative to American Rescue Plan Act )  
 Funds )

The matter of approving a Memorandum of Understanding with the Jackson Chamber of Commerce, relative to American Rescue Plan Act Funds, came on for consideration. Alderman Seabaugh introduced Bill No. 23-55, being for an ordinance entitled as follows:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE JACKSON CHAMBER OF COMMERCE, RELATIVE TO AMERICAN RESCUE PLAN ACT FUNDS; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

On a motion made by Alderman Seabaugh, seconded by Alderwoman Williams, Bill No. 23-55 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Seabaugh, seconded by Alderwoman Williams, Bill No. 23-55 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 23-54 and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderman Reiminger-aye; Alderman Sander-aye; Alderman Seabaugh-aye; Alderwoman Young-aye; Alderman Hitt-aye; Alderman Baker-aye; Alderwoman Liley-aye; and Alderwoman Williams-aye.

**BILL NO. 23-55**

**ORDINANCE NO. 23-54**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE JACKSON CHAMBER OF COMMERCE, RELATIVE TO AMERICAN RESCUE PLAN ACT FUNDS; 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 marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and



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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 marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and the **Jackson Chamber of Commerce**. 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: July 17, 2023.

SECOND READING: July 17, 2023.

PASSED AND APPROVED this 17th day of July, 2023, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
 Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
 City Clerk

Ordinance No. 23-55 Re: To Accept the )



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**MINUTES**

Dedication of a Water Line Easement )  
 Deed from the Jackson Chamber of )  
 Commerce, relative to the Water )  
 System Facility Plan Implementation )  
 Project – Phase 2, Project 2E )

The matter of accepting the dedication of a Water Line Easement Deed from the Jackson Chamber of Commerce, relative to the Water System Facility Plan Implementation Project – Phase 2, Project 2E, came on for consideration. Alderman Seabaugh introduced Bill No. 23-56, 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 WATER LINE EASEMENT DEED.**

On a motion made by Alderman Seabaugh, seconded by Alderman Sander, Bill No. 23-56 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Seabaugh, seconded by Alderman Sander, Bill No. 23-56 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 23-55 and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderman Seabaugh-aye; Alderman Sander-aye; Alderman Reiminger-aye; Alderwoman Young-aye; Alderman Hitt-aye; Alderman Baker-aye; Alderwoman Liley-aye; and Alderwoman Williams-aye.

**BILL NO. 23-56**

**ORDINANCE NO. 23-55**

**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 WATER LINE EASEMENT DEED.**

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

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, 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.



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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: July 17, 2023.

SECOND READING: July 17, 2023.

PASSED AND APPROVED this 17th day of July, 2023, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
 Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
 City Clerk

Ordinance No. 23-56 Re: To Re-Adopt )  
 Chapter 1, Article VIII, of the Code of )  
 Ordinances, relative to Ethics )

The matter of re-adopting Chapter 1, Article VIII, of the Code of Ordinances, relative to ethics, came on for consideration. Alderman Seabaugh introduced Bill No. 23-57, being for an ordinance entitled as follows:

**AN ORDINANCE RE-ADOPTING CURRENT ARTICLE VIII OF CHAPTER 1, OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, ORIGINALLY PASSED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN ON THE 1st DAY OF FEBRUARY, 1999.**

On a motion made by Alderman Seabaugh, seconded by Alderwoman Williams, Bill No. 23-57 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Seabaugh, seconded by Alderwoman Williams, Bill No. 23-57 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 23-56 and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderwoman Williams-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderwoman Young-aye; Alderman Hitt-aye; Alderman Baker-aye; Alderwoman Liley-aye; and Alderman Sander-aye.

**BILL NO. 23-57**

**ORDINANCE NO. 23-56**

**AN ORDINANCE RE-ADOPTING CURRENT ARTICLE VIII OF CHAPTER 1, OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, ORIGINALLY PASSED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN ON THE 1st DAY OF FEBRUARY, 1999.**



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

Section 1. That Chapter 1, Article VIII, of the Code of Ordinances of the City of Jackson, Missouri, is hereby re-adopted and confirmed in compliance with Section 105.485.4 RSMo 2000, as amended. Copy of same is attached hereto and incorporated herein by reference as if fully set forth.

Section 2. That the City Clerk is hereby directed to forward a certified copy of this Ordinance and attachment to the Missouri Ethics Commission within ten (10) days of passage and approval.

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.

FIRST READING: July 17, 2023.

SECOND READING: July 17, 2023.

PASSED AND APPROVED this 17th day of July, 2023, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
 Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
 City Clerk

Motion to Set a Public Hearing for )  
 Monday, August 7, 2023, to Consider )  
 the Rezoning of a 1.91-Acre Tract at the )  
 Southwest Corner of East Main Street )  
 and South Shawnee Boulevard, as )  
 submitted by the William J. Penrod Trust)

Motion made by Alderwoman Liley, seconded by Alderman Baker, to set a public hearing for Monday, August 7, 2023, at 6:00 p.m., to consider the rezoning of a 1.91-acre tract



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at the southwest corner of East Main Street and South Shawnee Boulevard (County parcel number 15-113-00-16-001.00-0000), from R-4 (General Residential) District to C-2 (General Commercial) District, as submitted by the William J. Penrod Trust. Ayes-8; Nays-0; Absent-0.

Motion to Set a Public Hearing for )  
 Monday, August 7, 2023, to Consider a )  
 Special Use Permit for an Attached )  
 Oversized Sign, at 1985 East Jackson )  
 Boulevard, as submitted by Gospel )  
 Life Church )

Motion made by Alderwoman Liley, seconded by Alderman Hitt, to set a public hearing for Monday, August 7, 2023, at 6:00 p.m., to consider a Special Use Permit for an attached oversized sign, in a C-2 (General Commercial) District, at 1985 East Jackson Boulevard, as submitted by Gospel Life Church. Ayes-8; Nays-0; Absent-0.

Motion to Approve Change Order No. 1 )  
 to Herzog Excavating & Demolition, LLC )  
 of Perryville, Missouri, relative to the )  
 Disposal of Stockpiled Brush Program )

Motion made by Alderwoman Liley, seconded by Alderwoman Young, to approve Change Order No. 1, in the amount of \$5,500.00, to Herzog Excavating & Demolition, LLC, of Perryville, Missouri, relative to the Disposal of Stockpiled Brush Program. Ayes-8; Nays-0; Absent-0.

Motion to Approve Change Order No. 2 )  
 to Black Diamond Paving, LLC, of Oak )  
 Ridge, Missouri, relative to the 2023 )  
 Asphalt Pavement Improvement )  
 Program )

Motion made by Alderwoman Liley, seconded by Alderman Baker, to approve Change Order No. 2, in the amount of \$15,875.00, to Black Diamond Paving, LLC, of Oak Ridge, Missouri, relative to the 2023 Asphalt Pavement Improvement Program. Ayes-8; Nays-0; Absent-0.

Motion to Approve an Application for the )  
 Placement of an Oversized Public )  
 Service Sign at Fields 12 and 13 in the )  
 Soccer Park )

Motion made by Alderwoman Liley, seconded by Alderman Hitt, to approve an application for the placement of an oversized public service sign at Fields 12 and 13 in the Soccer Park and to grant an exception to the size limitation of the sign face under Section 47-2 (Parks and Recreation) of the Code of Ordinances. Ayes-8; Nays-0; Absent-0.

Resolution No. 2023-04: A Resolution )  
 To Declare the City of Jackson's Intent )  
 to Retire and Transfer Ownership of the )  
 Jackson Police Department Canine )  
 Officer )

**RESOLUTION NO. 2023-04**



**CITY OF JACKSON**  
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**MINUTES**

**RESOLUTION DECLARING THE INTENT OF THE CITY OF JACKSON, MISSOURI, TO TRANSFER OWNERSHIP OF K-9 BENY.**

WHEREAS, the City of Jackson, Missouri is the owner of K-9 Beny; and

WHEREAS, Officer Cody Polley was the K-9 Unit handler assigned to serve with and to provide care for K-9 Beny during off-duty hours at his residence; and

WHEREAS, the Jackson Police Department wishes to retire K-9 Beny from active service with the K-9 Unit; and

WHEREAS, Officer Cody Polley desires and has requested the transfer to himself of ownership and responsibility for K-9 Beny's care, food, veterinary attention, lodging, maintenance and supervision; and

WHEREAS, it is agreed that it is in the best interest of the parties to transfer K-9 Beny to Officer Cody Polley; and

WHEREAS, Officer Cody Polley agrees to provide at his cost, the care, food, veterinary attention, lodging, maintenance, and supervision of K-9 Beny.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI, AS FOLLOWS:**

1. The City of Jackson, Missouri, does hereby transfers ownership and responsibility of K-9 Beny to Officer Cody Polley.

2. This 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 17th day of July, 2023, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
City Clerk

Motion made by Alderwoman Liley, seconded by Alderwoman Young, to declare the City of Jackson's intent to retire and transfer ownership of the Jackson Police Department Canine Officer. Ayes-8; Nays-0; Absent-0.

Ordinance No. 23-57 Re: To Accept an )



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**MINUTES**

Affidavit of Scrivener's Error to Correct a )  
 Legal Description on the Minor Plat of )  
 Magnolia Meadows Subdivision )

The matter of accepting an Affidavit of Scrivener's Error to correct a legal description on the Minor Plat of Magnolia Meadows Subdivision, a Resubdivision of Lots 9 and 10 of Block 4 of West End Addition, which was passed and approved by Bill No. 22-64 on July 5, 2022, came on for consideration. Alderwoman Liley introduced Bill No. 23-58, being for an ordinance entitled as follows:

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF JACKSON, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF AN AFFIDAVIT OF SCRIVENER'S ERROR TO CORRECT A LEGAL DESCRIPTION ON A RECORD PLAT AS STATED IN THE ATTACHED AFFIDAVIT OF SCRIVENER'S ERROR.**

On a motion made by Alderwoman Liley, seconded by Alderman Baker, Bill No. 23-58 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderwoman Liley, seconded by Alderman Baker, Bill No. 23-58 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 23-57 and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderman Sander-aye; Alderwoman Young-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderman Hitt-aye; Alderman Baker-aye; Alderwoman Liley-aye; and Alderwoman Williams-aye.

**BILL NO. 23-58**

**ORDINANCE NO. 23-57**

**AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF JACKSON, MISSOURI, TO ATTEST TO THE CITY'S ACCEPTANCE OF AN AFFIDAVIT OF SCRIVENER'S ERROR TO CORRECT A LEGAL DESCRIPTION ON A RECORD PLAT AS STATED IN THE ATTACHED AFFIDAVIT OF SCRIVENER'S ERROR.**

WHEREAS, Terry R. Seabaugh and Traci L. Foltz platted Magnolia Meadows Subdivision, a Resubdivision of Lots 9 and 10 of Block 4 of West End Addition, as located within the corporate limits of the City of Jackson, Missouri; and,

WHEREAS, the Mayor and Board of Aldermen of the City of Jackson, Missouri, did accept the Record Plat of Magnolia Meadows Subdivision, a Resubdivision of Lots 9 and 10 of Block 4 of West End Addition including all easements, right-of-way streets and improvements indicated thereon and subject to the terms and conditions expressed therein;

WHEREAS, it was subsequently discovered that the Record Plat contained errors in the legal description based on a survey by Richards Land Surveying; and



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WHEREAS, on May 15, 2023 in Document No. 2023-03783 an Affidavit of Scrivener's Error correcting the legal description for the Record Plat was recorded. A copy of the Affidavit of Scrivener's Error is attached as Exhibit A.

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 Affidavit of Scrivener's Error correcting the legal description which is attached hereto as Exhibit A.

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 Affidavit of Scrivener's Error.

Section 3. That the City Clerk of the City of Jackson, Missouri, is hereby directed to file a copy of said Affidavit of Scrivener's Error with the Recorder of Deeds, Cape Girardeau County, Missouri.

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

FIRST READING: July 17, 2023.

SECOND READING: July 17, 2023.

PASSED AND APPROVED this 17th day of July, 2023, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
 Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
 City Clerk

Ordinance No. 23-58 Re: To Approve a )  
 Text Amendment to Chapter 65 of the )  
 Code of Ordinances, relative to the )  
 Required Notice for Public Hearings of )  
 An Appeal or Variance )

The matter of approving a text amendment to Chapter 65 (Zoning) of the Code of Ordinances, relative to the required notice for public hearings of an appeal or variance, came



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on for consideration. Alderwoman Liley introduced Bill No. 23-59, being for an ordinance entitled as follows:

**AN ORDINANCE AMENDING CHAPTER 65 OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO THE REQUIRED NOTICE FOR PUBLIC HEARING OF AN APPEAL OR VARIANCE; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

On a motion made by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 23-59 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 23-59 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 23-58 and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderwoman Young-aye; Alderman Hitt-aye; Alderman Seabaugh-aye; Alderman Sander-aye; Alderman Reiminger-aye; Alderman Baker-aye; Alderwoman Liley-aye; and Alderwoman Williams-aye.

**BILL NO. 23-59**

**ORDINANCE NO. 23-58**

**AN ORDINANCE AMENDING CHAPTER 65 OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO THE REQUIRED NOTICE FOR PUBLIC HEARING OF AN APPEAL OR VARIANCE; 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 65, Article I, Section 65-28, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

**“Sec. 65-28. - Zoning board of adjustment.**

\*\*\*

- (b) The zoning board of adjustment shall adopt rules for the conduct of its business, establish a quorum and procedures, and keep a public record of all findings, decisions, and minutes of its meetings. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine, and all meetings shall be open to the public. ~~Any meeting at which an appeal is to be heard shall be a public meeting with public notice of said meeting and business to be carried on published in a newspaper of general circulation in the city at least one (1) time, seven (7) days prior to the meeting, as well as due notice to the parties in interest. Upon the hearing any party may appear in person or by agent or attorney. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses.”~~

\*\*\*

- (e) The zoning board of adjustment shall have the following powers:

\*\*\*

- (6) A hearing requesting an appeal or variance shall be a public hearing at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days' notice of the time and place of



**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**  
**Monday, July 17, 2023 at 6:00 PM**  
**Board Chambers, City Hall, 101 Court St.**

**MINUTES**

such hearing shall be published in an official paper of general circulation in the city. Written notice of the public hearing shall be provided to all property owners and residents within one hundred eighty-five (185) feet of the subject property exclusive of streets and alleys."

**NOTE TO CODIFIER: Please note in Chapter 65, Article I, Section 65-28, Subpart (b) has been modified; Subpart (e)(6) has been added; and the original Subpart (e)(6) should now be Subpart (e)(7).**

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.

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

FIRST READING: July 17, 2023.

SECOND READING: July 17, 2023.

PASSED AND APPROVED this 17th day of July, 2023, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
City Clerk

Motion to Adjourn the Meeting )

Meeting concluded at 6:28 P.M., on a motion by Alderman Baker, seconded by Alderwoman Liley, to adjourn the meeting. Ayes-8; Nays-0; Absent-0.



