



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN STUDY SESSION

Monday, October 17, 2022 at 6:30 PM
Board Chambers, City Hall, 101 Court St.

AGENDA

DISCUSSION ITEMS

1. Annual report of the Uptown Jackson Revitalization Organization – Janna Clifton, Executive Director
2. Wreaths Across America - Pam Johnson / John Guild Chapter Daughters of the American Revolution
- [3.](#) October 10th Park Board Report
- [4.](#) October 12th Planning & Zoning Commission Report
- [5.](#) Preliminary Plat of Savers Farm Subdivision, Phase 8
- [6.](#) Historic Preservation Fund Grant Program - Missouri Main Street Workshop
7. City Archive Preservation Program - request for qualifications
- [8.](#) Master Services Agreement with Bacon Farmer Workman Engineering & Testing, Inc.
- [9.](#) South Old Orchard Road Lateral Sewer District Project
10. Previously tabled items (unspecified)
11. Additional items (unspecified)

Posted on 10/14/2022 at 04:00 PM.

Jackson Park Board



October 10, 2022

6:00 pm

Regular Meeting | Civic Center

Agenda

Board Members Present

Recognition Of Visitors: Conner Strickland

Reading Of Previous Meeting Minutes

Old Business

- 1) Civic Center Digital Sign
- 2) Soccer Park Field Projects
- 3) American Rescue Funds discussion

New Business

- 1) Park Donation – Basketball Backboards & Rims; Striping
- 2) Civic Center Rental Rate Proposal

Committee Reports

Civic Center Report

Parks & Recreation Director's Report

Adjournment

Space	Current Rate	Proposed Rate
North or South Meeting Room	\$85 – 2 hours / add. Hour - \$15	\$100 – 2 hours / Additional hour - \$30
Full Meeting Room	\$160 – 2 hours/add hour - \$25	\$175 – 2 hours / Add hour - \$35
Lounge	\$60 – 2 hours / add hour - \$10	\$75 – 2 hours / Add hour - \$30
Conference Room	\$40 – 2 hours / add hour - \$10	\$55 – 2 hours / Add hour - \$25
Full Gym	\$800 General; \$500 Not-for-profit	\$850 General; \$550 Not-for-profit
Wedding Reception Package	\$700	\$800
Catering Kitchen	\$50	\$75
After Business Hours		\$40 additional hour

Rationale: The Civic Center has seen a significant increase in usage in the past two years. The increase in usage has brought about more wear-and-tear on items used for individuals and groups renting the spaces (e.g. tables, chairs, microphones, projectors, etc.). The revenue generated from a rate increase would help offset the wear-and-tear of the equipment by supplementing funds available to purchase replacements. The 2022 minimum wage is currently \$11.15, and will increase to \$12.00/hour in 2023. An increase in rental rates would also help offset increased labor costs brought on by the minimum wage increase.

MEMO



TO: Mayor Hahs and Members of the Board of Aldermen
FROM: Janet Sanders, Building & Planning Manager
DATE: October 12, 2022
SUBJECT: October P&Z Report

The following action was taken at the October P&Z meeting:

- A preliminary plat of Savers Farm Subdivision Phase 9 was recommended for approval.
- A minor subdivision plat of Jackson Civic Center Subdivision was recommended for approval.
- Discussion began on defining tiny homes and if any recommendation should be made on where they could be allowed in the city. No action was taken on this item and discussion will continue in November.

As always, if you have questions on any of these items, please contact me at 243-2300 or jsanders@jacksonmo.org.

JOURNAL OF THE PLANNING & ZONING COMMISSION
CITY OF JACKSON, MISSOURI
WEDNESDAY, OCTOBER 12, 2022, 6:00 P.M.
REGULAR MEETING
CITY HALL COUNCIL ROOM, 101 COURT STREET, JACKSON, MISSOURI

The Planning and Zoning Commission met in regular session with Chairman Harry Dryer presiding. Also present were Commissioners Heather Harrison, Angelia Thomas, Tina Weber, Tony Koeller, Michelle Weber, and Eric Fraley. Commissioners Beth Emmendorfer and Bill Fadler were absent. Building & Planning Manager Janet Sanders was present as staff liaison. Assigned Aldermen Mike Seabaugh and Joe Bob Baker were also present. Citizen present was Megan Andrews.

Chairman Dryer called the meeting to order, and Commissioner Koeller called roll.

APPROVAL OF MINUTES)

Minutes of the September 14, 2022, meeting were unanimously approved on a motion by Commissioner Michelle Weber, seconded by Commissioner Thomas.

OLD BUSINESS

Request for approval of a preliminary plat)
of Savers Farm Subdivision Phase 9)
submitted by Cape Land & Development,)
LLC)

Chairman Dryer asked for a staff report. Mrs. Sanders reported this item has been tabled multiple times waiting for agreement between the developer and the Board of Aldermen on a Memorandum of Understanding. That MOU has now been approved and a copy is included in the agenda packet. At the last minute, the developer chose to switch from private streets to public streets.

Commissioner Koeller made a motion to bring this item from the table. The motion was seconded by Tina Weber and was unanimously approved.

Ms. Megan Andrews, representing the developer, came forward and said the Commission previously approved Phase 8. The streets for both phases will now be public streets, 28' wide with parking on one side and with sidewalks. They will meet the city's street standards. She said the sidewalks will end at the county. The electric supplier will be Ameren. City water will be installed through an easement obtained from an adjacent property owner. City sewer for both phases will connect to an existing sewer at the corner of Phase 8. The new phases will still participate in the homeowners' association to help pay for maintenance of the streets they cross to access their subdivision and for the private street lights. The HOA fees are very low, at about \$200/year per lot. Sewer in the existing Savers Farm Subdivision phases in the county is owned by Liberty Utilities.

Commissioner Koeller made a motion to approve the plat. The motion was seconded by Commissioner Fraley and was unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent

NEW BUSINESS

Request for approval of a minor subdivision)
 plat of Jackson Civic Center Subdivision)
 submitted by the City of Jackson)

Mrs. Sanders reported this subdivision combines into a single lot the various lots owned by the city at the Civic Center site with a recently purchased lot fronting on North High Street.

Commissioner Harrison made a motion to approve the plat. The motion was seconded by Commissioner Michelle Weber and was unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent

Zoning Text Amendment – defining and)
 limiting tiny houses)

Mrs. Sanders reported this item initially started as a citizen request to put a tiny home on a vacant lot. She explained the building code issues related to tiny homes and that a recent appendix to the building code [not adopted] defines tiny homes as less than 400 sq. ft. She said although the Board of Aldermen were not interested in allowing tiny homes to be on lots, the discussion about building codes generated the need to define tiny homes in the zoning code and to determine whether they should be allowed anywhere in town. One possibility is a Community Unit Plan with a Special Use Permit where additional conditions could be added. She said the only current home size restriction in Jackson is in the building code which requires only 120 square feet per person. She confirmed that currently someone could build a 120 sq. ft. home for one person on a traditional lot if the home had proper egress, ceiling heights, and stairs. She said she had checked with several other towns and most have the same lack of regulations. The City of Perryville has defined tiny homes as anything under 850 square feet. Mrs. Sanders said there are currently traditional homes in Jackson that are under 850 square feet, and she did not recommend defining a size that would accidentally make those non-conforming.

The Commission discussed several locations outside of Jackson where there are clusters of very small homes, including west of town on Highway 72, and near Marble Hill. These are believed to be rentals. At Ste. Genevieve there are several scattered on a 100-acre tract used for AirB&B rentals. They are each approximately 18' x 10' and are constructed on stilts.

Mrs. Sanders was asked if this code change would allow shipping container homes. She said shipping containers are separately prohibited for occupancy in the code.

Commissioner Koeller volunteered to research lender and appraisal sources for sizes defined as tiny homes. He will report back at the next meeting. Commissioner Michelle Weber said she would expect the required square footage to include only above-grade sizes, not basements.

Mrs. Sanders said this item will be placed on the next meeting agenda for further discussion. After that meeting, she and the city attorney can create the code language needed to meet the Commission's intent.

Consider a motion to add items to the)
agenda)

No items were added to the agenda.

Adjournment)

Commissioner Koeller made a motion to adjourn, seconded by Commissioner Michelle Weber and unanimously approved.

Respectfully submitted,

Tony Koeller
Planning and Zoning Commission Secretary

Attest:

Janet Sanders
Building & Planning Manager

NOTE: ACTION (IF ANY) ON LAND EXCHANGE CERTIFICATIONS, COMPREHENSIVE PLAN, AND MAJOR STREET PLAN IS FINAL APPROVAL; ALL OTHER ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION SERVES AS A RECOMMENDATION TO THE BOARD OF ALDERMEN AND NOT AS FINAL APPROVAL OF THE ITEMS CONSIDERED AT THIS MEETING.