**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**  
**Monday, July 17, 2023 at 6:00 PM**  
**Board Chambers, City Hall, 101 Court St.**

---

**MINUTES**

**ATTEST:**

\_\_\_\_\_  
**Mayor Pro Tem**

\_\_\_\_\_  
**City Clerk**



# City of Jackson

**TO: Mayor and Board of Aldermen, City Administrator, Assistant City Administrator, and City Attorney**

**FROM: Liza Walker, City Clerk/Treasurer**

**DATE: July 20, 2023**

**SUBJECT: Motion for the Disposal of Records**

**MOTION FOR AGENDA ON AUGUST 7, 2023:**

Motion to record in the minutes, the disposal of City records which have met their retention life and destroyed in compliance with the guidelines according to the Missouri Secretary of State's Record Retention Schedule, under RSMo 109.230(4). The following records were disposed of by bulk shredding on July 19, 2023, by The Shred Truck:

## RECORD DESCRIPTION:

## INCLUSIVE DATE

Accounts Payable Check Copies	2017-2019
Accounts Payable Invoices	2017-2019
Accounts Payable Reports	2017-2019
Accounts Receivable Paid Invoices	2017-2019
Accounts Receivable Records – Library (closed)	1961-1969
Asphalt Maintenance Program	1984-1989 & 2002-2006
Bank Deposit Tickets	2017-2019
Bank Statements & Records	2017-2019
Bank Depository Agreements & Securities Pledged	2017-2019
Building Plans	2017
Business Licenses	2017-2020
Check Deposit Register	2017-2019
City Treasurer's Monthly Reports	2017-2019
Collector's Batch Lists	2017-2019
Collector's Daily Reconciliation Postings & Reports	2017-2019
Credit Card Receipts	2017-2019

Drainage Complaints	2005
EEOC Report	1981
Female Employee Report	2017
Fuel Tickets, Transfer and Work Tickets	2017
G/L Posting Journal	2017-2019
General Correspondence – Library (closed)	1961-1975
Invoices-Misc.	2017-2019
Inventory Sheets	2017-2019
Investment Allocation Worksheets	2017-2019
Joint Sealing	2000-2002
MIRMA Files	2017
Missouri One Call Locates	2013-2017
Missouri Taxes Received	2017
MODES & Reports for CFS & Multiple Work Sites	2017
Monthly Journal Entries/Computer Worksheets	2017-2019
Paid Invoices	2017-2019
Park Foundation Summaries	2017-2019
Payroll Deductions and 941s	2017
Payroll Monthly Reports	2017
Payroll Reports, Taxes, Drug Testing, Insurance W/Hs	2017
Payroll-Sick Time, Garnishments, COBRA	2017
Public Information Requests	2017-2019
Public Notice Records	2017-2019
Purchase Orders	2017-2019
Receipts – Building Permits, Park and Franchises	2017-2019
Returned Checks	2019-2021
Sales Tax Quarterly Reports	2017-2019
Stormwater Complaints	1997 & 2008-2016
Street Maintenance Projects	2001-2011
Swimming Pool Receipts	2017-2019
Utility Applications	2017-2019
Utility Bill Postal Statements	2017-2019
Utility Bill Stubs	2017-2020
Utility Work Orders	2017-2019
W-2s & W-3s and 1095Cs & 1094Cs	2017
Water Sold	2017-2019
Williams Creek Water Crossing Repair	2009
Workmen's Compensation	2017
W & L Deposit Account - Refunds	2017-2019

# MEMO



**TO:** Mayor Hahs and Members of the Board of Aldermen

**FROM:** Janet Sanders, Director of Public Works

**DATE:** August 3, 2023

**SUBJECT:** Precise Target Locating – Contract for Utility Locates

The City has been in a contract since 2020 with Precise Target Locating, LLC to perform our Missouri One Call utility locates and has had good performance from this contractor. This contract allows renewal up to five years with an opportunity for an annual price increased based on the year's CPI up to 5% per year. Below are the increases to date. The contractor would like to renew and is asking for a \$1 per ticket increase for the 23-24 contract year.

Year	Ticket Price - Locates	Ticket Price – Clear Tickets	Price Increase	Percent Increase Per Locate
2020	\$35.00	\$20.00	n/a	n/a
2021	\$35.00	\$20.00	\$0.00	0%
2022	\$36.00	\$20.00	\$1.00	2.9%
2023	\$37.00	\$20.00	\$1.00	2.7%

No increases have been requested for additional charges allowed by the contract. Additional charges included are \$45.00 for emergency after-hours locates, an extended footage fee of \$0.25 per lineal foot outside of the 200-foot normal locate radius, and a \$30.00 charge for site surveillance if requested by the owner.

If the Board is agreeable to this renewal with the \$1 per ticket increase, a motion to approve the contract extension is needed and they will be notified by letter signed by Mayor Hahs.



# City of Jackson

August 8, 2023

Shannon Garrett  
Precise Target Locating, LLC.  
P.O. Box 2174  
Cape Girardeau, MO 63702

**Subject:       Contract Extension**  
**Underground Facilities Locating and Marking Services**

Per Contract Part VI, Supplementary Conditions, paragraph 8.1.B, the City of Jackson hereby renews your contract to end on June 30, 2023.

Per your request on July 17, 2023, Precise Target Locating wishes to exercise their option per contract paragraph VI.8.2.A to increase the price of each locate ticket by the amount of \$1.00, or 2.7% to \$37.00. The City hereby agrees to this increase during the coming contract period.

If you have any questions or comments, please contact Janet Sanders, Director of Public Works 573-243-2300 x 2031 or [jsanders@jacksonmo.org](mailto:jsanders@jacksonmo.org).

\_\_\_\_\_  
Mayor Dwain Hahs

\_\_\_\_\_  
Date

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 41, ARTICLE III, DIVISION 2, SUBDIVISION II, SECTIONS 41-371, 41-373 AND 41-375, OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO WATER METERS, TAPS AND FEES; 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 41, Article III, Division 2, Subdivision II, Section 41-371, of the Code of Ordinances of the City of Jackson, Missouri, is hereby **amended** to read as follows:

**“Sec. 41-373. Meters required.**

Water shall not be supplied unless a meter system is purchased from and installed by the city. Water service pipe shall meet city specifications.”

Section 2. That Chapter 41, Article III, Division 2, Subdivision II, Section 41-373, of the Code of Ordinances of the City of Jackson, Missouri, is hereby **amended** to read as follows:

**“Sec. 41-373. Water taps; application therefor; procedure; charges.**

- (a) Applications for water taps shall be filed with the public works office.
- (b) Fees for water taps, directional boring, street cuts, and street repairs, shall be paid to the city in accordance with a fee schedule on file with the city clerk’s office.”

Section 3. That Chapter 41, Article III, Division 2, Subdivision II, Section 41-375, of the Code of Ordinances of the City of Jackson, Missouri, is hereby **deleted**.

**NOTE TO CODIFIER: Please note that Section 41-375 has been deleted and that the remaining sections that follow will be renumbered.**

Section 4. 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 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 6. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: \_\_\_\_\_.

SECOND READING: \_\_\_\_\_.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by a vote of \_\_\_\_\_ ayes, \_\_\_\_\_ nays, \_\_\_\_\_ abstentions and \_\_\_\_\_ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

BY: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

# MEMO



**TO:** Mayor Hahs and Members of the Board of Aldermen

**FROM:** Janet Sanders, Director of Public Works

**DATE:** August 3, 2023

**SUBJECT:** Water Tap & Meter Fee Schedule

---

In accordance with the ordinance being presented separately for approval, the following tap and meter fee schedule will be placed on file with the City Clerk.

This schedule reduces the meter fee. The previous meter fee included a significantly larger installation cost as part of the meter fee because taps were made and meters set at different times, necessitating two mobilizations and excavations. Meters are now being set when the tap is made, using the same excavation.

As always, if you have questions, please feel free to contact me at 573-243-2300 x 2031 or at [jsanders@jacksonmo.org](mailto:jsanders@jacksonmo.org).



# City of Jackson

## WATER TAP & METER FEE SCHEDULE Effective September 1, 2023

FEE TYPE	PREVIOUS FEE	NEW FEE
Water Meter ¾" - Installed	\$1,100	\$900
Water Meter ¾" – Drop Off (Irrigation)	\$345	\$345
Water Meter 1" - Installed	\$1,600	\$1,400
Water Meter 1" - Drop Off (Irrigation)	\$470	\$470
Water Meter - Over 1"	Estimate & Invoice	Estimate & Invoice
Water Tap ¾" – No Boring	\$600	\$600
Water Tap ¾" – With Boring	\$1,100	\$1,100
Water Tap 1" – No Boring	\$750	\$750
Water Tap 1" – With Boring	\$1,350	\$1,350
Boring over 1"	Estimate & Invoice	Estimate & Invoice

# MEMO



**To:** Mayor and Board of Aldermen  
**From:** Jason Lipe, Parks and Recreation Director  
**Date:** Friday, August 04, 2023  
**Re:** City Parks Fencing Replacement and Repair Project Contract Addendum

---

Due to production delays, it is necessary to extend the contract with Bootheel Fence Co., Inc. to allow time to complete the City Parks Fencing Replacement and Repair Project. Extension of this project is being done through an addendum.

## ADDENDUM TO CONTRACT AGREEMENT

THIS ADDENDUM, effective as of the date on which all parties hereto execute this Addendum, amends and supplements that Contract Agreement by and between **CITY OF JACKSON, MISSOURI** (“City”) and **BOOTHEEL FENCE COMPANY, INC.** (“Contractor”) with the effective date of March 28, 2023 (the “Contract”).

WHEREAS, City and Contractor wish to amend the terms of the completion date under the Contract.

NOW, THEREFORE, for adequate consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the Contract as follows:

**COMPLETION DATE:** The Contractor shall complete all work on or before August 25, 2023, unless otherwise agreed to in writing by both Contractor and City.

**City and Contractor acknowledge that they have read and agreed to the terms and conditions of this Addendum, and they understand it will become legally binding upon signing.**

DATE: \_\_\_\_\_ City of Jackson, Missouri

\_\_\_\_\_  
Dwain Hahs, Mayor

ATTEST:

\_\_\_\_\_  
Liza Walker, City Clerk

DATE: \_\_\_\_\_ Bootheel Fence Co., Inc.

By: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_

# MEMO



**To:** Mayor and Board of Aldermen  
**From:** Jason Lipe, Parks and Recreation Director  
**Date:** Friday, August 04, 2023  
**Re:** Chemical Controller Purchase and Installation Project Addendum

---

Due to product acquisition delays, it is necessary to extend the contract with Capri Pools & Aquatics to allow time to complete the Chemical Controller Purchase and Installation at the City Pool Project. Extension of this project is being done through an addendum. There is no cost associated with this extension.

## ADDENDUM TO CONTRACT AGREEMENT

THIS ADDENDUM, effective as of the date on which all parties hereto execute this Addendum, amends and supplements that Contract Agreement by and between **CITY OF JACKSON, MISSOURI** ("City") and **CAPRI POOLS & AQUATICS** ("Company") with the effective date of May 15, 2023 (the "Contract").

WHEREAS, City and Company wish to amend the terms of the completion date under the Contract.

NOW, THEREFORE, for adequate consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the Contract as follows:

3. The Company shall complete all work for the installation of the chemical controller on or before September 12, 2023, unless otherwise agreed to in writing by both Company and City.

**City and Company acknowledge that they have read and agreed to the terms and conditions of this Addendum, and they understand it will become legally binding upon signing.**

DATE: \_\_\_\_\_

City of Jackson, Missouri

\_\_\_\_\_  
Dwain Hahs, Mayor

ATTEST:

\_\_\_\_\_  
Liza Walker, City Clerk

DATE: \_\_\_\_\_

Capri Pools & Aquatics

By: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_

COO

# MEMO



**To:** Mayor and Board of Aldermen  
**From:** Jason Lipe, Parks and Recreation Director  
**Date:** Friday, August 04, 2023  
**Re:** Chemical Purchase and Chemical Feeder Installation Project Addendum

---

Due to product acquisition delays, it is necessary to extend the contract with Capri Pools & Aquatics to allow time to complete the Purchase of Chemicals and Installation of a Chemical Feeder at the City Pool Project. Extension of this project is being done through an addendum. There is no cost associated with this extension.

## ADDENDUM TO CONTRACT AGREEMENT

THIS ADDENDUM, effective as of the date on which all parties hereto execute this Addendum, amends and supplements that Contract Agreement by and between **CITY OF JACKSON, MISSOURI** ("City") and **CAPRI POOLS & AQUATICS** ("Company") with the effective date of May 15, 2023 (the "Contract").

WHEREAS, City and Company wish to amend the terms of the completion date under the Contract.

NOW, THEREFORE, for adequate consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree to amend the Contract as follows:

3. The Company shall complete all work for the installation of the chemical feeder on or before September 12, 2023, unless otherwise agreed to in writing by both Company and City.

**City and Company acknowledge that they have read and agreed to the terms and conditions of this Addendum, and they understand it will become legally binding upon signing.**

DATE: \_\_\_\_\_

City of Jackson, Missouri

\_\_\_\_\_  
Dwain Hahs, Mayor

ATTEST:

\_\_\_\_\_  
Liza Walker, City Clerk

DATE: \_\_\_\_\_

Capri Pools & Aquatics

By: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_

BILL NO. 23-\_\_

ORDINANCE NO. 23-\_\_

**AN ORDINANCE AMENDING THE "OFFICIAL ZONING DISTRICT MAP" OF THE CITY OF JACKSON, MISSOURI, AS ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI; SAID AMENDMENT IS IN ORDER TO RECLASSIFY A CERTAIN DESCRIBED AREA OF THE CITY OF JACKSON, MISSOURI, FROM CO-1 TO C-2, ALL IN ACCORDANCE WITH THE AUTHORITY GRANTED TO THE BOARD OF ALDERMEN BY VIRTUE OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI.**

WHEREAS, certain tracts of land herein referred to, have heretofore been submitted to the City Planning and Zoning Commission for its consideration the rezoning of certain properties located in the City of Jackson, Missouri, said properties being described as various properties along E. Main Street, Interstate 55, and Old Orchard Road, all located within the city limits as set out in Exhibit A which is attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the City Planning and Zoning Commission has heretofore reported to the Board of Aldermen that it approved the requested zoning change; and,

WHEREAS, the City Planning and Zoning Commission and the Board of Aldermen have heretofore complied with all of the provisions of Chapter 65 of the Code of Ordinances of the City of Jackson, Missouri; and,

WHEREAS, the Board of Aldermen believes it is in the best interest of the citizens of the City of Jackson, Missouri, to rezone the aforesaid area as requested by the applicant.

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

Section 1. That the Zoning Ordinance and the accompanying "Official Zoning District Map" of the City of Jackson, Missouri, are hereby amended insofar as they relate to the property described on Exhibit A which is attached hereto and incorporated herein as if fully set forth; that

said property is hereby rezoned from CO-1 Enhanced Commercial Overlay District to C-2 General Commercial District.

Section 2. That the application for rezoning is attached hereto, marked Exhibit A and incorporated herein as if fully set forth.

Section 3. That the City Clerk of the City of Jackson, Missouri, shall and is hereby directed to amend the "Official Zoning District Map" of the City of Jackson, Missouri, and to certify same and to keep said map on file in the office of the City Clerk and an updated copy shall be placed at City Hall, City of Jackson, Missouri.

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: August 7, 2023.

SECOND READING: August 7, 2023.

PASSED AND APPROVED this 7th day of August, 2023, by a vote of \_\_\_\_\_ ayes, \_\_\_\_\_ nays, \_\_\_\_\_ abstentions and \_\_\_\_\_ absent.

(SEAL)

ATTEST:

\_\_\_\_\_

City Clerk

CITY OF JACKSON, MISSOURI

BY: \_\_\_\_\_

Mayor



# City of Jackson

## CITY OF JACKSON, MISSOURI PLANNING & ZONING COMMISSION REZONING: FINDINGS AND CONCLUSIONS

The Planning & Zoning Commission of Jackson, Missouri, hereby notifies the Board of Aldermen, the applicant, and the public of its action taken on June 14, 2023, at a regular meeting in consideration of the following:

**Request to remove the CO-1 Enhanced Commercial Overlay District zoning from the properties on E Main Street, I-55, Old Orchard Rd, area.**

Applicant: City of Jackson

Filing Date of Application/Fee: 6-5-2023

Submission Date of Application to Commission: 6-14-2023

Public Hearing Date: Waived

In examining this consideration, the following factors were considered and found as noted:

<b>Administrative Staff Findings:</b>		<b>Yes/</b>	<b>No</b>
1.	Application provided all necessary information:	<u>x</u>	<u>      </u>
2.	Generally conforms with City Comprehensive Plan:	<u>x</u>	<u>      </u>
3.	Generally conforms with Major Street Plan:	<u>x</u>	<u>      </u>
<b>Planning &amp; Zoning Commission Findings:</b>		<b>Yes</b>	<b>/No</b>
1.	Creates adverse effects on adjacent property:	<u>      </u>	<u>x</u>
2.	Creates adverse effects on traffic movement or safety:	<u>      </u>	<u>x</u>
3.	Creates adverse effects on fire safety:	<u>      </u>	<u>x</u>
4.	Creates adverse effects on public utilities:	<u>      </u>	<u>x</u>
5.	Creates adverse effects on general health and welfare:	<u>      </u>	<u>x</u>

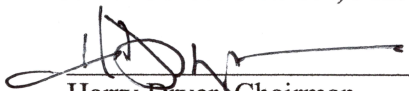
Following consideration of testimony, comments, exhibits, and file contents, the Planning & Zoning Commission duly deliberated the facts pertaining to the proposal and issued the following findings of fact and conclusions:

**THE ABOVE APPLICATION IS:**

☒ **Approved**  
☐ **Disapproved**  
☐ **Approved with conditions specified below**

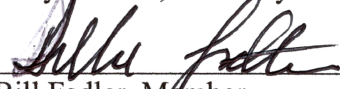
By a roll call of 6 ayes, 0 nays, 0 abstentions, and 0 absent this 14 day of  
 June 14 2023.

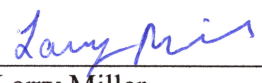
**CITY OF JACKSON, MISSOURI**

  
 Harry Dryer, Chairman

ATTEST:

\_\_\_\_\_  
 Tony Koeller, Secretary

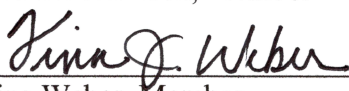
  
 Bill Fadler, Member

  
 Larry Miller,  
 Building & Planning Manager

\_\_\_\_\_  
 Beth Emmendorfer, Member

\_\_\_\_\_  
 Eric Fraley, Member

  
 Heather Harrison, Member

  
 Tina Weber, Member

\_\_\_\_\_  
 Angelia Thomas, Member

  
 Michelle Weber, Member



## REZONING / SPECIAL USE PERMIT APPLICATION

### City of Jackson, Missouri

APPLICATION DATE: 6-5-2023

TYPE OF APPLICATION: ☒ Rezoning ☐ Special Use Permit

PROPERTY ADDRESS (Other description of location if not addressed):

Various properties on E Main Street, I-55, Old Orchard Rd, area.

**CURRENT PROPERTY OWNERS** (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): Various Owners

Mailing Address:

City, State ZIP:

**PROPOSED PROPERTY OWNERS** (if property is to be transferred, name(s) in which property will be deeded):

Proposed Property Owner(s):

Mailing Address:

City, State, ZIP

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: City of Jackson (Larry Miller)

Mailing Address: 101 Court St

City, State ZIP: Jackson, MO 63755

Contact's Phone: 573-243-2300

Email Address (if used): lmillar@jacksonmo.org

**CURRENT ZONING:** (check all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential)               | <input type="checkbox"/> C-1 (Local Commercial)        |
| <input type="checkbox"/> R-2 (Single-Family Residential)               | <input type="checkbox"/> C-2 (General Commercial)      |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential)         | <input type="checkbox"/> C-3 (Central Business)        |
| <input type="checkbox"/> R-4 (General Residential)                     | <input type="checkbox"/> C-4 (Planned Commercial)      |
| <input type="checkbox"/> MH-1 (Mobile Home Park)                       | <input type="checkbox"/> I-1 (Light Industrial)        |
| <input type="checkbox"/> O-1 (Professional Office)                     | <input type="checkbox"/> I-2 (Heavy Industrial)        |
| <input checked="" type="checkbox"/> CO-1 (Enhanced Commercial Overlay) | <input type="checkbox"/> I-3 (Planned Industrial Park) |

**CURRENT USE OF PROPERTY:** \_\_\_\_\_CO-1 Enhanced Commercial Overlay  
\_\_\_\_\_**PROPOSED ZONING:** (check all that apply)

- |                               |                                   |   |                           |
|-------------------------------|-----------------------------------|---|---------------------------|
| <input type="checkbox"/> R-1  | (Single-Family Residential)       | <input type="checkbox"/> C-1            | (Local Commercial)        |
| <input type="checkbox"/> R-2  | (Single-Family Residential)       | <input checked="" type="checkbox"/> C-2 | (General Commercial)      |
| <input type="checkbox"/> R-3  | (One- And Two-Family Residential) | <input type="checkbox"/> C-3            | (Central Business)        |
| <input type="checkbox"/> R-4  | (General Residential)             | <input type="checkbox"/> C-4            | (Planned Commercial)      |
| <input type="checkbox"/> MH-1 | (Mobile Home Park)                | <input type="checkbox"/> I-1            | (Light Industrial)        |
| <input type="checkbox"/> O-1  | (Professional Office)             | <input type="checkbox"/> I-2            | (Heavy Industrial)        |
| <input type="checkbox"/> CO-1 | (Enhanced Commercial Overlay)     | <input type="checkbox"/> I-3            | (Planned Industrial Park) |

**PROPOSED USE OF PROPERTY:** C-2 General Commercial  
\_\_\_\_\_**LEGAL DESCRIPTION OF TRACT** (attach a copy of the deed or other legal description):  
\_\_\_\_\_  
\_\_\_\_\_**REASON FOR REQUEST:** State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Jackson. Attach additional page(s) as needed.

Removing the CO-1 Overlay will get rid of the added restrictions some potential buyers do not like. A few buyers have been interested in some properties in this Overlay District, but once they found out there was an Overlay attached, they weren't interested in moving forward with buying the land.

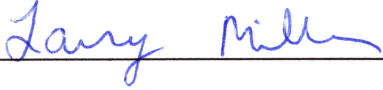
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\_\_\_\_\_  
\_\_\_\_\_

**DRAWINGS (FOR SPECIAL USE PERMITS ONLY):** If one or more buildings or other structures are to be added to the property for a special use permit, attach a scaled plat of the tract(s) showing the location of all buildings. If any buildings are to be less than the standard minimum setbacks, include these distances on the drawing. Any approved special use permit will be based on this building layout. Changes to the layout will require a new special use permit.

**SURROUNDING PROPERTY OWNERS:** A map of the property location and a map and list of all owners of property within 185' of the property in question will be incorporated by the City as part of this application. The 185' distance is exclusive of right-of-ways. The City will prepare this map based on the most current tax information published by the Cape Girardeau County Assessor.

**OWNER SIGNATURES:**

I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*



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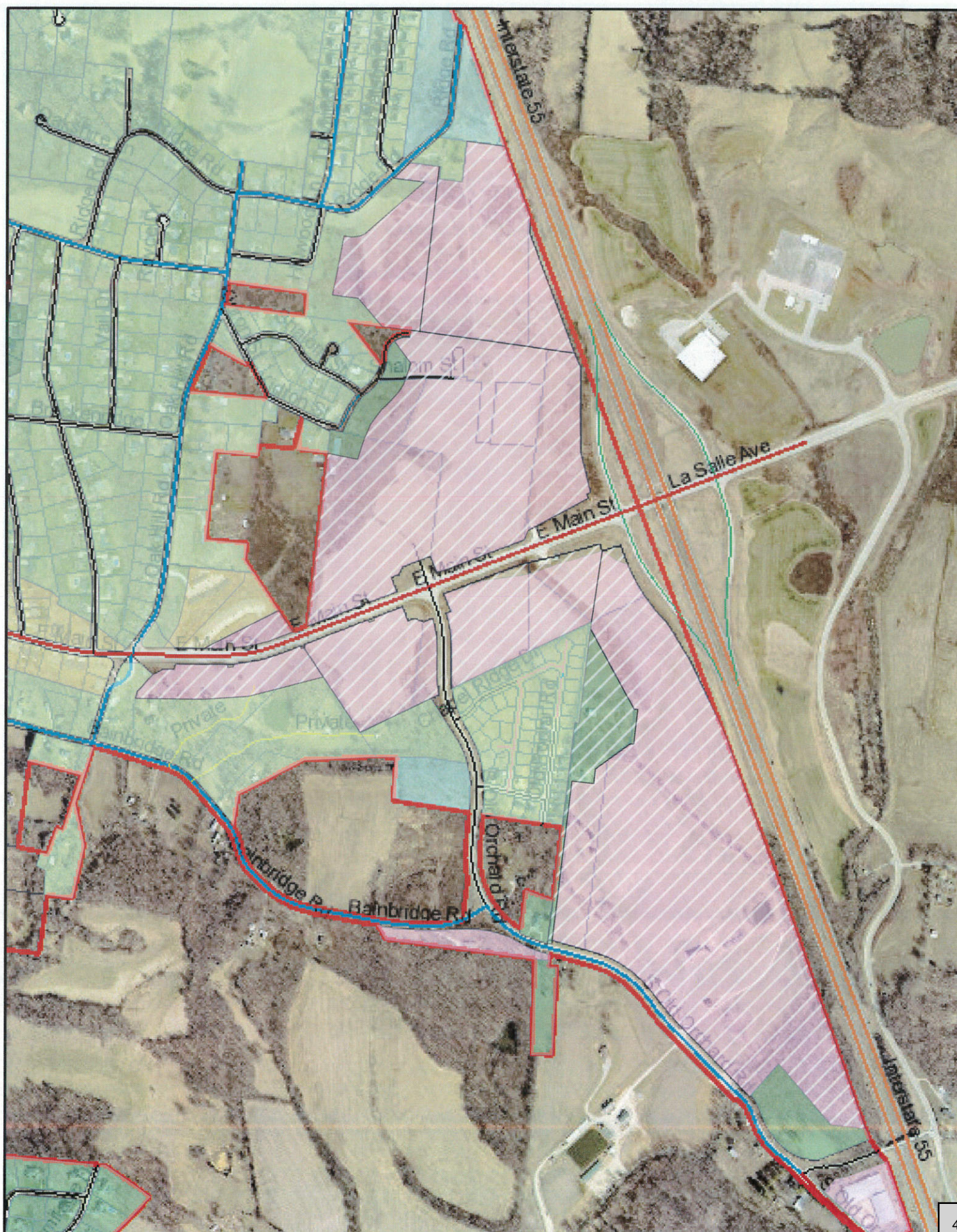
Please submit this application along with appropriate non-refundable application fee to:

Larry Miller  
Building & Planning Manager  
City of Jackson  
101 Court Street  
Jackson, MO 63755

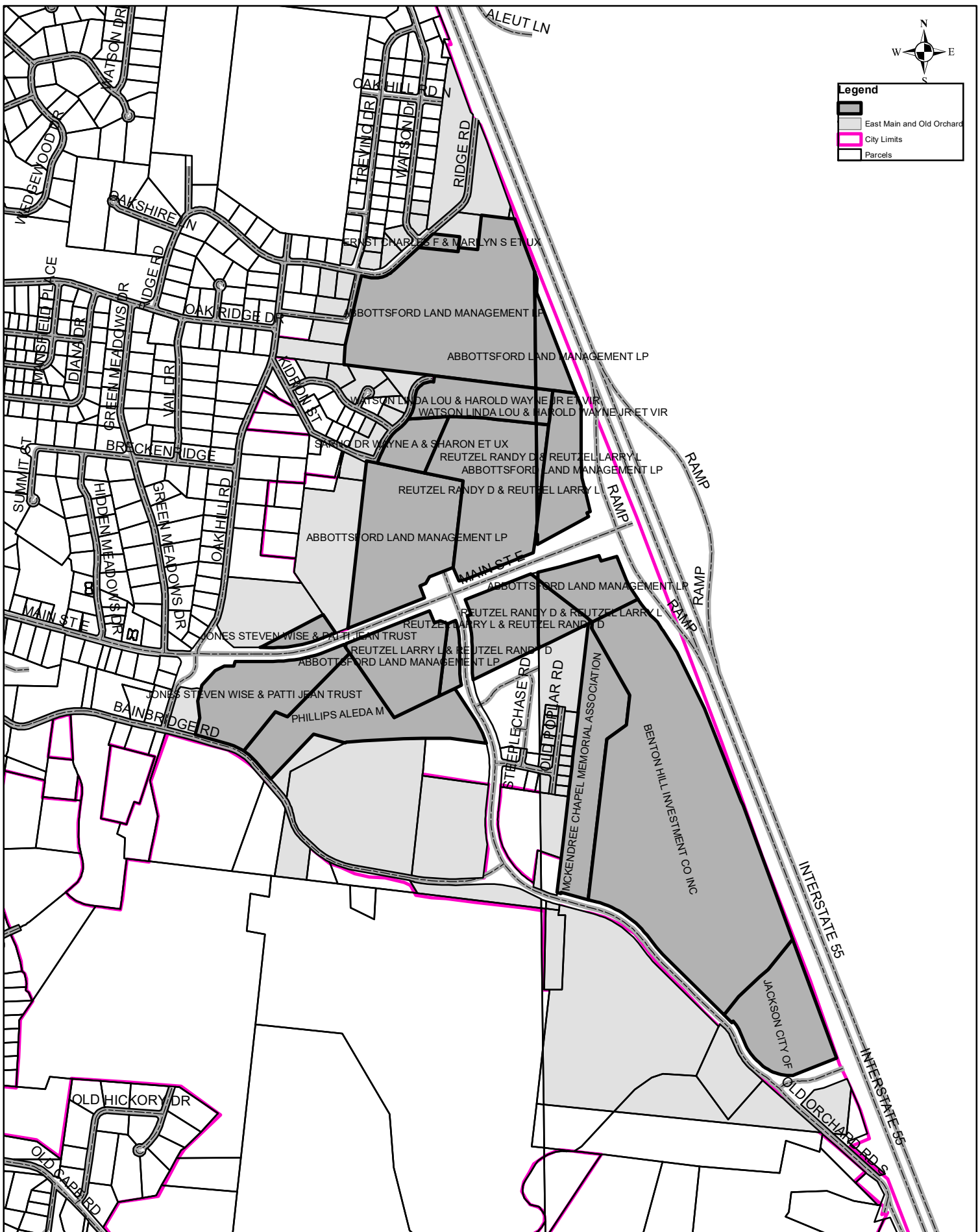
573-243-2300 ext.29 (ph)  
573-243-3322 (fax)  
[lmiller@jacksonmo.org](mailto:lmiller@jacksonmo.org)

**APPLICATION FEE: \$200.00**

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## East Main and Old Orchard Road