CITY OF JACKSON
PLANNING & ZONING COMMISSION MEETING AGENDA

Wednesday, October 12, 2022 at 6:00 PM

City Hall, 101 Court Street, Jackson, Missouri

Bill Fadler
Tony Koeller
Michelle Weber
Tina Weber

Harry Dryer, Chairman
Joe Baker, Alderman Assigned
Mike Seabaugh, Alderman Assigned
Janet Sanders, Staff Liaison

Angelia Thomas
Heather Harrison
Beth Emmendorfer
Eric Fraley

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of Minutes of September 14, 2022 meeting

OLD BUSINESS

2. Request for approval of a preliminary plat of Savers Farm Subdivision Phase 9 submitted by Cape Land & Development, LLC

NEW BUSINESS

3. Request for approval of a minor subdivision plat of Jackson Civic Center Subdivision submitted by the City of Jackson.
4. Zoning Text Amendment - defining & limiting tiny houses

CONSIDER A MOTION TO ADD ITEMS TO THE AGENDA

ADJOURNMENT

This agenda was posted at City Hall on October 6, 2022 at 5:00 PM.

PLEASE OBSERVE SOCIAL DISTANCING WHEN ATTENDING THIS MEETING.

JOURNAL OF THE PLANNING & ZONING COMMISSION
CITY OF JACKSON, MISSOURI
WEDNESDAY, SEPTEMBER 14, 2022, 6:00 P.M.
REGULAR MEETING
CITY HALL COUNCIL ROOM, 101 COURT STREET, JACKSON, MISSOURI

The Planning and Zoning Commission met in regular session with Chairman Harry Dryer presiding. Also present were Commissioners Heather Harrison, Angelia Thomas, Michelle Doughten Weber, Beth Emmendorfer, Eric Fraley, and Bill Fadler. Tony Koeller and Tina Weber were absent. Building & Planning Administrative Assistant Ginger Earnest was present as acting staff liaison. Assigned Alderman Mike Seabaugh was also present. No citizens were present.

Chairman Dryer called the meeting to order, and Commissioner Emmendorfer called roll.

APPROVAL OF MINUTES)

Minutes of the August 10, 2022, meeting were unanimously approved on a motion by Commissioner Fadler, seconded by Commissioner Michelle Weber.

NEW BUSINESS

Request for approval of a preliminary)
plat of Savers Farm Subdivision Phase 9)
submitted by Cape Land & Development,)
LLC)

It was clarified that this item needs to remain tabled while the Board of Aldermen is still negotiating a Memorandum of Understanding with the developer for the Savers Farm Phases 8 & 9 Subdivisions.

The previously tabled plat was removed from the table on a motion by Commissioner Fadler, seconded by Commissioner Emmendorfer and unanimously approved. Based on a letter from developer Brandon Williams agreeing to an additional extension, the plat was re-tabled to the October 12th meeting on a motion by Commissioner Fadler seconded by Commissioner Fraley and unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent (to re-table)

Request for rezoning of property addressed)
as 385-389-391 Timber Lane submitted by)
JWRPM Properties, LLC)

The applicant was not present to speak on this request.

The Commission discussed the issue of spot zoning in rezoning this small area R-4 General Residential versus the protection to the current property use provided by the R-4 zoning. No public hearing was felt to be needed since the property is already a triplex.

Commissioner Harrison made a motion to approve the request contingent on successful annexation, seconded by Commissioner Emmendorfer and unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent

Request for approval of a Special Use)
 Permit for a towing business in a C-2)
 General Commercial District submitted by)
 Land Escapes, LLC)

The Commission discussed this was applicant's third location and Special Use Permit application in trying to relocate his business. It was clarified that if any part of the towing business is on the portion of this property that is inside the city limits, it must have a Special Use Permit.

Commissioner Fadler made a motion to approve the plat with the three special conditions recommended in the staff report. The motion was seconded by Commissioner Michelle Weber and was unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent

Educational session by City Attorney)
 Curt Poore)

City Attorney Curt Poore presented an educational session focusing on the duties of the Planning and Zoning Commission, meeting protocol, P&Z attendance policy, ethics, Sunshine Law, and other pertinent topics.

Consider a motion to add items to the)
 agenda)

No items were added to the agenda.

Adjournment)

Commissioner Thomas made a motion to adjourn, seconded by Commissioner Fraley and unanimously approved.

Respectfully submitted,

Beth Emmendorfer
 Acting Planning and Zoning Commission Secretary

Attest:

Ginger Earnest
Building & Planning Administrative Assistant

NOTE: ACTION (IF ANY) ON LAND EXCHANGE CERTIFICATIONS, COMPREHENSIVE PLAN, AND MAJOR STREET PLAN IS FINAL APPROVAL; ALL OTHER ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION SERVES AS A RECOMMENDATION TO THE BOARD OF ALDERMEN AND NOT AS FINAL APPROVAL OF THE ITEMS CONSIDERED AT THIS MEETING.

Staff Report 3

ACTION ITEM: Request for approval of a preliminary plat of Savers Farm Subdivision Phase 9

APPLICANT: Cape Land & Development, LLC

APPLICANT STATUS: Property owner

PURPOSE: To provide an additional phase of a county subdivision on land that is already inside the city limits but only accessible from the county

SIZE: 17.29 acres

PRESENT USES: Undeveloped land

PROPOSED USE: Single-family residential subdivision

ZONING: R-2 Single Family Residential

SURROUNDING LAND USE: North – out of city; South – R-2 Single Family Residential; East – R-2 Single Family Residential; West – R-2 Single Family Residential

HISTORY: This piece of property was found to already be inside the city limits on a 1961 city limits map. The property to the south developed as Bent Creek Golf Course and Bent Creek Subdivision, which provided for no stubbed streets to access this property.

In 2019, P&Z reviewed and the Board of Aldermen approved new code language in Chapter 57 (Land Subdivision Regulations) to allow limited access land development. This allows a subdivision to have access other than a public city street when no city street right-of-way is available for a connection. This code language was developed due to this specific property.

TRANSPORTATION AND PARKING: All required street frontage and parking will be developed as part of the subdivision development and building construction.

APPLICABLE REGULATIONS: Land Subdivision Regulations (Chapter 57); Zoning Code (Chapter 65)

2009 COMPREHENSIVE PLAN: Residential use

FLOODPLAIN INFORMATION: This property includes an area of floodplain that will be located in the rear yard of seven lots and does not prevent an adequate buildable area for those lots.

PHYSICAL CHARACTERISTICS: No access is available except through previous Savers Farm Subdivision phases located in the county.

COMMENTS: This subdivision contains 40 lots.

This subdivision will have Ameren Electric because no city electric service is available to this location and Ameren serves the remainder of the Phases outside the city. The subdivision will install city streets, water, and sewer. The developer will install a water main extension from the existing main near Greensferry Road through a new easement across adjacent undeveloped property. City sanitation and emergency services will serve these lots.

NOTE: This application form looks different from the traditional application form because it was submitted through the Building & Planning Department's new online portal. We expect to begin to see more applications in this format.

NOTE: The Board of Aldermen and developer have now entered a Memorandum of Understanding agreement regarding this subdivision. A copy of the agreement is included in this packet.

The plat has been revised to reflect the developer's last-minute decision to construct publicly maintained streets with sidewalks under the city's street specifications rather than privately maintained streets in a public right-of-way.

ACTION REQUIRED: The Commission shall approve or deny this subdivision based on compliance with the Land Subdivision Regulations **as altered by the Memorandum of Understanding.**



Subdivision Permit Application

Date: 06/15/2022

Applicant / Current Owner

Applicant Name: Brandon Williams
 Address: 2985 Boutin Drive
 City, State, Zip: Cape Girardeau, MO 63701
 Phone: 573-335-3382
 Email: bowconstruction@aol.com

Owner Name: Cape Land & Development, LLC
 Address: 2985 Boutin Drive
 City, State, Zip: Cape Girardeau, MO 63701
 Phone:
 Email:

Proposed Owner / General Project Information

Owner Name: Cape Land & Development, LC
 Address: 2985 Boutin Drive
 City, State, Zip: Cape Girardeau, MO 63701
 Phone:
 Email:

Site Address: SAVERS FARM SUBDIVISION PHASE 9
 City, State, Zip:
 Current Use:
 Current Zoning: R-2 Single-Family Residential
 Proposed Zoning: R-2 Single-Family Residential

Project Description:

Annexation

Rezoning App?: No
 Special Use App?: No

Current Use:
 Legal:

Rezoning / Special Use / Variance Information

Request Reason:
 Current Use:
 Proposed Use:

Prior Variance: No
 Prior Request:
 Permission to Visit: No

Subdivision Information / Current Zoning

Subdivision Type: Preliminary Plat
 Current Use:
 Proposed Use:
 Subdivision Name: Savers Farm Subdivision - Phase 9
 Engineer Company: Strickland Engineering
 Contact: Marc Mahnke / Brian Strickland
 Mailing Address: 113 W. Main Street
 City, State, Zip: Jackson, MO 63755
 Phone: 573-243-4080
 Other Permit: No
 Legal:

R-1: ☐
 R-2: ☒
 R-3: ☐
 R-4: ☐
 MH-1: ☐
 O-1: ☐
 CO-1: ☐
 C-1: ☐
 C-2: ☐
 C-3: ☐
 C-4: ☐
 I-1: ☐
 I-2: ☐
 I-3: ☐

Proposed Zoning

R-1: ☐
R-2: ☒
R-3: ☐
R-4: ☐
MH-1: ☐
O-1: ☐
CO-1: ☐

C-1: ☐
C-2: ☐
C-3: ☐
C-4: ☐
I-1: ☐
I-2: ☐
I-3: ☐

Land Exchange Information

Current Use:
Request Reason:
Granting Property:
Receiving Property:
Engineer Company:
Engineer Contact:
Address:
City, State, Zip:
Phone:

Granting Owner:
Address:
City, State, Zip:
Receiving Owner:
Address:
City, State, Zip:
Application For: Combination or re-
 combination of previously
 platted lots

Additional Comments

SUBDIVISION OF LAND

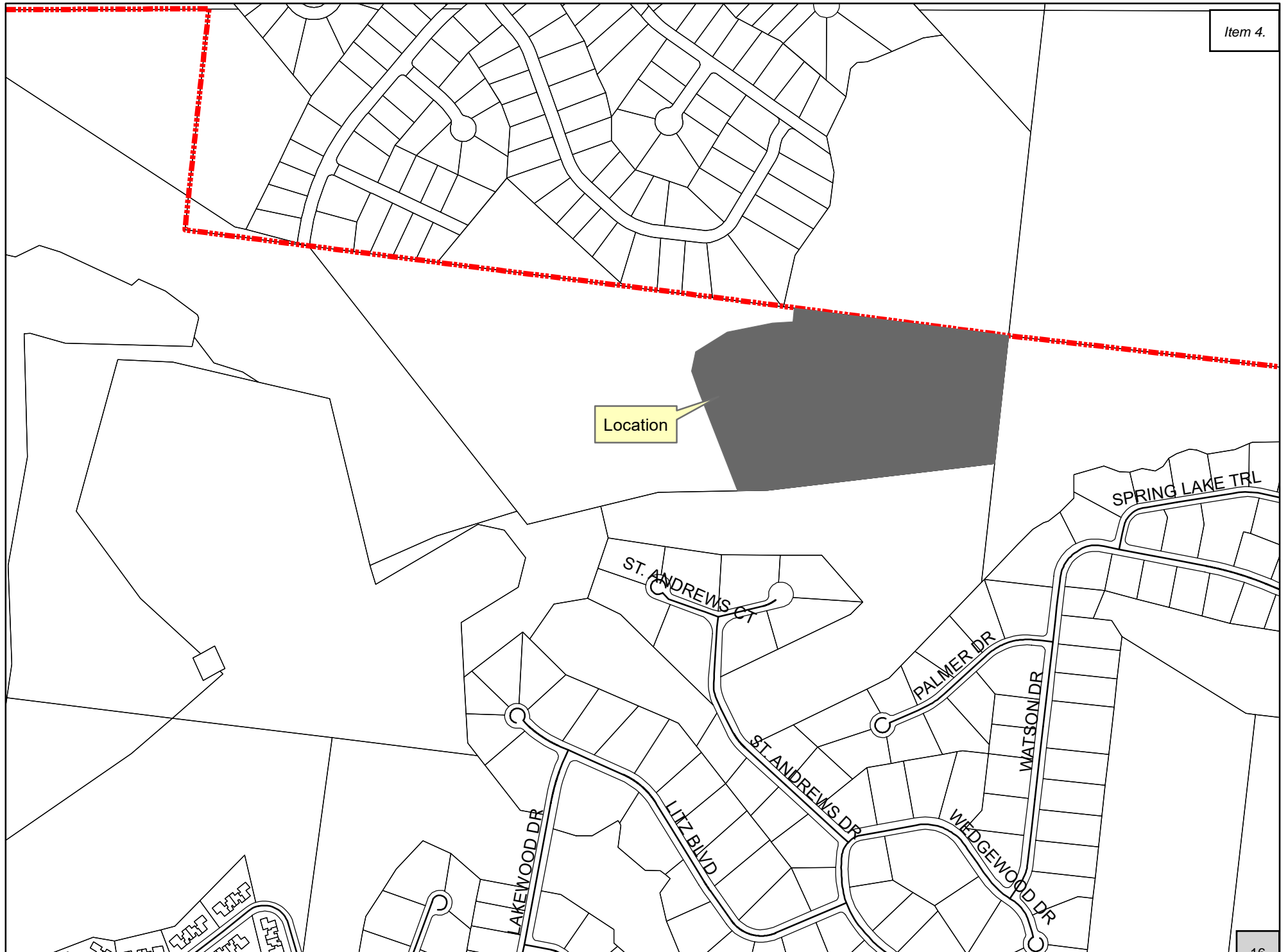
I do hereby certify that the information contained herein is true and correct.

Brandon Williams

Name

06/15/2022

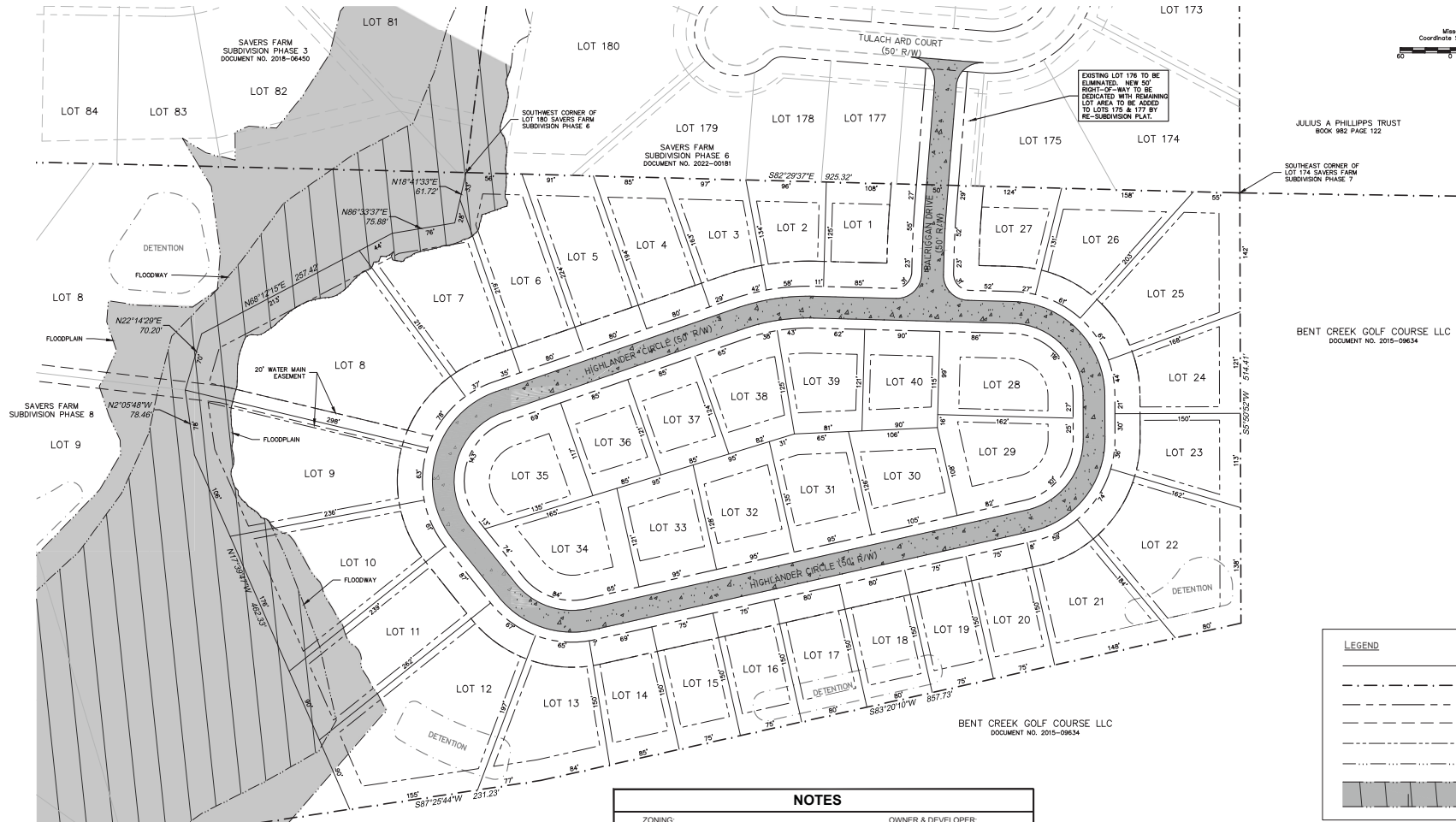
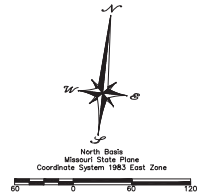
Date



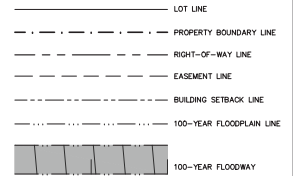
Savers Farm Subdivision Phase 9
Location Map

SAVERS FARM SUBDIVISION - PHASE 9

Part of U.S.P. SURVEY 318, Township 31 North Range 13 East of the Fifth Principal Meridian
in the City of Jackson and County of Cape Girardeau, Missouri.