PHILLIPS ALEDA M  
3590 MILL VIEW CROSSING  
CAPE GIRARDEAU,MO 63701-0000

REUTZEL LARRY L & REUTZEL RANDY D  
707 MILL POND BLVD  
MARIETTA,GA 30068-0000

ABBOTTSFORD LAND MANAGEMENT LP  
276 S MT AUBURN  
CAPE GIRARDEAU,MO 63703-0000

SARNO DR WAYNE A & SHARON ET UX  
3714 KIDRON  
JACKSON,MO 63755-0000

ERNST CHARLES F & MARILYN S ET UX  
271 CHICKASAW LN  
CAPE GIRARDEAU,MO 63701-0000

ABBOTTSFORD LAND MANAGEMENT LP  
276 S MT AUBURN  
CAPE GIRARDEAU,MO 63703-0000

JACKSON CITY OF  
101 COURT ST  
JACKSON,MO 63755-0000

REUTZEL RANDY D & REUTZEL LARRY L  
707 MILL POND BLVD  
MARIETTA,GA 30068-0000

REUTZEL LARRY L & REUTZEL RANDY D  
707 MILL POND BLVD  
MARIETTA,GA 30068-0000

ABBOTTSFORD LAND MANAGEMENT LP  
276 S MT AUBURN  
CAPE GIRARDEAU,MO 63703-0000

JONES STEVEN WISE & PATTI JEAN TRUST  
3250 BAINBRIDGE  
JACKSON,MO 63755-0000

JONES STEVEN WISE & PATTI JEAN TRUST  
3250 BAINBRIDGE  
JACKSON,MO 63755-0000

ABBOTTSFORD LAND MANAGEMENT LP  
276 S MT AUBURN  
CAPE GIRARDEAU,MO 63703-0000

MCKENDREE CHAPEL MEMORIAL ASSOCIATION  
6 N CLARK ST  
CAPE GIRARDEAU,MO 63701-5102

BENTON HILL INVESTMENT CO INC  
276 S MOUNT AUBURN RD  
CAPE GIRARDEAU,MO 63703-0000

REUTZEL RANDY D & REUTZEL LARRY L  
707 MILL POND BLVD  
MARIETTA,GA 30068-0000

REUTZEL RANDY D & REUTZEL LARRY L  
707 MILL POND BLVD  
MARIETTA,GA 30068-0000

WATSON LINDA LOU & HAROLD WAYNE JR ET VIF  
4002 SHALOM ST  
JACKSON,MO 63755-1656

WATSON LINDA LOU & HAROLD WAYNE JR ET VIR  
1201 CHEROKEE ST  
JACKSON,MO 63755-2709

ABBOTTSFORD LAND MANAGEMENT LP  
276 S MT AUBURN  
CAPE GIRARDEAU,MO 63703-0000

ABBOTTSFORD LAND MANAGEMENT LP  
276 S MT AUBURN  
CAPE GIRARDEAU,MO 63703-0000

## WITHIN 185' OF OVERLAY DISTRICT

KB413 LLC  
PO BOX 290  
JACKSON,MO 63755-0290

BRANDES FAMILY TRUST  
4164 COUNTY RD 306  
JACKSON,MO 63755-0000

DICKERSON MARGRET L TRUST  
3336 COUNTY RD 306  
JACKSON,MO 63755-0000

WELKER TONY W & TONI ET UX  
3426 BAINBRIDGE RD  
JACKSON,MO 63755-0000

PHILLIPS ALEDA M  
3590 MILL VIEW CROSSING  
CAPE GIRARDEAU,MO 63701-0000

REUTZEL LARRY L & REUTZEL RANDY D 707  
MILL POND BLVD  
MARIETTA,GA 30068-0000

GILL FAMILY PROPERTIES LLC  
512 N ONE MILE  
DEXTER,MO 63841-0000

ABBOTTSFORD LAND MANAGEMENT LP 276 S  
MT AUBURN  
CAPE GIRARDEAU,MO 63703-0000

PENDER DOUGLAS G & LOIS JUNE ET UX 3715  
KIDRON  
JACKSON,MO 63755-0000

SANDERS NORMA JEAN & ROGER PAUL E VIR  
3711 SHALOM ST  
JACKSON,MO 63755-0000

SARNO DR WAYNE A & SHARON ET UX 3714  
KIDRON  
JACKSON,MO 63755-0000

BRUNKE TONY & PHYLLIS ET UX  
546 LITTLE PARK LN  
JACKSON,MO 63755-0000

PETERS DAVID C & DEBORAH A ET UX 3706  
SHALOM  
JACKSON,MO 63755-0000

MOORE BRADLY & LAKRISHA ET UX ETAL 616  
SHALOM CIR  
JACKSON,MO 63755-1651

IRELAND CHARLES M & IRELAND ALICE L 3618  
SHALOM  
JACKSON,MO 63755-0000

IRELAND CHARLES & ALICE  
3618 SHALOM  
JACKSON,MO 63755-0000

COZBY GEORGE C & JUDY A ET UX 3608  
SHALOM  
JACKSON,MO 63755-0000

MYERS BENNY R & BRENDA L ET UX 3524  
SHALOM  
JACKSON,MO 63755-0000

PHILIPPS WILLIAM E  
150 N MAURY ST  
HOLLY SPRINGS,MS 38635-2406

BRAZER EDWIN D & VICTORIA S ET UX 3615  
EASTWOOD DR  
JACKSON,MO 63755-0000

EHLERS EMILY K & LYNN D ET VIR  
905 HILLWOOD LN  
JACKSON,MO 63755-0000

BUTLER JAKE & HINSHAW FALIN J ET UX 3613  
RIDGE RD  
JACKSON,MO 63755-1694

CONWAY ALBERT & SUSAN ET UX  
1202 TREVINO DR  
JACKSON,MO 63755-3368

RINGSTAFF BRIDGET M & ROBBY LEE TRUST  
3540 RIDGE RD  
JACKSON,MO 63755-0000

HIGHTOWER TIMOTHY R & SUZANNE E ET  
UX  
1222 TREVINO DR  
JACKSON,MO 63755-0000

LITZ BROTHERS INC 172  
HIDDEN MEADOWS DR  
JACKSON,MO 63755-0000

WILLEY DARREN W & REBECCA L ET UX 2681  
WATSON DR  
JACKSON,MO 63755-0000

ABBOTTSFORD LAND MANAGEMENT LP 276 S  
MT AUBURN  
CAPE GIRARDEAU,MO 63703-0000

WORMINGTON JOSEPH & BROOKE ET UX 1976  
COUNTRY CLUB PLACE  
JACKSON,MO 63755-0000

HURT BOBBI J & RODNEY D ET VIR  
4002 RIDGE RD  
JACKSON,MO 63755-0000

JACKSON CITY OF  
101 COURT ST  
JACKSON,MO 63755-0000

FOLTZ JAMES & TRACI L ET UX  
RR 2 BOX 2230  
SEDGEWICKVILLE,MO 63781-0000

WILLIAMS BROTHERS CONTRACTING LLC 2722  
COUNTY ROAD 318  
CPE GIRARDEAU,MO 63701-9116

WILLIAMS BROTHERS CONTRACTING LLC 2722  
COUNTY ROAD 318  
CPE GIRARDEAU,MO 63701-9116

SARNO WAYNE A & SHARON L ET UX 3714  
KIDRON  
JACKSON,MO 63755-0000

JONES PATTI J TRUST  
3250 BAINBRIDGE RD  
JACKSON,MO 63755-3736

PENDER DOUGLAS G & LOIS JUNE ET UX 3715  
KIDRON  
JACKSON,MO 63755-0000

REUTZEL RANDY D & REUTZEL LARRY L 707  
MILL POND BLVD  
MARIETTA,GA 30068-0000

REUTZEL LARRY L & REUTZEL RANDY D 707  
MILL POND BLVD  
MARIETTA,GA 30068-0000

ABBOTTSFORD LAND MANAGEMENT LP 276 S  
MT AUBURN  
CAPE GIRARDEAU,MO 63703-0000

RODENBERRY DARRELL W & CHERYL A ET  
3104 BAINBRIDGE  
JACKSON, MO 63755

ABBOTTSFORD LAND MANAGEMENT LP 276 S MT  
AUBURN  
CAPE GIRARDEAU, MO 63703-0000

VILLAS OF WEST PARK LLC  
2985 BOUTIN DR  
CPE GIRARDEAU, MO 63701-9180

BENTON HILL INVESTMENT CO INC  
276 S MOUNT AUBURN RD  
CAPE GIRARDEAU, MO 63703-0000

ADAIR BRETT ANDREW & KECIA KRISTINE ET UX  
1221 MANCHESTER DR  
ROCKWALL, TX 75032-7479

PRINCE ALICIA K & ADAMS AMY R  
568 OLD POPLAR RD  
JACKSON, MO 63755-0000

TALLY DANIEL C  
632 OLD POPLAR RD  
JACKSON, MO 63755-0000

WORLEY TRUST  
676 OLD POPLAR RD  
JACKSON, MO 63755-3728

LYNN HAYDEN & WESTRICH BREANNA 503 OLD  
POPLAR RD  
JACKSON, MO 63755-3730

SHIPLEY CRAIG & DONNA TRUST  
545 OLD POPLAR RD  
JACKSON, MO 63755-3730

JONES STEVEN WISE & PATTI JEAN TRUS` 3250  
BAINBRIDGE  
JACKSON, MO 63755-0000

FRIESE KENNETH & MARY TRUST  
3597 STATE HWY KK  
PERRYVILLE, MO 63775-0000

MCKENDREE CHAPEL MEMORIAL ASSOCIATION  
6 N CLARK ST  
CPE GIRARDEAU, MO 63701-5102

WAGGANER CHRISTOPHER L & KERRIE M ET UX  
4019 MCKENDREE CROSSING DR  
JACKSON, MO 63755-8844

MACKE TYLER  
524 OLD POPLAR RD  
JACKSON, MO 63755-3730

MCWATERS SANDRA  
610 OLD POPLAR RD  
JACKSON, MO 63755-0000

BLANKENSHIP RICK & KATHY ET UX  
654 OLD POPLAR RD  
JACKSON, MO 63755-3728

BORST CHARLES E & SANDRA C ET UX 611 OLD  
POPLAR ROAD  
JACKSON, MO 63755-0000

HUFFMAN ROBIN R  
525 OLD POPLAR RD  
JACKSON, MO 63755-3730

WIGGINS WILLIAM E 550  
STEEPLECHASE ROAD  
JACKSON, MO 63755-0000

EDGEELL MICHELLE D  
569 OLD POPLAR RD  
JACKSON,MO 63755-3730

RANEY ROBERT & REBECCA ET UX  
545 STEEPLECHASE  
JACKSON,MO 63755-3731

VILLAS OF WEST PARK LLC  
2985 BOUTIN DR  
CPE GIRARDEAU,MO 63701-9180

W & L ENTERPRISES LLC  
6839 STATE HIGHWAY D  
OAK RIDGE,MO 63769-5253

RUFFIER WILLIAM JR & ASHLEY S  
688 OLD POPLAR RD  
JACKSON,MO 63755-3728

TRICE MARCUS J  
633 OLD POPLAR ROAD  
JACKSON,MO 63755-0000

REUTZEL RANDY D & REUTZEL LARRY L 707 MILL  
POND BLVD  
MARIETTA,GA 30068-0000

REUTZEL RANDY D & REUTZEL LARRY L 707 MILL  
POND BLVD  
MARIETTA,GA 30068-0000

WATSON LINDA LOU & HAROLD WAYNE JR ET VIR  
4002 SHALOM ST  
JACKSON,MO 63755-1656

WATSON LINDA LOU & HAROLD WAYNE JF ET VIR  
1201 CHEROKEE ST  
JACKSON,MO 63755-2709

ABBOTTSFORD LAND MANAGEMENT LP 276 S MT  
AUBURN  
CAPE GIRARDEAU,MO 63703-0000

ABBOTTSFORD LAND MANAGEMENT LP 276 S MT  
AUBURN  
CAPE GIRARDEAU,MO 63703-0000

LAMBERT DONALD & LISA C ET UX  
4027 MCKENDREE CROSSING DR  
JACKSON,MO 63755-8844

LAMBERT DONALD & LISA C ET UX  
4027 MCKENDREE CROSSING DR  
JACKSON,MO 63755-8844

RESSEL TAMMY RENEE & RONALD NATHAN ET VIR  
4020 BAINBRIDGE RD  
JACKSON,MO 63755-3752

RESSEL TAMMY RENEE & RONALD NATHA ET VIR  
4020 BAINBRIDGE RD  
JACKSON,MO 63755-3752

WELKER TIMOTHY S & MICHELLE ET UX 3702  
BAINBRIDGE RD  
JACKSON,MO 63755-3708

JANSEN JERRY & LINDA TRUST  
4236 COUNTY RD 306  
JACKSON,MO 63755-0000

JAHN SUSAN R TRUST  
4012 COUNTY RD 306  
JACKSON,MO 63755-0000

BILL NO. 23-\_\_

ORDINANCE NO. 23-\_\_

**AN ORDINANCE AMENDING THE "OFFICIAL ZONING DISTRICT MAP" OF THE CITY OF JACKSON, MISSOURI, AS ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI; SAID AMENDMENT IS IN ORDER TO RECLASSIFY A CERTAIN DESCRIBED AREA OF THE CITY OF JACKSON, MISSOURI, FROM R-4 TO C-2, ALL IN ACCORDANCE WITH THE AUTHORITY GRANTED TO THE BOARD OF ALDERMEN BY VIRTUE OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI.**

WHEREAS, The William J. Penrod Revocable Living Trust Agreement of May 21,1997, owner of a certain tract of land herein referred to, has heretofore submitted to the City Planning and Zoning Commission for its consideration the rezoning of certain territories located in the City of Jackson, Missouri, said properties being described as all of 1331, 1333, 1339, 1341 and 1347 East Main Street; and 121, 123, 125 and 127 South Shawnee Boulevard within the city limits as set out in Exhibit A which is attached hereto and incorporated herein as if fully set forth; and,

WHEREAS, the City Planning and Zoning Commission has heretofore reported to the Board of Aldermen that it denied the requested zoning change; and,

WHEREAS, the City Planning and Zoning Commission and the Board of Aldermen have heretofore complied with all of the provisions of Chapter 65 of the Code of Ordinances of the City of Jackson, Missouri; and,

WHEREAS, the Board of Aldermen believes it is in the best interest of the citizens of the City of Jackson, Missouri, to rezone the aforesaid area as requested by the applicant.

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

Section 1. That the Zoning Ordinance and the accompanying "Official Zoning District Map" of the City of Jackson, Missouri, are hereby amended insofar as they relate to the property described on Exhibit A which is attached hereto and incorporated herein as if fully set forth; that

said property is hereby rezoned from R-4 General Residential District to C-2 General Commercial District.

Section 2. That the application for rezoning as submitted by the owner is attached hereto, marked Exhibit A and incorporated herein as if fully set forth.

Section 3. That the City Clerk of the City of Jackson, Missouri, shall and is hereby directed to amend the "Official Zoning District Map" of the City of Jackson, Missouri, and to certify same and to keep said map on file in the office of the City Clerk and an updated copy shall be placed at City Hall, City of Jackson, Missouri.

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: August 7, 2023.

SECOND READING: August 7, 2023.

PASSED AND APPROVED this 7th day of August, 2023, by a vote of \_\_\_\_\_ ayes,  
\_\_\_\_\_ nays, \_\_\_\_\_ abstentions and \_\_\_\_\_ absent.

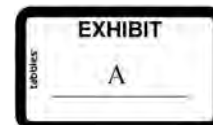
CITY OF JACKSON, MISSOURI

(SEAL)

BY: \_\_\_\_\_  
Mayor

ATTEST:

City Clerk



# City of Jackson

## CITY OF JACKSON, MISSOURI PLANNING & ZONING COMMISSION REZONING: FINDINGS AND CONCLUSIONS

The Planning & Zoning Commission of Jackson, Missouri, hereby notifies the Board of Aldermen, the applicant, and the public of its action taken on July 12, 2023, at a regular meeting in consideration of the following:

**Consider a request for rezoning the southwest corner of E Main Street and S Shawnee Boulevard (county parcel number 15-113-00-16-001.00-0000). Currently known as the Penrod William J Trust, from an R-4 General Residential District to a C-2 General Commercial District as submitted by William J. Penrod Sr.**

Applicant: William J. Penrod Sr.

Filing Date of Application/Fee: April 24, 2023

Submission Date of Application to Commission: June 14, 2023

Public Hearing Date: July 12, 2023

In examining this consideration, the following factors were considered and found as noted:

<b>Administrative Staff Findings:</b>		<b>Yes/</b>	<b>No</b>
1.	Application provided all necessary information:	<u>X</u>	<u>      </u>
2.	Generally conforms with City Comprehensive Plan:	<u>X</u>	<u>      </u>
3.	Generally conforms with Major Street Plan:	<u>X</u>	<u>      </u>
<b>Planning &amp; Zoning Commission Findings:</b>		<b>Yes</b>	<b>/No</b>
1.	Creates adverse effects on adjacent property:	<u>X</u>	<u>      </u>
2.	Creates adverse effects on traffic movement or safety:	<u>X</u>	<u>      </u>
3.	Creates adverse effects on fire safety:	<u>      </u>	<u>X</u>
4.	Creates adverse effects on public utilities:	<u>      </u>	<u>X</u>
5.	Creates adverse effects on general health and welfare:	<u>      </u>	<u>X</u>

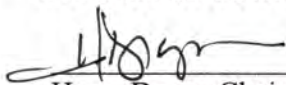
Following consideration of testimony, comments, exhibits, and file contents, the Planning & Zoning Commission duly deliberated the facts pertaining to the proposal and issued the following findings of fact and conclusions:

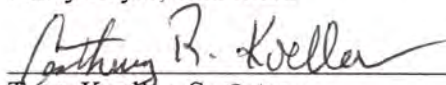
**THE ABOVE APPLICATION IS:**

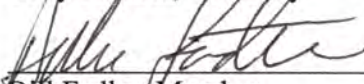
☐ **Approved**  
☒ **Disapproved**  
☐ **Approved with conditions specified below**

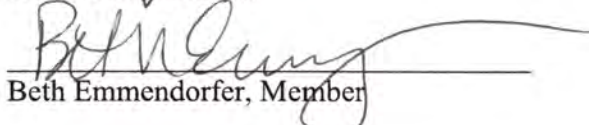
By a roll call of \_\_\_ ayes, 7 nays, \_\_\_ abstentions, and 2 absent this 12th day of  
 July        2023.

**CITY OF JACKSON, MISSOURI**

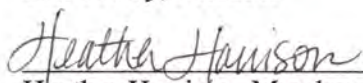
  
 Harry Dryer, Chairman

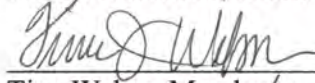
  
 Tony Koehler, Secretary

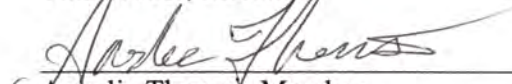
  
 Bill Fadler, Member

  
 Beth Emmendorfer, Member

\_\_\_\_\_  
 Eric Fraley, Member

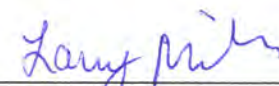
  
 Heather Harrison, Member

  
 Tina Weber, Member

  
 Angelia Thomas, Member

\_\_\_\_\_  
 Michelle Weber, Member

ATTEST:

  
 Larry Miller,  
 Building & Planning Manager



## REZONING / SPECIAL USE PERMIT APPLICATION

### City of Jackson, Missouri

APPLICATION DATE: 4-24-2023

TYPE OF APPLICATION: ✓ Rezoning        Special Use Permit

PROPERTY ADDRESS (Other description of location if not addressed):

Corner of East Main & Shawnee

**CURRENT PROPERTY OWNERS** (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): William J Penrod-Sr

Mailing Address: 707 County Rd 533

City, State ZIP: Jackson Mo, 63755

**PROPOSED PROPERTY OWNERS** (if property is to be transferred, name(s) in which property will be deeded):

Proposed Property Owner(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, ZIP \_\_\_\_\_

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State ZIP \_\_\_\_\_

Contact's Phone: \_\_\_\_\_

Email Address (if used): \_\_\_\_\_

**CURRENT ZONING:** (check all that apply)

☐ R-1 (Single-Family Residential)

☐ R-2 (Single-Family Residential)

☐ R-3 (One- And Two-Family Residential)

☒ R-4 (General Residential)

☐ MH-1 (Mobile Home Park)

☐ O-1 (Professional Office)

☐ CO-1 (Enhanced Commercial Overlay)

☐ C-1 (Local Commercial)

☐ C-2 (General Commercial)

☐ C-3 (Central Business)

☐ C-3 (Central Business)

☐ C-4 (Planned Commercial)

☐ I-1 (Light Industrial)

☐ I-2 (Heavy Industrial)

☐ I-3 (Planned Industrial Park)

CURRENT USE OF PROPERTY:

Rental

PROPOSED ZONING: (check all that apply)

- |      |                                   |            |                           |
|------|-----------------------------------|------------|---------------------------|
| R-1  | (Single-Family Residential)       | C-1        | (Local Commercial)        |
| R-2  | (Single-Family Residential)       | <u>C-2</u> | (General Commercial)      |
| R-3  | (One- And Two-Family Residential) | C-3        | (Central Business)        |
| R-4  | (General Residential)             | C-3        | (Central Business)        |
| MH-1 | (Mobile Home Park)                | C-4        | (Planned Commercial)      |
| O-1  | (Professional Office)             | I-1        | (Light Industrial)        |
| CO-1 | (Enhanced Commercial Overlay)     | I-2        | (Heavy Industrial)        |
|      |                                   | I-3        | (Planned Industrial Park) |

PROPOSED USE OF PROPERTY:

For people to have offices.

LEGAL DESCRIPTION OF TRACT (attach a copy of the deed or other legal description):

**REASON FOR REQUEST:** State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Jackson. Attach additional page(s) as needed.

~~For people to have offices.~~To give the people communitie a reasonable price. for comereceal property.

**DRAWINGS (FOR SPECIAL USE PERMITS ONLY):** If one or more buildings or other structures are to be added to the property for a special use permit, attach a scaled plat of the tract(s) showing the location of all buildings. If any buildings are to be less than the standard minimum setbacks, include these distances on the drawing. Any approved special use permit will be based on this building layout. Changes to the layout will require a new special use permit.

**SURROUNDING PROPERTY OWNERS:** A map of the property location and a map and list of all owners of property within 185' of the property in question will be incorporated by the City as part of this application. The 185' distance is exclusive of right-of-ways. The City will prepare this map based on the most current tax information published by the Cape Girardeau County Assessor.

**OWNER SIGNATURES:**

I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*

*William J. Penrod - Sr*

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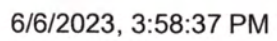
Please submit this application along with the appropriate non-refundable application fee to:

Larry Miller  
Building & Planning Superintendent  
City of Jackson  
101 Court Street  
Jackson, MO 63755

573-243-2300 ext.29 (ph)  
573-243-3322 (fax)  
[lmiller@jacksonmo.org](mailto:lmiller@jacksonmo.org)

**APPLICATION FEE: \$200.00**

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# East Main and South Shawnee Blvd

Item 16.



GENERAL WARRANTY DEED

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006418

THIS INDENTURE, Made on the 21<sup>st</sup> day of May  
A.D. One Thousand Nine Hundred and Ninety-Seven (1997) by  
and between **WILLIAM J. PENROD**, a single person, of the  
County of Cape Girardeau, in the State of Missouri, Party of  
the First Part, and **WILLIAM J. PENROD**, Trustee of The  
**William J. Penrod Revocable Living Trust Agreement of May**  
**21, 1997**, of the County of Cape Girardeau, in the State of  
Missouri, Party of the Second Part (mailing address of said  
first named grantee is 307 County Road 533, Jackson,  
Missouri 63755).

WITNESSETH, That the said party of the First Part, in  
consideration of the sum of Ten dollars and other good and  
valuable consideration to him paid by the said party of the  
Second Part, the receipt of which is hereby acknowledged,  
does by these presents, Grant, Bargain and Sell, Convey and  
Confirm, unto the said party of the Second Part, his  
successors and assigns, the following described Lots, Tracts  
or Parcels of Land, lying, being and situate in the County  
of Cape Girardeau and State of Missouri, to-wit:

All 42.24 acres, being all of the Northwest Quarter of  
the Southeast Quarter of Section 7, Township 32 North, Range  
13 East, excepting therefrom 1.84 acres contained in the  
Right of Way of the Cape Girardeau and northern Railroad.  
Also 27.00 acres the Northwest part of the Southwest Quarter  
of the Southeast Quarter of said Section 7, described by  
metes and bounds as follows, to wit: Beginning at the legal  
center of said Section 7, Township 32 North of Range 13 East  
thence run South 1/4° East 38 chains and 92 1/2 links to a  
stone corner, thence North 68° East, 20 chains to a corner  
on the West line of said Railroad right of way; thence with  
said right of way North 24° West 5.60 chains; thence North  
3° West 5.54 chains to the intersection of the West line of  
said Railroad right of way with the North line of the  
Southwest Quarter of the Southeast Quarter of said Section  
7; thence East 5.00 chains to the Northeast corner of the  
Southwest Quarter of the Southeast Quarter of said Section  
7; thence North 1/4° West 20 chains and 55 links to the  
Northeast corner of the Northwest Quarter of the Southeast  
Quarter of said Section 7, from which the quarter section  
corner on the East side of said Section 7 bears South 89  
1/4° East 20.62 chains; thence North 89 1/4° West 20 chains  
and 62 links to the beginning, containing in the aggregate  
67.40 acres.

It is the intention of this description to be those  
premises previously conveyed at Book 266, page 459 of the  
Land Records of Cape Girardeau County, Missouri.

ALSO,

The North 40.41 acres of the East 65.62 acres of the  
Southwest Quarter of Section Seven (7), Township Thirty-two  
(32) North, Range Thirteen (13) East.

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This being the same land described in deed recorded in Book 175 at Page 275 of Cape Girardeau County Land Records.

It is the intention of this description to be those premises previously conveyed at Book 260, page 20 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

Lot Number One of the North West quarter of Section Eighteen, in Township Thirty-two North, of Range Thirteen East, in the District of Lands subject to sale at Jackson, Missouri, containing Eighty acres.

ALSO: The West fractional half of the North west quarter of Section Eighteen in Township Thirty two of Range Thirteen East containing fifty five acres, more or less, except the West Half thereof.

Also, all of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 7, Township 32 North, Range 13 East, except that part owned by William J. Penrod.

Except any part of all of the above real estate sold for Interstate 55.

It is the intention of this description to be those premises previously conveyed at Book 286, page 733 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

The West thirty six and six tenths (36.6) feet of Lot Seventy nine in Range "P" Ingram's Addition to the City of Cape Girardeau, Missouri. Also known as Lot One of said Lot Seventy nine.

It is the intention of this description to be those premises previously conveyed at Book 336, page 425 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

An undivided one-half ( $\frac{1}{2}$ ) interest in all Subdivision No. two Lot Seventy nine (79) Range "P" Ingram's Addition to the City of Cape Girardeau, being thirty six and six tenths (36.6) feet on Olive Street by a depth of one hundred and seventy (170) feet.

It is the intention of this description to be those premises previously conveyed at Book 336, page 429 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

An undivided one-half ( $\frac{1}{2}$ ) interest in all Subdivision No. two Lot Seventy nine (79) Range "P" Ingram's Addition to the City of Cape Girardeau, being thirty six and six tenths (36.6) feet on Olive Street by a depth of one hundred and seventy (170) feet.

It is the intention of this description to be those premises previously conveyed at Book 336, page 427 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

Subdivisions 3 and 4 of Lot 79 of Range "P" in Ingram's Addition to the City of Cape Girardeau, Missouri, being 73.2' on Olive Street by a depth of 170'

It is the intention of this description to be those premises previously conveyed at Book 336, page 422 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

A tract of land containing 127.59 acres, more or less, of which, 47.40 acres are located in the South Half of the Southwest Quarter and 1.10 acres in the Southwest Quarter of the Southeast Quarter, all in Section 18, and all of the North Half of the Northwest Quarter containing 69.09 acres and 10.00 acres in the Northwest Quarter of the Northeast Quarter of Section 19, all in Township 32 North, Range 13 East described as follows: Begin at the Northwest corner of Section 19, Township 32 North, Range 13 East; thence South along the west line of Section 19, 1338.5 feet to the

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Southwest corner of the North Half of the Northwest Quarter of said Section 19; thence East along the South line of the said North Half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter, 2,927.4 feet to an intersection with the West right of way line for Interstate Highway Route 55; thence along said West right of way line, N. 27° 28' W., 30.0 feet; thence N. 21° 45' W., 200.0 feet; thence N. 16° 02' W., 100.0 feet; thence N. 21° 45' W. 258.0 feet; thence West leaving said right of way line, 357.0 feet; thence North, on a line parallel to and 132 feet East of the North and South Quarter Section line of said Sections 19 and 18, 937.0 feet to an intersection with the west right of way line of said Interstate Highway Route 55; thence along said west right of way line, N. 21° 45' W., 143.0 feet; thence N. 29° 20' W., 151.3 feet; thence N. 21° 45' W., 100.0 feet; thence N. 14° 10' W., 151.3 feet; thence N. 21° 45' W., 400.0 feet; thence N. 61° 45' W., 470.0 feet to an intersection with the South right of way line of Route FF; thence N. 86° 45' W., along said South right of way line, 260.2 feet to the point of a curve to the right; thence along the arc of said curve having a radius of 766.8 feet, 197.8 feet to a point in the North line of the South Half of the Southwest Quarter of Section 18; thence S. 27° 0' W., 222.0 feet; thence S. 67° 0' W., 93.0 feet; thence N. 74° 30' W., 83.0 feet; thence S. 24° 30' W. 223.5 feet; thence N. 85° 0' W., 450.6 feet; thence South, 960.5 feet to a point in the line between Sections 18 and 19; thence West along the Section line 396.0 feet to the point of beginning.

A part of the Northwest Quarter of the Northeast Quarter of Section 19, Township 32 North, Range 13 East, containing 5.56 acres, more or less, and described as follows:

Begin at the Southeast corner of said quarter quarter; thence North along the East line thereof, 566.9 feet; thence West, 527.3 feet to an intersection with the East right of way line of Interstate Highway Route 55; thence S. 21° 45' E., along said right of way line, 437.0 feet; thence S. 17° 30' E., 168.0 feet to an intersection with the south line of said Northwest Quarter of the Northeast Quarter of Section 19; thence East, along said South line 330.5 feet to the point of beginning.

Said parcels hereby conveyed, containing in the aggregate 133.15 acres, more or less, subject to right of way for public roads and easements for pole lines.

It is the intention of this description to be those premises previously conveyed at Book 219, page 209 of the Land Records of Cape Girardeau County, Missouri.

**ALSO,**

All that fractional part of the South Half of Lot No. One Hundred and Fifteen (115) in Range "Q" of Ingrams Addition to the City of Cape Girardeau, bounded as follows: Commencing fifty (50) feet East from the Southwest corner of said Lot No. 115, Range "Q"; thence East with Olive Street 44 feet; thence North parallel with Frederick Street 165-1/8 feet; thence West parallel with Olive Street 44 feet; thence South parallel with Frederick Street 165-1/8 feet to the place of beginning.

It is the intention of this description to be those premises previously conveyed at Book 336, page 342 of the Land Records of Cape Girardeau County, Missouri.

**ALSO,**

Part of Henderson Lot No. Seven (7) of Out Lot Ten (10) to the City of Cape Girardeau, Missouri, more particularly described as follows, to wit:

Beginning at a point on the south line of Themis Street as the same is now widened, located and condemned, 47 feet and 6 inches West of the West line of Hanover Street, and run West with the present south line of Themis Street 47 feet and 6 inches for a corner; thence South parallel with Hanover Street 149 feet; thence East parallel with Themis

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Street 47 feet and 6 inches for a corner; and thence North parallel with Hanover Street 140 feet to the place of beginning.

All that Part of Henderson Lot No. Seven (7) of Out Lot Ten (10) of the City of Cape Girardeau, Missouri, described as follows: Commence 112 feet East of the southeast corner of the intersection of North Henderson Avenue and Themis Street as now widened and extended; thence run South along the east side of a 12 foot alley 147.8 feet; thence run East 47.5 feet; thence North parallel with Henderson Avenue 148.2 feet to the south line of Themis Street; thence West along the South line of Themis Street 47.5 feet to the place of beginning.

It is the intention of this description to be those premises previously conveyed at Book 354, page 136 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

Part of Lots 29 and 30 in Range "E" in the City of Cape Girardeau, Missouri, described as follows:

Commence at the Northeast corner of Lot 30 and run West along the North line of said Lot 30, 90 feet for a beginning corner; thence continue West along the North line of said Lot 30, 45 feet; thence South through Lots 29 and 30, 224 feet; thence East 45 feet; thence North 224 feet to the place of beginning.

It is the intention of this description to be those premises previously conveyed at Book 364, page 476 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

All that part of the South Half of Lot 115 Range "Q" Ingram's Addition in the City of Cape Girardeau, Missouri, described as follows: Commence at the southwest corner of said Lot 115; thence East along the north line of Olive Street 50 feet; thence North parallel with Frederick Street 165 1/8 feet; thence West parallel with Olive Street 50 feet to Frederick Street; thence South with the east line of Frederick Street 165 1/8 feet to the place of beginning.