LEGEND



NOTES

ZONING:
R-2 SINGLE FAMILY RESIDENTIAL

EASEMENT NOTES:
10' FRONT (MINIMUM)
10' REAR (MINIMUM)
10' PERIMETER OF SUBDIVISION (MINIMUM)
ALL DETENTION BASINS WILL HAVE EASEMENT PROVIDING ACCESS TO BASIN AND AROUND PERIMETER
20' WATER MAIN (AS SHOWN)

BUILDING SETBACKS:
FRONT YARD SETBACK = 30'
REAR YARD SETBACK = 25'
SIDE YARD SETBACK = 5'

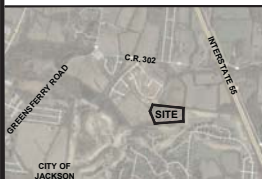
DESIGN STANDARDS
50' RIGHT-OF-WAY WIDTH
28" WIDE CONCRETE STREETS WITH CURB
4" WIDE CONCRETE SIDEWALKS ON EACH SIDE

OWNER & DEVELOPER:
CAPE LAND & DEVELOPMENT, LLC
c/o BRANDON WILLIAMS
2985 BOUTIN DRIVE
CAPE GIRARDEAU, MO 63701

PREPARED BY:
STRICKLAND ENGINEERING
113 W. MAIN STREET SUITE 1
JACKSON, MO 63755
(573) 243-4080

ACCURACY STANDARD: TYPE URBAN

LOCATION MAP



FLOODPLAIN NOTE:
A PORTION OF THE DESCRIBED TRACT IS LOCATED WITHIN A FLOOD HAZARD ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 29031G144E.

STRICKLAND ENGINEERING CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING	113 WEST MAIN STREET P.O. BOX 159 JACKSON, MISSOURI 63755 TEL: 573-243-4080 FAX: 573-243-2191
	PRELIMINARY PLAT FOR SAVERS FARM SUBDIVISION PH. 9 JACKSON, MISSOURI
	SCALE 1" = 60' DATE 9-28-2022 DRAWN BY MTM CHECKED BY RA/BS PROJECT # 22-074

BILL NO. 22-97

ORDINANCE NO. 22-95

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 *CAPE LAND & DEVELOPMENT, LLC OF CAPE GIRARDEAU, MISSOURI*, RELATIVE TO THE *DEVELOPMENT OF SAVERS FARM SUBDIVISIONS 8 AND 9*; 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 Memorandum of Understanding 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 Memorandum of Understanding.

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 Memorandum of Understanding marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and the **Cape Land & Development, LLC of Cape Girardeau, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said Memorandum of Understanding.

Section 2. That the Mayor is hereby authorized and directed to execute said Memorandum of Understanding 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 Memorandum of Understanding.

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: October 3, 2022.

SECOND READING: October 3, 2022.

PASSED AND APPROVED this 3rd day of October, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

(SEAL)



ATTEST:

CITY OF JACKSON, MISSOURI

BY: *Dave Reiminger*
Mayor Pro Tem

Angie Wa
City Clerk

EXHIBIT

A

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this 3rd day of October, 2022, by and between **CITY OF JACKSON, MISSOURI**, a municipal corporation, hereinafter referred to as "City," and the **CAPE LAND & DEVELOPMENT, LLC**, hereinafter referred to as "Developer," WITNESSETH:

WHEREAS, the Developer is developing subdivisions known as Savers Farm Subdivision Phase 8 and Savers Farm Subdivision Phase 9 within the City; and

WHEREAS, City street access and certain City utilities are not available within a reasonable distance of these locations, and

WHEREAS, the Developer desires to develop streets and utilities to serve the development; and

WHEREAS, the City desires to cooperate with the Developer to facilitate development of this property; and

WHEREAS, the parties have reached certain agreements concerning the aforesaid project and desire to memorialize the agreement between them in writing.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the adequacy and sufficiency of which are hereby acknowledged, it is mutually covenanted and agreed as follows:

1. The Developer will plat and develop residential subdivisions within the city limits of Jackson, Missouri, known as Savers Farm Subdivision Phase 8 and Savers Farm Subdivision Phase 9 in accordance with all laws and regulations of the City of Jackson, other than as specifically modified herein.

2. The Developer will construct an electric system to serve the required street lighting system and all lots in the subdivisions with 200 amp service. Electric supplier will be Ameren UE or other public electric utility as regulated by the Missouri Public Service Commission.
3. The Developer will construct a public street system in compliance with City of Jackson regulations.
4. The Developer is not responsible for developing any two-lane bridges in Phase 8 and Phase 9.
5. The Developer will ensure unrestricted access during construction of Phase 8 and 9 to these subdivisions through the area outside city limits for provided city services, other utility and emergency services, and the public. Developer is not responsible for any access once the subdivision has been constructed and/or developed.
6. The City will have responsibility for current or future ownership, operation, operational costs, upgrade, repair, or maintenance of the sewer system, street system, and stormwater infrastructure. The City shall have responsibility for snow plowing, street sweeping, and removal of dirt, mud, or debris.
7. The City will have no responsibility for current or future ownership, operation, operational costs, upgrade, repair, or maintenance of the electric system and street lighting system.
8. The Developer will have no responsibility for future ownership, operation, operational costs, upgrade, repair, or maintenance of the street system, electric system, street lighting system, and stormwater infrastructure after Developer transfers the lots in Phase 8 and Phase 9 to the Savers Farm HOA.

9.. This Memorandum of Understanding will be recorded with the Cape Girardeau Recorder of Deeds under the names of Savers Farm Subdivision Phase 8 and Savers Farm Subdivision Phase 9 and shall be referenced in private subdivision restrictions for each subdivision.

10. This Memorandum of Understanding contains the entire agreement of the parties and can be altered, amended, or modified only by written instrument executed by both parties. This Memorandum of Understanding sets forth the entire agreement between the parties and no custom, act, forbearance, or words or silence at any time, gratuitous or otherwise, shall impose any additional obligation or liability upon either party or waive or release either party from any default or the performance or fulfillment of any obligation or liability or operate as against either party as a supplement, alteration, amendment, or change of any terms or provisions set forth herein unless set forth in a written instrument duly executed by such party. The failure of either party to exercise any rights or remedies shall not release the other party from its obligations hereunder.

11. This Memorandum of Understanding shall be governed by and construed in accordance with the laws of the State of Missouri.

12. This Memorandum of Understanding shall be binding upon and shall inure to the benefit of the undersigned parties and their respective heirs, legal representatives, distributees, successors, and assigns.

13. In case any one or more of the provisions contained in this Memorandum of Understanding shall for any reason be held invalid, illegal, or unenforceable in any respects, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this

Memorandum of Understanding shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

14. The rights and remedies provided by this Memorandum of Understanding are cumulative and the use of any one right or remedy by either party shall not preclude or waive its right to use any or all other available remedies. Said rights and remedies are given in addition to any other rights the parties may have by law, statute, ordinance, or otherwise.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding as of the day and year first above written.

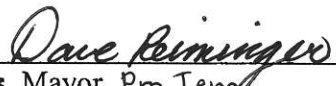
ATTEST:


Liza Walker, City Clerk

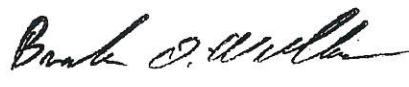


CITY:

CITY OF JACKSON, MISSOURI


~~Dwain Hahn~~, Mayor Pro Tem
Dave Reiminger

CAPE LAND & DEVELOPMENT, LLC:


Brandon O. Williams
Sole Member

Staff Report

ACTION ITEM: Jackson Civic Center Subdivision

APPLICANT: City of Jackson

APPLICANT STATUS: Property Owner

PURPOSE: To properties acquired at various times into a single lot.

SIZE: 28.23 acres

PRESENT USES: Jackson Civic Center / planned electric substation

PROPOSED USE: Same with any future enhancements

SURROUNDING LAND USE: North – C-2 General Commercial; South – R-2 Single Family Residential; East – C-2 General Commercial; West – C02 General Commercial & R-2 Single Family Residential

HISTORY: This property has been purchased in various pieces.

TRANSPORTATION AND PARKING: All required street frontage and parking for current uses already exist.

APPLICABLE REGULATIONS: Land Subdivision Regulations (Chapter 57

2009 COMPREHENSIVE PLAN: General Commercial Use

FLOODPLAIN INFORMATION: This property is not located in a floodplain per FEMA panel 29031C0143E dated 9/29/11

PHYSICAL CHARACTERISTICS: No unusual characteristics noted.

COMMENTS: All existing easements are not shown on this plat. Addition of the easements has been requested as part of the staff review. A revised plat should be received prior to the meeting date.

ACTION REQUIRED: The Commission shall vote to recommend approval or denial of this subdivision based on compliance with the Land Subdivision Regulations.



SUBDIVISION APPLICATION

City of Jackson, Missouri

NAME OF SUBDIVISION: Jackson Civic Center Subdivision

DATE OF APPLICATION: 10/3/2022

TYPE OF APPLICATION:

<input type="checkbox"/>	PRELIMINARY PLAT
<input type="checkbox"/>	FINAL PLAT
<input checked="" type="checkbox"/>	MINOR SUBDIVISION
<input type="checkbox"/>	RESUBDIVISION

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

Property Owner Name(s): City of Jackson

Mailing Address: 101 Court Street

City, State ZIP: Jackson, MO 63755

ENGINEER / SURVEYING COMPANY: Koehler Engineers & Land Surveyors

Engineer / Surveyor Contact: Travis Steffens

Mailing Address: 194 Coker Ln.

City, State ZIP: Cape Girardeau, MO 63755

Contact's Phone: 573-579-9163

CONTACT PERSON HANDLING APPLICATION:

Contact Name: Kent Peetz, Public Works Director

Mailing Address: 101 Court St.

City, State ZIP: Jackson, MO 63755

Contact's Phone: 573-243-2300

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

CURRENT ZONING: (circle all that apply)

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


☐ I-3 (Planned Industrial Park)

Will a rezoning or a special use permit request be submitted in conjunction with the proposed development? YES ☐ NO ☒

LEGAL DESCRIPTION OF TRACT: Submit a copy of the most current deed for the property being divided.

OWNER SIGNATURES:

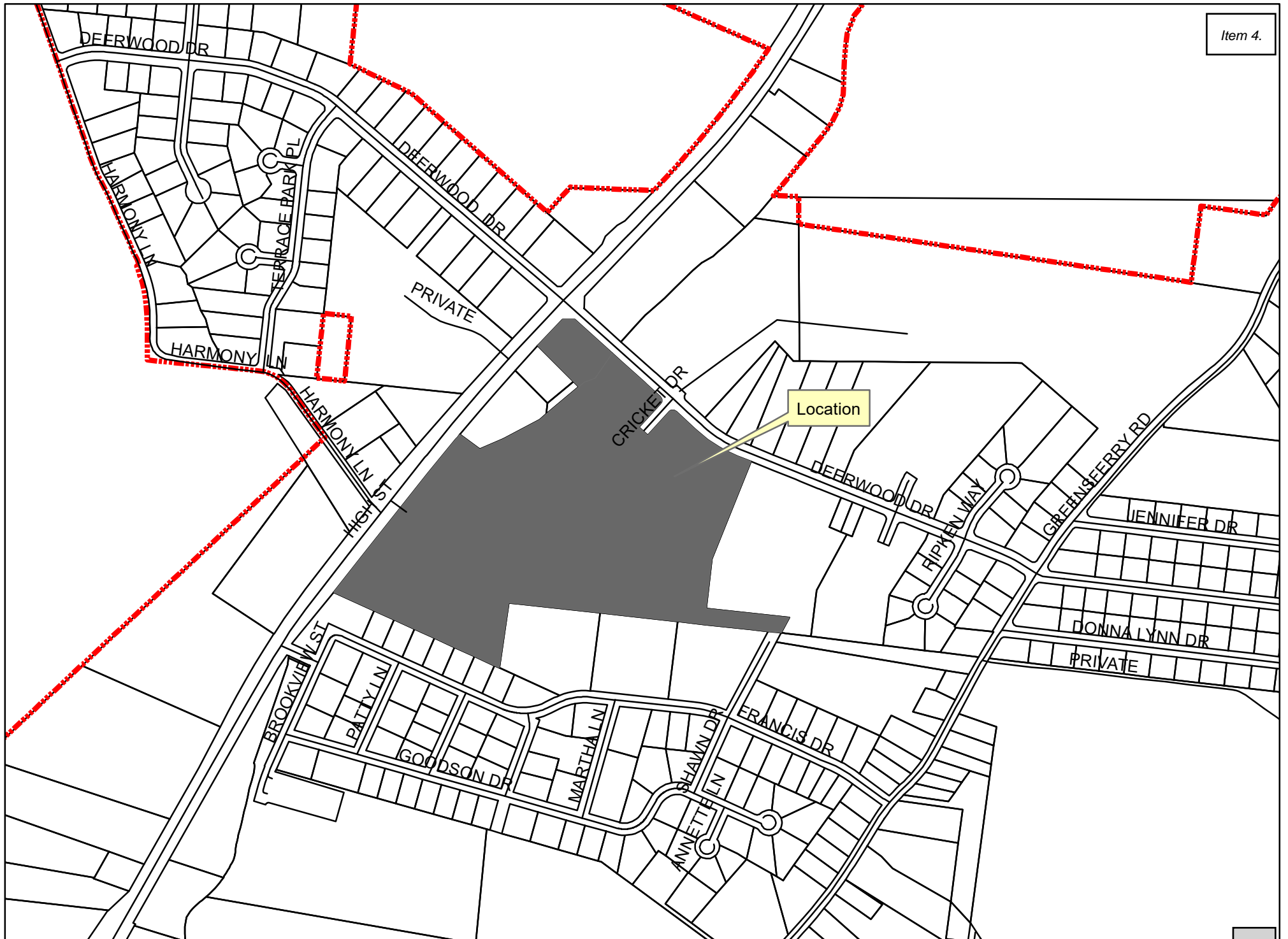
I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*



Please submit the completed application along with the applicable application fee to:

Janet Sanders
Building & Planning Manager
City of Jackson
101 Court Street
Jackson, MO 63755

Ph: 573-243-2300 ext. 29
Fax: 573-243-3322
Email: jsanders@jacksonmo.org





NORTH ORIENTATION FROM
MISSOURI STATE PLANE
COORDINATE SYSTEM

LINE TABLE			CURVE TABLE				
LINE #	DIRECTION	LENGTH	CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION
L1	N68°09'37"W	60.66'	C1	191.34'	530.00'	204°10'7"	N57°49'04"W
L2	N47°28'30"W	118.91'	C2	31.42'	20.00'	90°00'00"	S87°31'30"W
L3	S42°31'30"W	130.00'	C3	31.42'	20.00'	90°00'00"	N22°28'30"W
L4	N47°28'30"W	50.00'	C4	155.88'	6423.05'	123°26'	N42°46'58"E
L5	N42°31'30"E	130.00'	C5	12.10'	970.00'	0°42'54"	N47°49'57"W
L6	N47°28'30"W	73.76'					
L7	N34°36'43"E	2.26'					
L8	S87°33'20"W	50.00'					
L9	S38°08'41"W	3.18'					
L10	S67°25'26"W	31.50'					
L11	S43°35'57"W	117.08'					
L12	S68°01'29"W	52.87'					
L13	S49°51'38"W	26.31'					
L14	S66°23'40"W	110.17'					
L15	N53°24'40"W	107.98'					
L16	N27°56'59"E	69.95'					

RECORD PLAT FOR JACKSON CIVIC CENTER SUBDIVISION

ALL OF LOT 64 OF NINE OAKS FOURTH SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU IN PLAT BOOK 24 AT PAGE 98, AND ALL OF LOT 59 OF NINE OAKS FIRST SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU IN PLAT BOOK 24 AT PAGE 15, AND THAT PART OF SECTION 1, TOWNSHIP 31 NORTH, RANGE 12 EAST, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI.

Subdivision Dedication

THE UNDERSIGNED, DWAIN HAHN, MAYOR OF THE CITY OF JACKSON, MISSOURI, OWNER IN FEE OF ALL OF LOT 64 OF NINE OAKS FOURTH SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU IN PLAT BOOK 24 AT PAGE 98, AND ALL OF LOT 59 OF NINE OAKS FIRST SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU IN PLAT BOOK 24 AT PAGE 15, AND THAT PART OF SECTION 1, TOWNSHIP 31 NORTH, RANGE 12 EAST, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI.