It is the intention of this description to be those premises previously conveyed at Book 340, page 659 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

The southeast part of Lot 116 Range "Q" Ingram's Addition to the City of Cape Girardeau, Missouri, described as follows: Begin at the southeast corner of said Lot 116, run North with Frederick Street 175 feet; thence West parallel with Olive Street, 66 feet; thence South parallel with Frederick Street, 175 feet to Olive Street; thence East with the north line of Olive Street 66 feet to the place of beginning.

It is the intention of this description to be those premises previously conveyed at Book 340, page 661 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

All of Lots Nineteen (19) and Twenty (20) and the North Seven (7) feet of Lot Nine (9) all in Block Three (3) of Albert Place Addition to the city of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 3 at Page 17.

It is the intention of this description to be those premises previously conveyed at Book 387, page 289 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

A parcel of land being a part of Lot 8, Block 3 of Albert Place Addition to the City and County of Cape Girardeau, Missouri, described as follows:

Begin at the Southwest corner of said Lot 8, Block 3; thence northerly along the East Right-of-Way Line of Hanover

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Street, 3.0 feet; thence easterly parallel with the South Line of said Lot 8, 25.0 feet; thence southerly parallel with the East Right-of-Way Line of said Hanover Street, 3.0 feet to the South Line of said Lot 8; thence westerly along said South Line, 25.0 feet to the Point of Beginning.

It is the intention of this description to be those premises previously conveyed at Book 420, page 916 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

All of Lots Eleven (11) and Twelve (12) in Block Six (6) of Marble City Heights Addition to the City of Cape Girardeau, Missouri.

It is the intention of this description to be those premises previously conveyed at Book 416, page 674 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

A PARCEL OF LAND BEING A PART OF LOT 24, RANGE "H" IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI DESCRIBED AS FOLLOWS:

Begin at the NW corner of said Lot 24; thence easterly along the South Line of Good Hope Street, 80.0 feet; thence southerly parallel with the East Line of Lorimier Street, 75.1 feet; thence westerly parallel with the South Line of Good Hope Street, 80.0 feet to the East Line of Lorimier Street; thence northerly along said East Line, 75.1 feet to the Point of Beginning.

It is the intention of this description to be those premises previously conveyed at Book 422, page 744 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

All of Lot Six (6) in Block One (1) in Russell and Whitener's Addition to the City of Cape Girardeau, Missouri.

It is the intention of this description to be those premises previously conveyed at Book 458, page 824 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

All of Lot 64 of Greenwood Second Subdivision, a part of U. S. Private Survey No. 2198, and Part of Fractional Section 25, Township 31 North, Range 13 East, City and County of Cape Girardeau, State of Missouri, as shown by plat recorded in Plat Book 13 at Page 21.

It is the intention of this description to be those premises previously conveyed at Book 487, page 134 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

All of that part of Lot One Hundred Fifteen (115) in Range "Q" of Ingram's Addition in the City of Cape Girardeau, Missouri, described as follows:

Begin at a point on the north line of said Lot No. 115 in Range "Q", 168 feet from the northwest corner of said Lot; thence run East 48 feet; thence South 84 feet; thence West 48 feet; thence North 84 feet to the point of beginning.

It is the intention of this description to be those premises previously conveyed at Book 498, page 368 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

All that part of lot 54, in Range O, in the City of Cape Girardeau, County of Cape Girardeau and State of Missouri, described as follows:

Start at a point one hundred forty-six feet west of the northeast corner of said lot and measure south eighty-five feet; thence west thirty-seven feet to the east line of the alley on the west side of said lot; thence north eighty-five feet to Mason St.; thence east to the point of beginning, the same being a little less than the west one third of the

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parcel of ground described in Warranty Deed recorded in Book 68, Page 446 in the County Recorder's Office at Jackson, Missouri.

It is the intention of this description to be those premises previously conveyed at Book 412, page 215 of the Land Records of Cape Girardeau County, Missouri.

**ALSO,**

All of the North Twenty-three (23) feet of Lot No. Ten (10) and all of the South Twenty-seven (27) feet of Lot No. Nine (9), all in Block No. Three (3) of Albert Place, in the City of Cape Girardeau, Missouri, as said Lots are laid down and designated on the Official Plat of Albert Place of record in the Recorder's Office at Jackson, Missouri, in Plat Book 3 at Page 17. The portions of said Lots hereby conveyed are particularly described as follows: Begin at a point on the East line of Hanover Street, said point being 151 feet North of the Southwest corner of Lot No. 14, Block 3, Albert Place, and 11 feet North of the Southwest corner of Lot No. 10, Block 3, Albert Place; thence North, along the East line of Hanover Street, 50 feet; thence East, parallel to the North line of Lot No. 9, Block No. 3, Albert Place, 72.25 feet to the East line of Lot No. 9, Block No. 3, Albert Place; thence South, along the East line of Lots Nos. 9 and 10, Block No. 3, Albert Place, 50 feet; thence West parallel to the South line of Lot No. 10, Block No. 3, Albert Place, 72.4 feet to the point of beginning.

It is the intention of this description to be those premises previously conveyed at Book 379, page 492 of the Land Records of Cape Girardeau County, Missouri.

**ALSO,**

Part of Lot No. 29 in Range "E" in the City of Cape Girardeau and State of Missouri, described as follows: to-wit: Beginning at the Southeast corner of said Lot No. 29 in Range "E" in said City, and run West with the South line of said Lot 90 feet; thence North parallel with Frederick Street 65 feet; thence East at right angles to said last line 45 feet; thence North parallel with Frederick Street 24 feet; thence East parallel with the South line of said Lot 29, 45 feet to Frederick Street; and thence South along the West line of Frederick Street 89 feet to the place of beginning.

It is the intention of this deed to convey those premises recorded at Book 279, page 27 of the Land Records of Cape Girardeau County, Missouri.

It is the intention of this description to be those premises previously conveyed at Book 402, page 386 of the Land Records of Cape Girardeau County, Missouri.

**ALSO,**

Part of the West Half of Block Twenty-six (26) adjoining the West End Place Second Addition to the City of Cape Girardeau, Missouri, described as follows:

Commence at the intersection of the west line of Louisiana Avenue and the South line of Good Hope Street extended; thence West along the south line of Good Hope Street extended 345 feet for a point of beginning; thence West along the south line of Good Hope Street extended 60 feet to a point in the center of that portion of Missouri Avenue as vacated by City Ordinance; thence South parallel to Louisiana Avenue 150 feet; thence East parallel to the south line of Good Hope Street extended 60 feet; thence North parallel to Louisiana Avenue 150 feet to the point of beginning; situated and being a parcel of Out Lot 42 of Survey 2199. Subject to easements of record.

It is the intention of this description to be those premises previously conveyed at Book 451, page 338 of the Land Records of Cape Girardeau County, Missouri.

**ALSO,**

All of the East Half of the West Half of Lot No. Twenty

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Five (25) in Range "H", in the City of Cape Girardeau described; Beginning Forty five (45) feet east of the North West corner of Lot Twenty Five (25); thence run East parallel with Good Hope Street Forty Five (45) feet; thence South parallel with Lorimier Street 112 feet; thence West parallel with Good Hope Street Forty five (45) feet; thence North parallel with Lorimier Street 112 feet to the place of beginning.

It is the intention of this description to be those premises previously conveyed at Book 458, page 822 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

All that part of Lots Four (4) and Five (5) in Block Four (4) of Monticello Addition, in the City of Cape Girardeau, Missouri, described as follows: Begin at the Northwest corner of said Lot 4, thence South  $81^{\circ} 30'$  East, with the north line of said Lot 4, 149.9 feet to a corner, thence South  $8^{\circ} 22'$  West 120 feet to a corner on the South line of said Lot 5; thence North  $81^{\circ} 30'$  West, with the South line of said Lot 5, 117.4 feet to the Southwest corner of said Lot 5; thence North  $6^{\circ} 45'$  West with the west line of Lots 4 and 5 (being east line of West End Boulevard) 124.4 feet to the point of beginning.

It is the intention of this description to convey those premises previously conveyed at Book 339, page 360 of the Land Records of Cape Girardeau County, Missouri.

It is the intention of this description to be those premises previously conveyed at Book 506, page 759 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

That part of U.S.P. Survey No. 797 and that part of Lots 26 and 27 of Tiedemann's Addition to the City of Jackson in Township 31 North, Range 12 East, County of Cape Girardeau, State of Missouri, described as follows:

Commence at the Southwest Corner of said Lot No. 26, the place of beginning; thence North  $8^{\circ} 10'$  East, with the West line of said Lot No. 26, 156.3 feet; thence South  $52^{\circ} 57'$  East, 275.96 feet; thence South  $6^{\circ} 09'$  East, 23.74 feet, to the Southeast Corner of said Lot No. 27; thence North  $81^{\circ} 50'$  West, with the South line of said Lots 27 and 26, a distance of 247.5 feet, to the place of beginning.

It is the intention of this description to be those premises previously conveyed at Book 529, page 808 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

All of the Northwest Quarter of the Northeast Quarter of Section 22, Township 33 North, Range 13 East, containing 40 acres.

Also all of the Southwest Quarter of the Northeast Quarter of Section 22, Township 33 North, Range 13 East, containing 40 acres, and making in the aggregate 80.00 acres, more or less.

It is the intention of this description to be those premises previously conveyed at Book 291, page 711 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

Beginning at a stone at the quarter line of sections 17 and 18, Township 32, Range 13 East, thence east 111.5 feet to center line of a State road, Route 25, This point known as Station 598+15 thence in a southward direction along the center line of road to Station 607+30.6. Thence South  $89\frac{1}{2}$  deg. West 421 feet to point of beginning an iron pin from which the northeast corner of old Depot is 25.3 feet, and the northwest corner is 37.2 feet, thence South 2 deg. East 110 feet to an iron pin, thence south  $89\frac{1}{2}$  deg. west 92 feet to an iron pin on the west right-of-way of old C.G.N.R.R., thence north 2 deg. west 110 feet along west right-of-way to an iron pin, thence north  $89\frac{1}{2}$  deg. east

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to point of beginning.

It is the intention of this description to be those premises previously conveyed at Book 417, page 22 of the Land Records of Cape Girardeau County, Missouri.

**ALSO,**

A tract of land containing 131.60 acres more or less, of which 94.10 acres are located in the East Half of Section 24, Township 32 North, Range 12 East and 27.50 acres are located in the Northwest Quarter of Fractional Section 19, Township 32 North, Range 13 East, and described as follows:

Start at the center of said Section 24, thence South along the center of Section 24, 90 links for the point of beginning; thence South 82° 0' East 32.75 chains for a corner; thence South 2.10 chains for a corner; thence East 26.50 chains for a corner in the Northwest Quarter of said Fractional Section 19; thence North 21.00 chains for a corner; thence West 17.60 chains for a corner in the line between Ranges 12 and 13; thence North along said range line 15.20 chains to the center of Cane Creek; thence along a line substantially as follows: South 79° 0' West 10.30 chains; South 37° 0' West 5.40 chains; South 65° 0' West 3.70 chains; South 75° 0' West 3.80 chains; South 62° 0' West 2.62 chains; South 82° 0' West 4.00 chains; South 75° 0' West 2.30 chains; South 81° 13' West 4.71 chains; South 36° 30' West 4.00 chains; South 11° 0' West 3.40 chains; South 23° 0' West 5.40 chains; South 11° 0' West 3.50 chains; and South 37° 0' West 3.30 chains to the point of beginning.

Except any part in roadways.

It is the intention of this description to be those premises previously conveyed at Book 218, page 329 of the Land Records of Cape Girardeau County, Missouri.

**ALSO,**

A parcel of land being a part of the SW 1/4 SE 1/4 of Section 18 and a part of the NW 1/4 NE 1/4 of Section 19, Township 32 North, Range 13 East, in Cape Girardeau County, Missouri, containing 3.30 acres (more or less), described as follows:

Commence at the SE corner of the SW 1/4 SE 1/4 of said Section 18; thence North along the quarter quarter section line, 138.3 feet; thence West, 1219.6 feet to the West side of an Outer Road to Highway I-55 for the point of beginning; thence South 18 deg. 45' East along said West line 937.5 feet to an existing fence; thence North 88 deg. 19' 20" West along said fence to an existing North-South fence; thence North 1 deg. 40' 40" East along said fence, 878.5 feet to the point of beginning.

Subject to all easements existing thereon, if any, either written or implied.

It is the intention of this description to be those premises previously conveyed at Book 442, page 436 of the Land Records of Cape Girardeau County, Missouri.

**ALSO,**

Beginning at a stone at the quarter line of sections 17 and 18, Township 32, Range 13 East, thence east 111.5 feet to center line of a State road, Route 25, This point known as Station 598/15, thence in a Southward direction along the center line of road to Station 607/30.6. Thence South 89 1/2 deg. west 421 feet to point of beginning, an iron pin from which the northeast corner of old Depot is 25.3 feet, and the northwest corner is 37.2 feet, thence south 2 deg. East 110 feet to an iron pin, thence south 89 1/2 deg. west 92 feet to an iron pin on the west right-of-way of old C.G.N.R.R., thence north 2 deg. west 110 feet along west right-of-way to an iron pin, thence north 89 1/2 deg. east to point of beginning.

It is the intention of this description to be those premises previously conveyed at Book 417, page 24 of the Land Records of Cape Girardeau County, Missouri.

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ALSO,

A PART OF LOT NO. 1 OF SHAWNEE HEIGHTS SUBDIVISION AND A PART OF UNITED STATES PRIVATE SURVEY NO. 797, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a 1/2" Re-Bar at the Southwest corner of Lot No. 7 of Eastland Subdivision as recorded in the Land Records of the County Recorders Office in Plat Book No. 10 at Page No. 6, said point also being on the North right-of-way line of Main Street and from which point a 1-1/2" iron pipe at the Southwest corner of Rainbow Subdivision as recorded in Plat Book 12 at Page 62 bears N 81 deg. 48' 58" W, 364.52 feet; thence S 08 deg. 06' 18" W, 65.00 feet to the Northwest corner of a tract of land recorded in the Land Records of the County Recorders Office in Book No. 476 at Page No. 503, said point also being on the South right-of-way line of Main Street; thence S 81 deg. 48' 58" E, 141.85 feet along said South right-of-way line to the Northeast corner of said tract of land and being the true Point of Beginning.

Thence continuing along the South right-of-way line of Main Street S 81 deg. 48' 58" E, 130.00 feet; thence S 08 deg. 06' 18" W, 206.60 feet; thence S 78 deg. 37' 42" W, 209.33 feet to a point on the South line of the aforementioned tract of land; thence N 62 deg. 42' 02" E, 82.64 feet along the South line of said tract to the Southeast corner of said tract; thence N 08 deg. 06' 18" E, 228.70 feet along the East line of said tract to the Point of Beginning, containing 0.70 acres and subject to all easements of record.