BEGINNING AT THE SOUTHEAST CORNER OF LOT 59 OF NINE OAKS FIRST SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU IN PLAT BOOK 24 AT PAGE 15, THENCE WITH THE EAST LINE OF SAID LOT 59, NORTH 0°36'11" EAST, 203.39 FEET; THENCE NORTH 21°50'23" EAST, 429.54 FEET TO A POINT ON THE SOUTH LINE OF EAST DEERWOOD DRIVE AND THE NORTHEAST CORNER OF LOT 59 OF NINE OAKS FIRST SUBDIVISION; THENCE LEAVING SAID EAST LINE OF SAID LOT 59 AND WITH SAID SOUTH LINE OF SAID LOT 59, NORTH 88°09'37" WEST, 60.66 FEET; THENCE ALONG A CURVE DEFLECTING TO THE RIGHT HAVING A RADIUS 530.00 FEET, AN ARC LENGTH OF 191.34 FEET, AND A CHORD COURSE OF NORTH 57°49'04" WEST, 190.31 FEET; THENCE NORTH 47°28'30" WEST, 118.91 FEET; THENCE ALONG A CURVE DEFLECTING TO THE LEFT HAVING A RADIUS 20.00 FEET, AN ARC LENGTH OF 31.42 FEET, AND A CHORD COURSE OF SOUTH 87°31'30" WEST, 28.28 FEET TO A POINT ON THE EAST LINE OF CRICKET DRIVE; THENCE LEAVING SAID SOUTH LINE OF EAST DEERWOOD AND WITH THE RIGHT OF WAY OF CRICKET DRIVE, SOUTH 42°31'30" WEST, 130.00 FEET; THENCE NORTH 47°28'30" WEST, 50.00 FEET; THENCE NORTH 42°31'30" EAST, 130.00 FEET TO A POINT ON THE WEST LINE OF CRICKET DRIVE AND SOUTH LINE OF EAST DEERWOOD DRIVE; THENCE LEAVING SAID RIGHT OF WAY OF CRICKET DRIVE, AND WITH THE SOUTH LINE OF EAST DEERWOOD ALONG A CURVE DEFLECTING TO THE LEFT HAVING A RADIUS 20.00 FEET, AN ARC LENGTH OF 31.42 FEET, AND A CHORD COURSE OF NORTH 22°28'30" WEST, 28.28 FEET; THENCE NORTH 47°28'30" WEST, 73.76 FEET; THENCE ALONG A CURVE DEFLECTING TO THE LEFT HAVING A RADIUS 20.00 FEET, AN ARC LENGTH OF 12.10 FEET, AND A CHORD COURSE OF NORTH 47°49'57" WEST, 12.10 FEET; THENCE NORTH 48°11'24" WEST, 17.38 FEET; THENCE NORTH 34°36'43" EAST, 2.26 FEET; THENCE NORTH 47°29'25" WEST, 217.99 FEET; THENCE SOUTH 87°33'20" WEST, 50.00 FEET TO A POINT ON THE RIGHT OF WAY OF US HIGHWAY 61; THENCE LEAVING SAID SOUTH LINE OF DEERWOOD AND WITH SAID RIGHT OF WAY OF US HIGHWAY 61, ALONG A CURVE DEFLECTING TO THE RIGHT HAVING A RADIUS 6423.05 FEET, AN ARC LENGTH OF 155.88 FEET, AND A CHORD COURSE OF SOUTH 42°46'58" WEST, 155.88 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE OF US HIGHWAY 61, SOUTH 49°51'48" EAST, 260.28 FEET TO A POINT IN THE CENTER OF HUBBLE CREEK; THENCE WITH THE CENTER OF SAID CREEK SOUTH 38°08'41" WEST, 3.18 FEET; THENCE SOUTH 47°25'26" WEST, 31.50 FEET; THENCE SOUTH 43°35'57" WEST, 117.08 FEET; THENCE SOUTH 68°01'29" WEST, 52.87 FEET; THENCE SOUTH 49°51'38" WEST, 26.31 FEET; THENCE SOUTH 62°00'43" WEST, 169.54 FEET; THENCE SOUTH 67°23'40" WEST, 110.17 FEET; THENCE NORTH 53°24'40" WEST, 107.98 FEET TO A POINT ON THE RIGHT OF WAY OF US HIGHWAY 61; THENCE WITH SAID RIGHT OF WAY ALONG A CURVE DEFLECTING TO THE LEFT HAVING A RADIUS 11459.16 FEET, AN ARC LENGTH OF 353.85 FEET, AND A CHORD COURSE OF SOUTH 38°12'40" WEST, 353.84 FEET; THENCE SOUTH 38°12'40" WEST, 465.85 FEET; THENCE LEAVING SAID RIGHT OF WAY SOUTH 65°24'30" EAST, 763.43 FEET; THENCE NORTH 0°29'04" EAST, 270.92 FEET; THENCE NORTH 83°43'49" EAST, 1115.12 FEET; THENCE NORTH 27°56'59" EAST, 69.95 FEET; THENCE NORTH 83°43'49" WEST, 340.93 FEET TO THE POINT OF BEGINNING AND CONTAINING 28.23 ACRES, MORE OR LESS, BEING SUBJECT TO ANY EASEMENTS OR RIGHT OF WAYS OF RECORD, DO HEREBY COMBINE SAID TRACTS AS SHOWN HEREON, AND NAMED SAID SUBDIVISION "JACKSON CIVIC CENTER SUBDIVISION", AND WE DO HEREBY ESTABLISH PERMANENT RIGHT OF WAYS AND EASEMENTS AS SHOWN HEREON AND HEREBY DEDICATE ALL RIGHT OF WAYS AND EASEMENTS TO THE PUBLIC USE FOREVER.

CITY OF JACKSON, MISSOURI

BY: DWAIN HAHN, MAYOR

STATE OF MISSOURI }
COUNTY OF CAPE GIRARDEAU } SS.

ON THIS _____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED DWAIN HAHN, TO ME PERSONALLY KNOWN, WHO EACH BEING DULY SWORN DID SAY THAT HE IS THE MAYOR FOR THE CITY OF JACKSON, MISSOURI, THAT THE ABOVE INSTRUMENT WAS SIGNED ON BEHALF OF SAID COMPANY, AND THAT THEY EXECUTED THE SAME AS THE FREED ACT AND DEED OF SAID COMPANY.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIRMED MY OFFICIAL SEAL, THE DAY AND YEAR FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

L. LIZ WALKER, CITY CLERK OF THE CITY OF JACKSON.

MISSOURI, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE CITY OF JACKSON.

MISSOURI, BY ORDINANCE NO. _____

PASSED AND APPROVED THIS _____ DAY OF _____, A.D. 20____.

LIZ WALKER, CITY CLERK

KENT PLETZ, PUBLIC WORKS DIRECTOR

HARRY DRYER, PLANNING AND ZONING CHAIRMAN

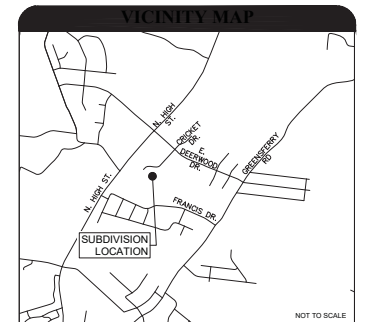
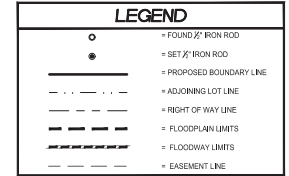
DWAIN HAHN, MAYOR

STATE OF MISSOURI }
COUNTY OF CAPE GIRARDEAU } SS.

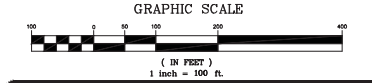
FILED FOR RECORD THIS _____ DAY OF _____, A.D. 20____, IN DOCUMENT _____

NUMBER _____

ANDREW DAVID BLATTNER, RECORDER OF DEEDS OF CAPE GIRARDEAU COUNTY, MISSOURI



THIS SURVEY CREATES NEW PARCEL FROM A TRACT DESCRIBED IN DOCUMENT NO. 2022-0888 AND IN DOCUMENT NO. 2015-0910 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI.



FLOODPLAIN NOTE
A PORTION OF THE PROPERTY FALLS WITHIN THE 100 YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 29031C 0143 E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.

SURVEYOR'S NOTES
1. REFERENCES USED FOR THIS SUBDIVISION INCLUDE:
A. PRIOR SURVEY BY KOEHLER FOR NINE OAKS FIRST SUBDIVISION.
B. ALL SUBJECT AND ADJACENT DEEDS NOTED HEREON.

ZONING FOR LOT 1
C-2 (GENERAL COMMERCIAL DISTRICT)
MINIMUM LOT AREA: NOT LESS THAN 5,000 S.F.
MINIMUM LOT WIDTH: FRONT LOT LINE OF NOT LESS THAN FIFTY (50) FEET
MAXIMUM DENSITY: NONE
MAXIMUM BUILDING COVERAGE: 40% OF LOT
BUILDING SETBACKS FOR C-2 ZONING
FRONT BUILDING SETBACKS: THIRTY (30) FEET
REAR BUILDING SETBACKS: TWENTY-FIVE (25) FEET
SIDE SETBACKS: EIGHT (8) FEET SHALL BE PROVIDED WHERE LOT ABUTS TO A RESIDENTIAL DISTRICT.

LOT SIZES
TOTAL SUBDIVISION AREA: 1,229,545 S.F. (28.23 ACRES)
TOTAL NUMBER OF LOTS: 1
RECORD OWNER
OWNER OF NEW LOT:
CITY OF JACKSON, MISSOURI, A MUNICIPAL CORPORATION
DOCUMENT NO. 2015-13387
DOCUMENT NO. 2022-0888

DEVELOPER OF SUBDIVISION AND PLAT PREPARED FOR:
CITY OF JACKSON, MISSOURI
101 COURT ST.
JACKSON, MO 67202
(873) 443-3668
PLAT PREPARED BY AND LAND SURVEYING SERVICES PROVIDED BY:
KOEHLER ENGINEERING AND LAND SURVEYING, INC.
164 COKER LANE, CAPE GIRARDEAU, MO 63701
(573) 335-3028

THIS SURVEY OF A TRACT OF RURAL PROPERTY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT STANDARDS FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF MISSOURI AS MADE EFFECTIVE JUNE 30, 2017.

KOEHLER Professional Engineers & Land Surveyors				
194 Coker Lane Cape Girardeau, Missouri 63701 Ph: (573) 335-3028 Fax: (573) 335-3049 PLS CORPORATE LICENSE NO. 000262				
CREATED BY	REVISION	REV/DATE	DESCRIPTION	INITIALS
DWAIN HAHN	1			
TRAVIS STEFFENS				
OCTOBER 2015				
9-28-2022				
38726				

Staff Report

ACTION ITEM: Potential Zoning Text Amendment – Defining & Limiting Tiny Houses

APPLICANT: City of Jackson

APPLICANT STATUS: Municipal Governing Authority

PURPOSE: To add a definition to the zoning code for tiny homes and to establish a recommendation for where, if anywhere, they should be allowed.

APPLICABLE REGULATIONS: Zoning Code (Chapter 65)

COMMENTS: This item is expected to take more than one meeting. Once a consensus has been reached on the general parameters, code language will be prepared by staff for action at a future meeting, including a required public hearing for a zoning text amendment.

A memo previously presented to the Board of Aldermen regarding building codes for tiny homes is included in this packet. Although the Planning & Zoning Commission has no authority over building codes, this memo will help in understanding the typical features.

The Board was not interested in allowing the requested home to be placed on a standard lot in town, citing protection of surrounding properties, but the discussion generated a need to define tiny homes in the zoning code and determine where, if anywhere, they should be allowed and under what conditions.

ACTION REQUIRED: Discussion of tiny homes and their potential location, if any.

MEMO



TO: Mayor Hahs and Members of the Board of Aldermen
FROM: Janet Sanders, Building & Planning Manager
DATE: August 30, 2022
SUBJECT: Tiny Houses

Our department has been approached by a resident who would like to install a tiny home on an existing residential lot. We do not have a code that prohibits tiny homes, and the only square footage limitation for dwellings comes from the International Residential Code which requires 120 square feet of habitable space per person. A tiny house that meets all aspects of the 2015 International Building Code could currently be constructed on any existing lot, where it could meet the standard setback and lot coverage requirements, or as part of a Special Use Permit for a community unit plan.

However, the construction design of most tiny homes does not meet certain requirements of the 2015 International Residential Code related to stairway design, emergency egress, and ceiling heights.

If the Board of Aldermen desires to allow tiny homes as a living option within the city which have the typical tiny home features of lower ceilings, loft sleeping, and ship ladder stairways, the attached Appendix AQ from the 2021 International Residential Code would need to be adopted. If this appendix is adopted, staff recommends excluding Section AQ106 (Energy Conservation) since we have not adopted any edition of the International Energy Code.

Attached is the 2021 International Residential Code Appendix AQ. Appendices for Tiny Houses did not come into existence until the 2018 version of the ICC Codes.

Tiny Houses meet the ICC and city zoning definitions for dwelling units and do not meet the definitions for manufactured homes unless built on a chassis.

APPENDIX AQ TINY HOUSES

Item 4.

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

User note:

About this appendix: Appendix AQ relaxes various requirements in the body of the code as they apply to houses that are 400 square feet in area or less. Attention is specifically paid to features such as compact stairs, including stair handrails and headroom, ladders, reduced ceiling heights in lofts and guard and emergency escape and rescue opening requirements at lofts.

SECTION AQ101 GENERAL

AQ101.1 Scope.

This appendix shall be applicable to *tiny houses* used as single *dwelling units*. *Tiny houses* shall comply with the 2015 International Residential Code except as otherwise stated in this appendix.

SECTION AQ102 DEFINITIONS

AQ102.1 General.

The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of the 2015 International Residential Code for general definitions.

EGRESS ROOF ACCESS WINDOW. A *skylight* or roof window designed and installed to satisfy the emergency escape and rescue opening requirements of Section R310.2.

LANDING PLATFORM. A landing provided as the top step of a stairway accessing a *loft*.

LOFT. A floor level located more than 30 inches (762 mm) above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches (2032 mm) and used as a living or sleeping space.

TINY HOUSE. A *dwelling* that is 400 square feet (37 m²) or less in floor area excluding *lofts*.

SECTION AQ103 CEILING HEIGHT

AQ103.1 Minimum ceiling height.

Habitable space and hallways in *tiny houses* shall have a ceiling height of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms and kitchens shall have a ceiling height of not less than 6 feet 4 inches (1930 mm). Obstructions including, but not limited to, beams, girders, ducts and lighting, shall not extend below these minimum ceiling heights.

Exception: Ceiling heights in *lofts* are permitted to be less than 6 feet 8 inches (2032 mm).

SECTION AQ104 LOFTS

AQ104.1 Minimum loft area and dimensions.

Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of Sections AQ104.1.1 through AQ104.1.3.

AQ104.1.1 Minimum area.

Lofts shall have a floor area of not less than 35 square feet (3.25 m²).

Item 4.

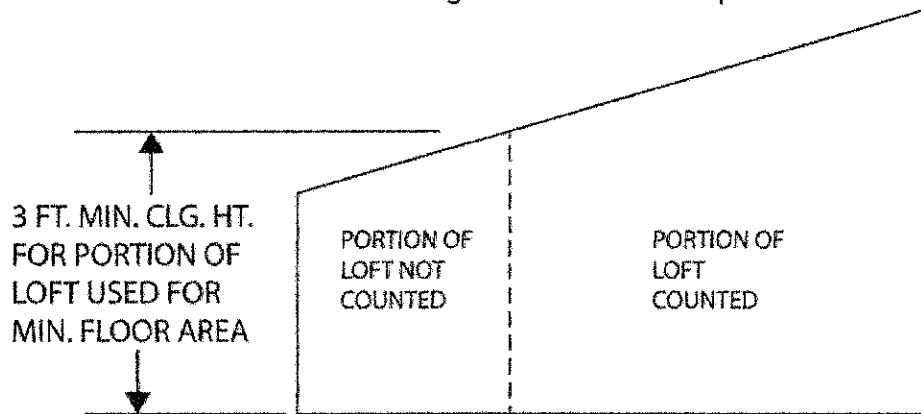
AQ104.1.2 Minimum horizontal dimensions.

Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

AQ104.1.3 Height effect on loft area.

Portions of a *loft* with a sloped ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft. See Figure AQ104.1.3.

Exception: Under gable roofs with a minimum slope of 6 units vertical in 12 units horizontal (50-percent slope), portions of a *loft* with a sloped ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the *loft*.



For SI: 1 foot = 304.8 mm.

FIGURE AQ104.1.3
HEIGHT EFFECT ON LOFT AREA

AQ104.2 Loft access and egress.

The access to and primary egress from *lofts* shall be of any type described in Sections AQ104.2.1 through AQ104.2.5. The loft access and egress element along its required minimum width shall meet the loft where its ceiling height is not less than 3 feet (914 mm).

AQ104.2.1 Stairways.

Stairways accessing *lofts* shall comply with this code or with Sections AQ104.2.1.1 through A104.2.1.7.

AQ104.2.1.1 Width.

Stairways accessing a *loft* shall not be less than 17 inches (432 mm) in clear width at or above the *handrail*. The width below the *handrail* shall be not less than 20 inches (508 mm).

AQ104.2.1.2 Headroom.

The headroom above stairways accessing a *loft* shall be not less than 6 feet 2 inches (1880 mm), as measured vertically, from a sloped line connecting the tread landing or landing platform *nosings* in the center of their width and vertically from the landing platform along the center of its width.

AQ104.2.1.3 Treads and risers.

Risers for stairs accessing a *loft* shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:

1. The tread depth shall be 20 inches (508 mm) minus four-thirds of the riser height.
2. The riser height shall be 15 inches (381 mm) minus three-fourths of the tread depth.

AQ104.2.1.4 Landings.

Intermediate landings and landings at the bottom of stairways shall comply with Section R311.7.6, except that the depth in the direction of travel shall be not less than 24 inches (610 mm).

AQ104.2.1.5 Landing platforms.