It is the intention of this description to be those premises previously conveyed at Book 659, page 240 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

A PART OF LOT NO. 1 OF SHAWNEE HEIGHTS SUBDIVISION AND A PART OF UNITED STATES PRIVATE SURVEY NO. 797, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at 1/2" Re-Bar at the Southwest corner of Lot No. 7 of Eastland Subdivision as recorded in the Land Records of the County Recorders Office in Plat Book No. 10 at Page No. 6, said point also being on the North right-of-way line of Main Street, and from which point a 1-1/2" iron pipe at the Southwest corner of Rainbow Subdivision as recorded in the Land Records of the County Recorders Office in Plat Book No. 12 at Page No. 62 bears N 81 deg. 48' 58" W, 364.52 feet; thence S 08 deg. 06' 18" W, 65.00 feet to the Northwest corner of a tract of land recorded in the Land Records of the County Recorders Office in Book No. 476 at Page No. 503, said point also being on the South right-of-way line of Main Street; thence S 81 deg. 48' 58" E, 271.85 feet along said South right-of-way line of Main Street to the true Point of Beginning; thence continuing along the South right-of-way line of Main Street S 81 deg. 48' 58" E, 135.70 feet; thence leaving said South right-of-way line, S 08 deg. 06' 18" W, 19.77 feet to the North line of Lot No. 1 of Shawnee Heights Subdivision as recorded in the Land Records of the County Recorders Office in Plat Book No. 12 at Page No. 40; thence N 59 deg. 00' 00" E, 31.30 feet along said North line to the South right-of-way line of Main Street; thence along said South right-of-way line the following courses and distances:

S 81 deg. 48' 58" E, 77.71 feet; thence S 08 deg. 11' 02" W, 10.00 feet; thence S 81 deg. 48' 58" E, 57.93 feet to the West right-of-way line of Shawnee Boulevard, said point being the beginning of a non-tangent curve concave to the Northwest having a radius of 1105.92 feet and a central angle of 02 deg. 30' 39", from which point the chord bears S 15 deg. 05' 13" W; thence in a Southwesterly direction along

872 PAGE 773

said curve and West right-of-way line, 48.46 feet; thence along said West right-of-way line the following courses and distances:

S 73 deg. 39' 28" E, 10.00 feet to the beginning of a non-tangent curve concave to the Northwest having a radius of 1115.92 feet and a central angle of 06 deg. 09' 28", from which point the chord bears S 19 deg. 25' 16" W; thence in a Southwesterly direction along said curve 119.93 feet; thence leaving said West right-of-way line, N 83 deg. 44' 03" W, 213.22 feet; thence S 78 deg. 37' 42" W, 66.81 feet; thence N 08 deg. 06' 18" E, 206.60 feet to the Point of Beginning containing 1.21 acres, more or less, and subject to all easements of record.

It is the intention of this description to be those premises previously conveyed at Book 661, page 29 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

A part of the Northeast Quarter of the Southwest Quarter, and a part of the Northwest Quarter of the Southeast Quarter, all in Section 18, Township 32 North, Range 13 East of the Fifth Principal Meridian, County of Cape Girardeau, State of Missouri, more particularly described as follows:

Beginning at a 1/2" rebar at the center of Section 18, Township 32 North, Range 13 East, thence North 88°46' 03" East, 136.70 feet; thence South 1° 26'46" East, 1244.07 feet to the easterly right of way line of Interstate Route 55; said point being 274.00 feet northeasterly and normal to the median centerline station 635+38; thence along the easterly right of way line North 49° 57'06" West, 156.59 feet; thence continuing along said right of way North 27°27'38" West, 149.74; thence leaving said right of way North 62°32'22" East, 70.00 feet; thence N 27°27'38" West, 40.00 feet; thence South 62° 32' 22" West, 70.00 feet to the easterly right of way of Interstate 55; thence along the East right of way North 27° 27' 38" West, 11.25 feet; thence continuing along said right of way North 21°45' West, 1025.50 feet to the quarter section line; thence North 88°46'03" East, 424.60 feet to the point of beginning, containing 9.11 acres, more or less, and subject to a 50 foot access easement at the north boundary thereof.

It is the intention of this description to be those premises previously received by Harold Lloyd Hines and Judith Leah Hines, his wife, from Howard Bretz and Betty Bretz, his wife, by a general warranty deed dated March 14, 1973, and recorded at Book 314, page 338 of the Land Records of Cape Girardeau County, Missouri.

It is the intention of this description to be those premises described in a Corrective General Warranty Deed at Book 872, page 629 of the Land Records of Cape Girardeau County, Missouri.

ALSO,

A PART OF TIEDEMANN'S ADDITION TO THE CITY OF JACKSON AND A PART OF UNITED STATES PRIVATE SURVEY NO. 797 TOWNSHIP 31 NORTH, RANGE 12 AND 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

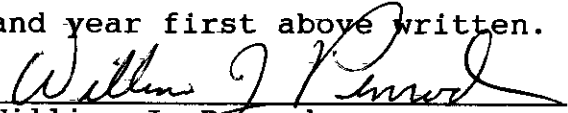
Beginning at the Southeast corner of Lot No. 32 of Tiedemann's Addition to the City of Jackson, Thence N 81° 37' 23" W, 75.65 feet along the north right of way line of Adams Street, to the Southeast corner of a Tract of land recorded in the County Recorders Office in book No. 300 at page no. 708; thence N 08° 00' 45" E, 129.60 feet along the east line of said tract; Thence N 81° 59' 15" W, 81.00 feet along the north line of said tract; to the east line of a tract of land recorded in the County Recorders Office in book no. 294 at page no. 29, and book no. 598 at page 837; Thence N 08° 00' 45" E, 160.21 feet along the east line of said tracts to a non tangent point on the south right of way line of East Main Street; said point being on a curve

concave to the southwest having a central angle of 14° 21' 03", and a radius of 1096.25 feet; Thence Easterly along the curved south right of way line 127.81 feet through a central angle of 6° 29' 15", to the point of a reverse curve concave to the northeast having a central angle of 14° 43' 36" and a radius of 1154.81 feet; Thence continuing along the south right of way line of East Main Street, 296.82 feet; Thence S 82° 22' 33" E, 234.49 feet to a point on the west line of a tract recorded in book 393, page 390; Thence leaving said right of way S 07° 23' 15" W, 134.77 feet along the west line said tract to the northeast corner of a tract recorded in book 161, page 344; Thence N 81° 53' 19" W, 141.69 feet along the north line of said tract to a point on the east line of a tract of land recorded in book 448 at page 884; Thence N 08° 10' 33" E, 49.50 feet along said east line to the northeast corner of said tract; Thence N 81° 43' 44" W, 62.00 feet to the northwest corner of said tract; Thence S 08° 10' 33" W, 28.50 feet along the west line of said tract to the northeast corner of a tract recorded in book 351 page 650, said point being the northeast corner of Lot 28 of Tiedemann's Addition; Thence N 81° 43' 44" W, 269.80 feet along the north line of Lot 26,27 and 28 of said Addition to the centerline of Tower Grove Avenue; Thence S 08° 10' 33" W, 119.70 feet along the centerline of Tower Grove Avenue to a point on the north right of way line of East Adams Street; Thence N 81° 37' 23" W, 24.75 feet along said right of way line to the Point of Beginning containing 2.18 acres more or less.

It is the intention of this description to be those premises previously conveyed at Book 731, page 949 of the Land Records of Cape Girardeau County, Missouri.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said party of the Second Party, and unto his successors and assigns, FOREVER, the said party of the First Part hereby covenanting that he is lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed; that he has good right to convey the same; that the said premises are free and clear of any encumbrance done or suffered by him or those under whom he claims, and that he will WARRANT AND DEFEND the title to the said premises unto the said party of the Second Part, and unto his successors and assigns, FOREVER, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF the said party of the First Part has hereunto set his hand the day and year first above written.

  
William J. Penrod

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

On this 21st day of May, 1997, before me Rose Mary

BOOK 872 PAGE 775

Kincy, a Notary Public in and for said State, personally appeared William J. Penrod, known to me to be the person who executed the within general warranty deed and acknowledged to me that he executed the same for the purposes therein stated. And the said William J. Penrod further declared himself to be single and unmarried.

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

Rose Mary Kincy  
Notary Public

My com. expires:  
June 24, 1997

ROSE MARY KINCY  
NOTARY PUBLIC, STATE OF MISSOURI  
CAPE GIRARDEAU COUNTY  
COMMISSION EXPIRES JUNE 24, 1997

ROSE MARY KINCY  
NOTARY PUBLIC  
NOTARY SEAL  
STATE OF MISSOURI

**Filed for Record**  
1:00  
MAY 22 1997  
Janet Robert, Recorder  
Cape Girardeau County  
Jackson, Mo.

\$51.00 pd

STATE OF MISSOURI }  
County of Cape Girardeau, } ss

I hereby certify that this instrument was FILED FOR RECORD at the date and time shown hereon and is recorded in Book 872 ... Page 764 ...

JANET ROBERT  
Recorder of Deeds

By Patti Collier Deputy

Grantee

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY IN THE CITY OF JACKSON, MISSOURI, DESCRIBED IN EXHIBIT A; SETTING FORTH THE AREA FOR SPECIAL USE AND THE CONDITIONS OF SPECIAL USE; ALL IN ACCORDANCE WITH THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI.**

WHEREAS, the Board of Aldermen and the Planning and Zoning Commission have considered a proposed special use permit for property described as 1985 E. Jackson Boulevard., as set out in Exhibit A which is attached hereto and incorporated herein by reference; and,

WHEREAS, a public hearing was held on said special use permit in accordance with Chapter 65 of the Code of Ordinances of the City of Jackson, Missouri; and,

WHEREAS, a special use permit for a 96 sq. ft. oversized attached sign in a C-2 General Commercial District at 1985 E. Jackson Boulevard may be granted by virtue of Chapter 65 of the Code of Ordinances of the City of Jackson, Missouri; and,

WHEREAS, after duly considering the recommendations of the City Planning and Zoning Commission and other input received at the required public hearing, the Board of Aldermen of the City of Jackson, Missouri, has decided it is in the best interests of the citizens of the City of Jackson, Missouri, to grant a special use for said property.

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

Section 1. That an application for a special use permit, which said application is marked Exhibit A and attached hereto, is hereby approved, and a special use permit is hereby issued to Cape Girardeau County Public Library District, Applicant.

- 2 -

Section 2. That the property set forth in Exhibit A is hereby granted a special use permit for a 96 sq. ft. oversized attached sign in a C-2 General Commercial District at 1985 East Jackson Boulevard.

The aforesaid special use permit is subject to the following specific conditions: compliance with all ordinances of the City of Jackson, Missouri, except as specifically varied or waived by this special use permit.

Section 3. That the City Clerk of the City of Jackson, Missouri, shall and is hereby directed to indicate on the "Official Zoning District Map" of the City of Jackson, Missouri, the above special use permit and the date of issuance thereof and to certify same and to keep said map on file in the office of the City Clerk and a copy displayed in City Hall, City of Jackson, Missouri; and that said City Clerk is further directed to indicate on said "Official Zoning District Map" the existence of special conditions on the use of the aforesaid property.

Section 4. Violation of the special conditions listed above shall result in revocation of the special use permit and/or prosecution and/or fine under the zoning ordinances.

Section 5. This special use permit is issued to the applicant and shall not be assigned or otherwise transferred by said applicant. This special use permit runs with the applicant and not the land.

Section 6. If construction is required for the special use granted hereunder, this special use permit shall expire in the event construction does not commence within six months of the date of issuance of this special use permit and is not completed within two years of the issuance of this permit.

Section 7. 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 8. That this ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: \_\_\_\_\_.

SECOND READING: \_\_\_\_\_.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by a vote of \_\_\_\_\_ ayes, \_\_\_\_\_ nays, \_\_\_\_\_ abstentions, and \_\_\_\_\_ absent.

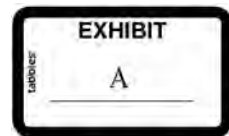
CITY OF JACKSON, MISSOURI

(SEAL)

BY: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# City of Jackson

## CITY OF JACKSON, MISSOURI PLANNING & ZONING COMMISSION SPECIAL USE PERMIT: FINDINGS AND CONCLUSIONS

The Planning & Zoning Commission of Jackson, Missouri, hereby notifies the Board of Aldermen, the applicant, and the public of its action taken on July 12, 2023, at a regular meeting in consideration of the following:

### Special Use Permit for 1985 E. Jackson Blvd. for an oversized attached sign for the Gospel Life Church

Applicant: Greg Schwab & Riverside Regional Library  
 Filing Date of Application/Fee: April 26, 2023  
 Submission Date of Application to Commission: July 12, 2023  
 Public Hearing Date: waived

In examining this consideration, the following factors were considered and found as noted:

<b>Administrative Staff Findings:</b>		<b>Yes/</b>	<b>No</b>
1.	Application provided all necessary information:	<u>X</u>	<u>      </u>
2.	Generally conforms with City Comprehensive Plan:	<u>X</u>	<u>      </u>
3.	Generally conforms with Major Street Plan:	<u>X</u>	<u>      </u>
<b>Planning &amp; Zoning Commission Findings:</b>		<b>Yes</b>	<b>/No</b>
1.	Creates adverse effects on adjacent property:	<u>      </u>	<u>X</u>
2.	Creates adverse effects on traffic movement or safety:	<u>      </u>	<u>X</u>
3.	Creates adverse effects on fire safety:	<u>      </u>	<u>X</u>
4.	Creates adverse effects on public utilities:	<u>      </u>	<u>X</u>
5.	Creates adverse effects on general health and welfare:	<u>      </u>	<u>X</u>

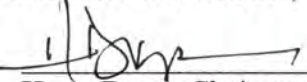
Following consideration of testimony, comments, exhibits, and file contents, the Planning & Zoning Commission duly deliberated the facts pertaining to the proposal and issued the following findings of fact and conclusions:

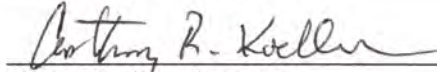
**THE ABOVE APPLICATION IS:**

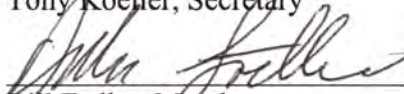
☒ **Approved**  
☐ **Disapproved**  
☐ **Approved with conditions specified below**

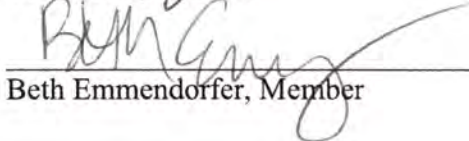
By a roll call of 7 ayes, \_\_\_\_\_ nays, \_\_\_\_\_ abstentions, and 2 absent this 12<sup>th</sup> day of  
July 2023.

**CITY OF JACKSON, MISSOURI**

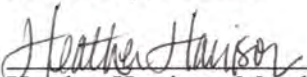
  
 Harry Dryer, Chairman

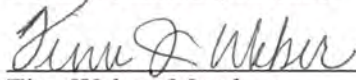
  
 Tony Koeller, Secretary

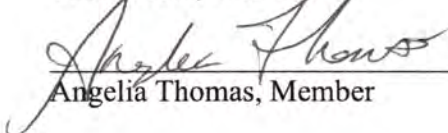
  
 Bill Fadler, Member

  
 Beth Emmendorfer, Member

Eric Fraley, Member


  
 Heather Harrison, Member

  
 Tina Weber, Member

  
 Angelia Thomas, Member

Michelle Weber, Member

ATTEST:

  
 Larry Miller,  
 Building & Planning Manager



## REZONING / SPECIAL USE PERMIT APPLICATION

### City of Jackson, Missouri

APPLICATION DATE:

4/26/23

TYPE OF APPLICATION:



Rezoning



Special Use Permit

PROPERTY ADDRESS (Other description of location if not addressed):

1985 E - Jackson Blvd**CURRENT PROPERTY OWNERS** (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s):

Riverside Regional Library

Mailing Address:

1997 E. Jackson Blvd.

City, State ZIP:

Jackson, MO 63755**PROPOSED PROPERTY OWNERS** (if property is to be transferred, name(s) in which property will be deeded):

Proposed Property Owner(s):

Mailing Address:

City, State, ZIP

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name:

Greg Schwab

Mailing Address:

1985 E Jackson Blvd

City, State ZIP

Jackson, MO 63755

Contact's Phone:

573-837-7911

Email Address (if used):

greg@gospellife.io**CURRENT ZONING:** (check all that apply)

- ☐ R-1 (Single-Family Residential)  
☐ R-2 (Single-Family Residential)  
☐ R-3 (One- And Two-Family Residential)  
☐ R-4 (General Residential)  
☐ MH-1 (Mobile Home Park)  
☐ O-1 (Professional Office)  
☐ CO-1 (Enhanced Commercial Overlay)

- ☐ C-1 (Local Commercial)  
☒ C-2 (General Commercial)  
☐ C-3 (Central Business)  
☐ C-4 (Planned Commercial)  
☐ I-1 (Light Industrial)  
☐ I-2 (Heavy Industrial)  
☐ I-3 (Planned Industrial Park)

CURRENT USE OF PROPERTY: Church

**PROPOSED ZONING:** (check all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential)       | <input type="checkbox"/> C-1 (Local Commercial)              |
| <input type="checkbox"/> R-2 (Single-Family Residential)       | <input checked="" type="checkbox"/> C-2 (General Commercial) |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential) | <input type="checkbox"/> C-3 (Central Business)              |
| <input type="checkbox"/> R-4 (General Residential)             | <input type="checkbox"/> C-4 (Planned Commercial)            |
| <input type="checkbox"/> MH-1 (Mobile Home Park)               | <input type="checkbox"/> I-1 (Light Industrial)              |
| <input type="checkbox"/> O-1 (Professional Office)             | <input type="checkbox"/> I-2 (Heavy Industrial)              |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay)    | <input type="checkbox"/> I-3 (Planned Industrial Park)       |

PROPOSED USE OF PROPERTY: Church

**LEGAL DESCRIPTION OF TRACT** (attach a copy of the deed or other legal description):

**REASON FOR REQUEST:** State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Jackson. Attach additional page(s) as needed.