The top tread and riser of stairways accessing *lofts* shall be constructed as a *landing platform* where the *loft* ceiling height is less than 6 feet 2 inches (1880 mm) where the stairway meets the *loft*. The *landing platform* shall be not less than 20 inches (408 mm) in width in depth measured horizontally from and perpendicular to the *nosing* of the landing platform. The landing platform riser height to the loft floor shall be not less than 16 inches (406 mm) and not greater than 18 inches (457 mm).

AQ104.2.1.6 Handrails.

Handrails shall comply with Section R311.7.8.

AQ104.2.1.7 Stairway guards.

Guards at open sides of stairways, landings and landing platforms shall comply with Section R312.1.

AQ104.2.2 Ladders.

Ladders accessing *lofts* shall comply with Sections AQ104.2.1 and AQ104.2.2.2.

AQ104.2.2.1 Size and capacity.

Ladders accessing *lofts* shall have a rung width of not less than 12 inches (305 mm), and 10-inch (254 mm) to 14-inch (356 mm) spacing between rungs. Ladders shall be capable of supporting a 300-pound (136 kg) load on any rung. Rung spacing shall be uniform within $\frac{3}{8}$ inch (9.5 mm).

AQ104.2.2.2 Incline.

Ladders shall be installed at 70 to 80 degrees from horizontal.

AQ104.2.3 Alternating tread devices.

Alternating tread devices accessing *lofts* shall comply with Sections R311.7.11.1 and R311.7.11.2. The clear width at and below the *handrails* shall be not less than 20 inches (508 mm).

AQ104.2.4 Ship's ladders.

Ship's ladders accessing *lofts* shall comply with Sections R311.7.12.1 and R311.7.12.2. The clear width at and below *handrails* shall be not less than 20 inches (508 mm).

AQ104.2.5 Loft guards.

Loft guards shall be located along the open sides of *lofts*. Loft guards shall be not less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less. Loft guards shall comply with Section R312.1.3 and Table R301.5 for their components.

SECTION AQ105 EMERGENCY ESCAPE AND RESCUE OPENINGS

AQ105.1 General.

Tiny houses shall meet the requirements of Section R310 for emergency escape and rescue openings.

Exception: *Egress roof access windows* in *lofts* used as sleeping rooms shall be deemed to meet the requirements of Section R310 where installed such that the bottom of the opening is not more than 44 inches (1118 mm) above the *loft* floor, provided the egress roof access window complies with the minimum opening area requirements of Section R310.2.1.

SECTION AQ106 ENERGY CONSERVATION

AQ106.1 Air leakage testing.

The air leakage rate for *tiny houses* shall not exceed 0.30 cubic feet per minute at 50 Pascals of pressure per square foot of the *dwelling unit* enclosure area. The air leakage testing shall be in accordance with the testing methods required in Section N1102.4.1.2. The *dwelling unit* enclosure area shall be the sum of the areas of ceilings, floors and walls that separate the conditioned space of a *dwelling unit* from the exterior, its adjacent unconditioned spaces and adjacent *dwelling units*.

AQ106.1.1 Whole-house mechanical ventilation.

Where the air leakage rate is in accordance with Section AQ106.1, the *tiny house* shall be provided with whole-house mechanical ventilation in accordance with Section M1505.4.

AQ106.2 Alternative compliance.

Tiny houses shall be deemed to be in compliance with Chapter 11 of this code and Chapter R4 of the *International Energy Conservation Code*, provided that the following conditions are met:

1. ~~1.~~ The insulation and fenestration meet the requirements of Table N1102.1.2.
2. ~~2.~~ The thermal envelope meets the requirements of Section N1102.4.1.1 and Table N1102.4.1.1.
3. ~~3.~~ Solar, wind or other renewable energy source supplies not less than 90 percent of the energy use for the structure.
4. ~~4.~~ Solar, wind or other renewable energy source supplies not less than 90 percent of the energy for service water heating.
5. ~~5.~~ Permanently installed lighting is in accordance with Section N1104.
6. ~~6.~~ Mechanical ventilation is provided in accordance with Section M1505 and operable fenestration is not used to meet ventilation requirements.

MEMO



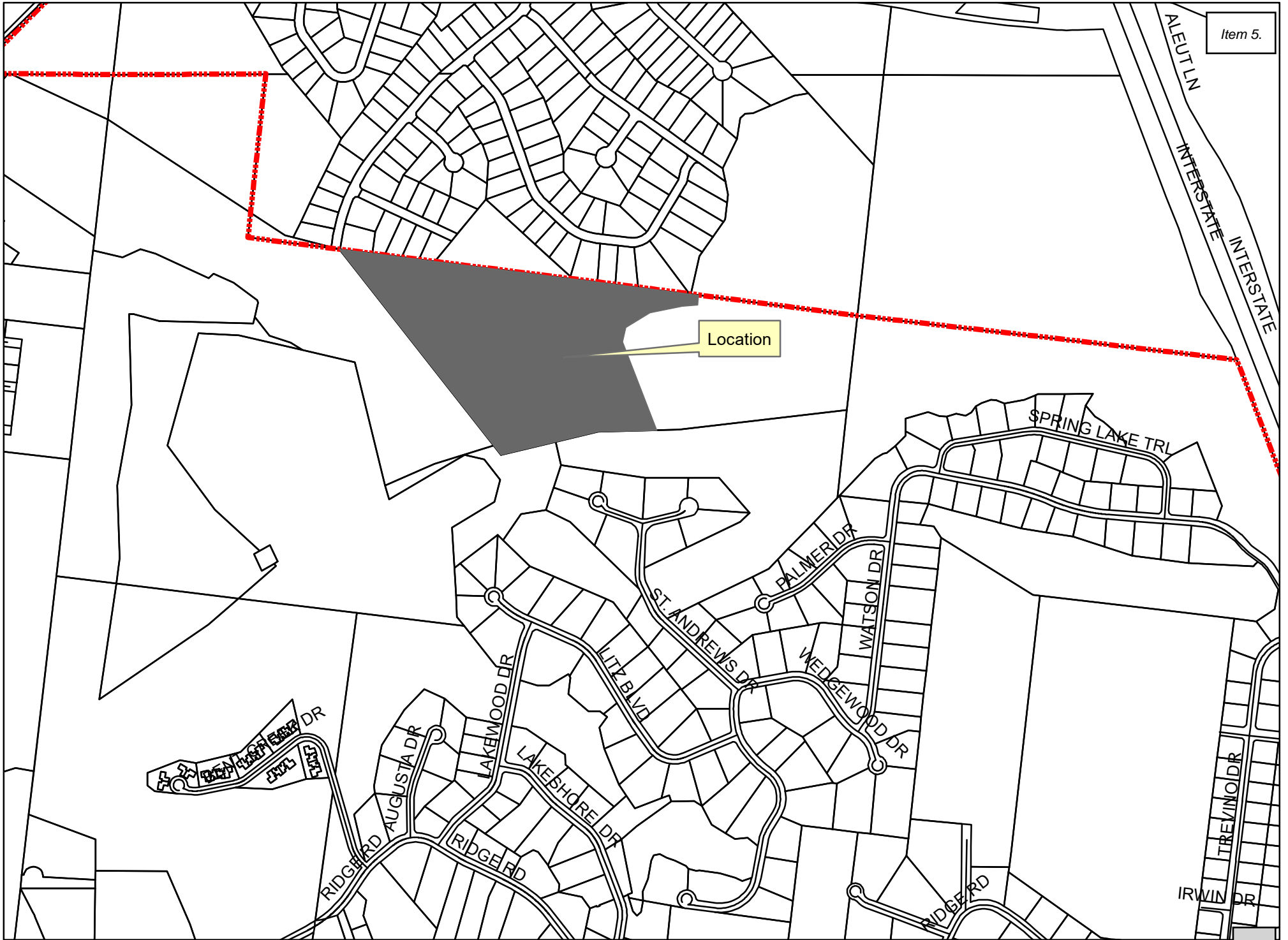
TO: Mayor Hahs and Members of the Board of Aldermen
FROM: Janet Sanders, Building & Planning Manager
DATE: October 12, 2022
SUBJECT: Savers Farm Subdivision Phase 8

Attached is the revised preliminary plat of Savers Farm Subdivision Phase 8 which reflects the conditions of the recently approved Memorandum of Understanding (MOU) for Savers Farm Subdivision Phases 8 & 9.

A previous version of this preliminary plat, without the conditions of the more recent MOU, but with the same street right-of-way and lot layout, was recommended for approval by the Planning and Zoning Commission on June 8th. The plat was then placed on hold at the Board of Aldermen level pending negotiation and approval of the MOU.

Since the MOU has now been approved, this plat is presented in conjunction with the preliminary plat of Savers Farm Subdivision Phase 9, which was also recommended for approval by the Planning and Zoning Commission on October 12th and included in this packet as part of the October P&Z report.

As always, if you have questions, please contact me at 243-2300 or jsanders@jacksonmo.org.