We are trying to advertise for our church w/ a similar size sign at the library. Having a similar sign will hopefully make the building look more uniform.

✓ **DRAWINGS (FOR SPECIAL USE PERMITS ONLY):** If one or more buildings or other structures are to be added to the property for a special use permit, attach a scaled plat of the tract(s) showing the location of all buildings. If any buildings are to be less than the standard minimum setbacks, include these distances on the drawing. Any approved special use permit will be based on this building layout. Changes to the layout will require a new special use permit.

✓ **SURROUNDING PROPERTY OWNERS:** A map of the property location and a map and list of all owners of property within 185' of the property in question will be incorporated by the City as part of this application. The 185' distance is exclusive of right-of-ways. The City will prepare this map based on the most current tax information published by the Cape Girardeau County Assessor.

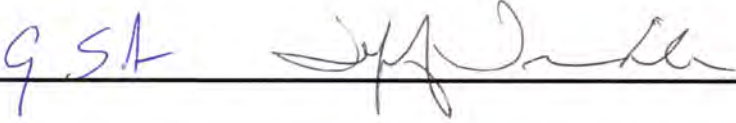
**OWNER SIGNATURES:**

I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*

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Please submit this application along with appropriate non-refundable application fee to:

Larry Miller  
Building & Planning Manager  
City of Jackson  
101 Court Street  
Jackson, MO 63755

573-243-2300 ext.29 (ph)  
573-243-3322 (fax)  
[lmiller@jacksonmo.org](mailto:lmiller@jacksonmo.org)

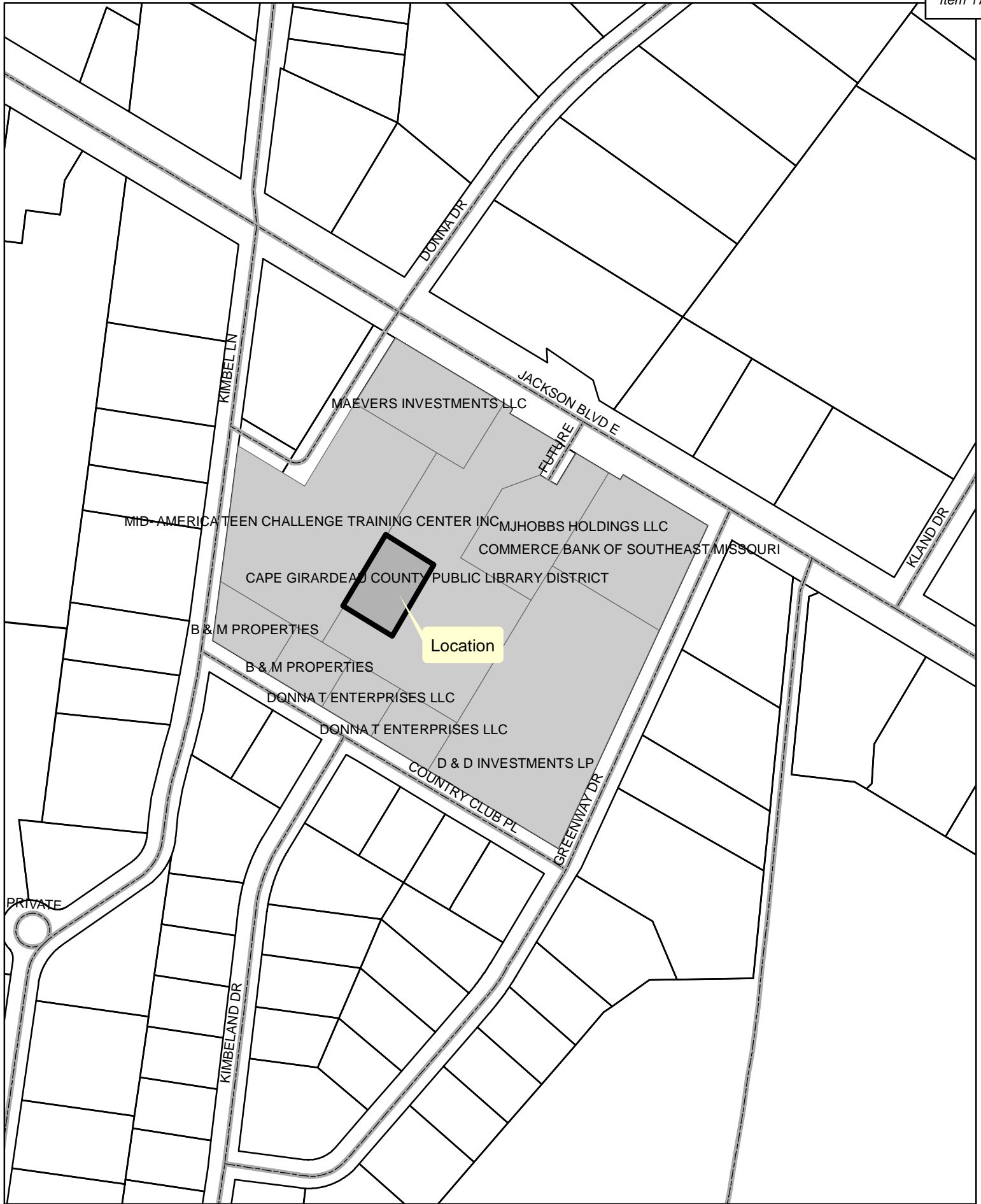
**APPLICATION FEE: \$200.00**

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1985 East Jackson Blvd  
Location Map

Date: 5/4/23  
By: T Chaffin



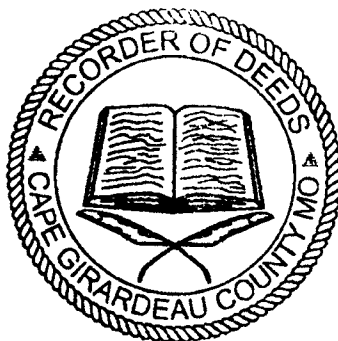
1985 East Jackson Blvd  
Property Owners Within  
185'

Date: 5/4/23  
By: T Chaffin

# OPTION A

**BANNER FRAME SYSTEM**



8 2 9 6 8 8 0  
Tx:4158079DOCUMENT #  
**2021-00275**

**ANDREW DAVID BLATTNER**  
**RECORDER OF DEEDS**  
**CAPE GIRARDEAU COUNTY, MO**  
**RECORDED ON**  
**01/08/2021 09:59:06 AM**  
**REC FEE: 30.00**  
**PAGES: 3**

## *General Warranty Deed*

THIS INDENTURE, made on the 20<sup>th</sup> day of July, 2020, by and between **RIVERSIDE REGIONAL LIBRARY, a/k/a THE BOARD OF TRUSTEES OF THE RIVERSIDE REGIONAL LIBRARY**, of the County of Cape Girardeau in the State of Missouri, "Grantor," and **CAPE GIRARDEAU COUNTY PUBLIC LIBRARY DISTRICT, a county library district established in accordance with Sections 182.010 through 182.130 of the Revised Statutes of Missouri operating under the duly appointed County Library Board of Trustees of Cape Girardeau County**, of the County of Cape Girardeau in the State of Missouri, "Grantee":

Grantee's Mailing Address: 1997 East Jackson Boulevard, Jackson, MO 63755

**WITNESSETH**, that the said Grantor, in consideration of the sum of Ten Dollars and other good and valuable consideration to it paid by the said Grantee, the receipt of which is hereby acknowledged, does by these presents Grant, Bargain and Sell, Convey and Confirm, unto the said Grantee, its successors and assigns, the following described Lots, Tracts or Parcels of Land, lying, being and situate in the County of Cape Girardeau and State of Missouri, to-wit:

Lot Three (3) of M.I. Third Subdivision in the City of Jackson, Cape Girardeau County, Missouri, as shown by plat filed for record in Document No. 2018-05826 in the Land Records of Cape Girardeau County, Missouri.

This instrument was prepared by Thomas A. Ludwig, Esq., Ludwig Law Office, LC, 1334 Indian Parkway, P. O. Box 350, Jackson, MO 63755-0350, without the benefit of a title examination. The property description was furnished by the parties herein, and the attorney preparing this deed does not certify the accuracy of it.

**TO HAVE AND TO HOLD** the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto the said Grantee, and unto its successors and assigns, **FOREVER**, the said Grantor hereby covenanting that it is lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any encumbrance done or suffered by it or those under whom it claims, and that it will **WARRANT AND DEFEND** the title to the said premises unto the said Grantee, and unto its successors and assigns, **FOREVER**, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand the day and year first above written.

RIVERSIDE REGIONAL LIBRARY,  
A/K/A THE BOARD OF TRUSTEES OF  
THE RIVERSIDE REGIONAL LIBRARY

By: [Signature]  
Carrie Massey, President

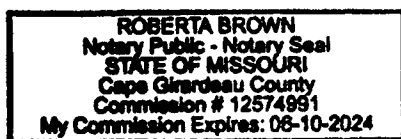
ATTEST:

[Signature]  
Kathy Panagos, Vice President

STATE OF MISSOURI )  
COUNTY OF CAPE GIRARDEAU ) ss.

On this 20<sup>th</sup> day of July, 2020, before me personally appeared Carrie Massey, President of The Board of Trustees of the Riverside Regional Library, to me known to be the person described in and who executed the foregoing instrument and acknowledged to me that she executed the same as her free act and deed on behalf of The Board of Trustees of the Riverside Regional Library.

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

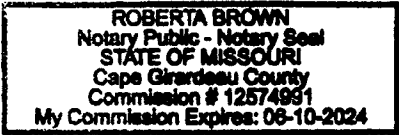


[Signature], Notary Public  
State of Missouri  
County of Cape Girardeau  
My term expires: 08-10-2024

STATE OF MISSOURI )  
COUNTY OF CAPE GIRARDEAU ) ss.

On this 20<sup>th</sup> day of July, 2020, before me personally appeared Kathy Panagos, Vice President of The Board of Trustees of the Riverside Regional Library, to me known to be the person described in and who executed the foregoing instrument and acknowledged to me that she executed the same as her free act and deed on behalf of The Board of Trustees of the Riverside Regional Library.

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



Roberta Brown, Notary Public  
State of Missouri  
County of Cape Girardeau  
My term expires: 06-10-2024

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 65 OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO DEFINING AND LIMITING TINY HOMES; 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 65, Article I, Section 65-2, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended by **ADDING** the following definitions to read as follows:

**“Sec. 65-2. Definitions.**

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*Tiny house, portable.* A dwelling that is six hundred (600) square feet or less in floor area, excluding lofts, and is constructed on a chassis or skids, regardless of added porches, stairways, decks, or other additions.

*Tiny house, permanent.* A dwelling that is six hundred (600) square feet or less in floor area, excluding lofts, and is constructed on-site without a chassis and is permanently anchored to a foundation or concrete slab.”

Section 2. That Chapter 65, Article I, Section 65-8, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

**“Sec. 65-8. - R-4 General residential district regulations.**

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

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g. Tiny house, permanent, when part of a community unit plan, with a special use permit only.”

**NOTE TO CODIFIER: Please note in Chapter 65, Article I, Section 65-8, Subpart (1) g. has been added and the original Subpart (1) g. should now be Subpart (1) h.; and the Subparts that follow should be re-lettered accordingly.**

Section 3. That Chapter 65, Article I, Section 65-9, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

**“Sec. 65-9. – MH-1 Mobile home park district regulations.**

The regulations set forth in this section, or set forth elsewhere in this chapter, are the regulations of the MH-1 mobile home park district. The purpose of the MH-1 mobile home park district is to provide suitable locations for the placement of mobile homes, with safeguards for the health and safety of mobile home residents. References to lot sizes, setbacks, and lot coverage shall be interpreted to mean the area designated for each mobile home stand within the mobile home park.

- (1) *Use regulations.* A building or premises shall be used only for the following purposes:
- a. Mobile home parks conforming to the provisions of Article II.
  - b. Manufactured / mobile homes.
  - c. Tiny house, portable.”

**NOTE TO CODIFIER: Please note in Chapter 65, Article I, Section 65-9, that Subpart (1) a. has been modified; that Subparts (1) b. and c. have been added; and that the original Subpart (1) b. should now be Subpart (1) d.; and the Subparts that follow should be re-lettered accordingly.**

Section 4. That Chapter 65, Article I, Section 65-10, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

**“Sec. 65-10. - O-1 Professional office district regulations.**

- (1) *Use regulations.* The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the O-1 professional office district. The purpose of the O-1 professional office district is to provide adequate space in appropriate locations suitable for accommodating medical, dental and similar services, as well as professional offices. Bulk limitations are designed to provide maximum compatibility with less intensive land use in adjacent residential districts and with more intensive land use in adjacent commercial districts. The O-1 professional office district is to act in the capacity of a transition and supporting zone.

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- h. Tiny house, permanent, when part of a community unit plan, with a special use permit only.”

**NOTE TO CODIFIER: Please note in Chapter 65, Article I, Section 65-10, Subpart (1) h. has been added; that the original Subpart (1) h. should now be Subpart (1) i.; and the Subparts that follow should be re-lettered accordingly.**

Section 5. That Chapter 65, Article I, Section 65-11, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

**“Sec. 65-11. - C-1 Local commercial district regulations.**

- (1) *Use regulations.* The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the C-1 Local Commercial district. The purpose of the C-1 district is to provide for retail trade and personal services to meet the regular needs and for the convenience of residents of adjacent residential areas. C-1 Local commercial districts are intended to be a closely associated and integral element of local neighborhoods.

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- g. Tiny house, permanent, when part of community unit plan, with a special use permit only.”

**NOTE TO CODIFIER: Please note in Chapter 65, Article I, Section 65-11, Subpart (1) g. has been added; that the original Subpart (1) g. should now be Subpart (1) h.; and the Subparts that follow should be re-lettered accordingly.**

Section 6. That Chapter 65, Article I, Section 65-12, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

**“Sec. 65-12. - C-2 General Commercial district regulations.**

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the C-2 General commercial district. The purpose of the C-2 General commercial district is to provide areas for general commerce and services typically associated with major thoroughfares.

- (1) *Use regulations.* A building or premises shall be used only for the following purposes:

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- g. Tiny house, permanent or portable, when part of a community unit plan, with a special use permit only.”

**NOTE TO CODIFIER: Please note in Chapter 65, Article I, Section 65-12, Subpart (1) g. has been added; the original Subpart (1) g. should now be Subpart (1) h.; and the Subparts that follow should be re-lettered accordingly.**

Section 7. That Chapter 65, Article II, Section 65-62, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

**“Sec. 65-62. – Permits and restrictions.**

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- (2). *RV parks location.* RV parks will be allowed in the C-2 District, with a special use permit only.”

**NOTE TO CODIFIER: Please note in Chapter 65, Article II, Section 65-62, Subpart (2) has been modified.**

Section 8. 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 9. 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 10. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 11. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: \_\_\_\_\_.

SECOND READING: \_\_\_\_\_.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by a vote  
of \_\_\_\_\_ ayes, \_\_\_\_\_ nays, \_\_\_\_\_ abstentions and \_\_\_\_\_ absent.

(SEAL)

CITY OF JACKSON, MISSOURI

BY: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk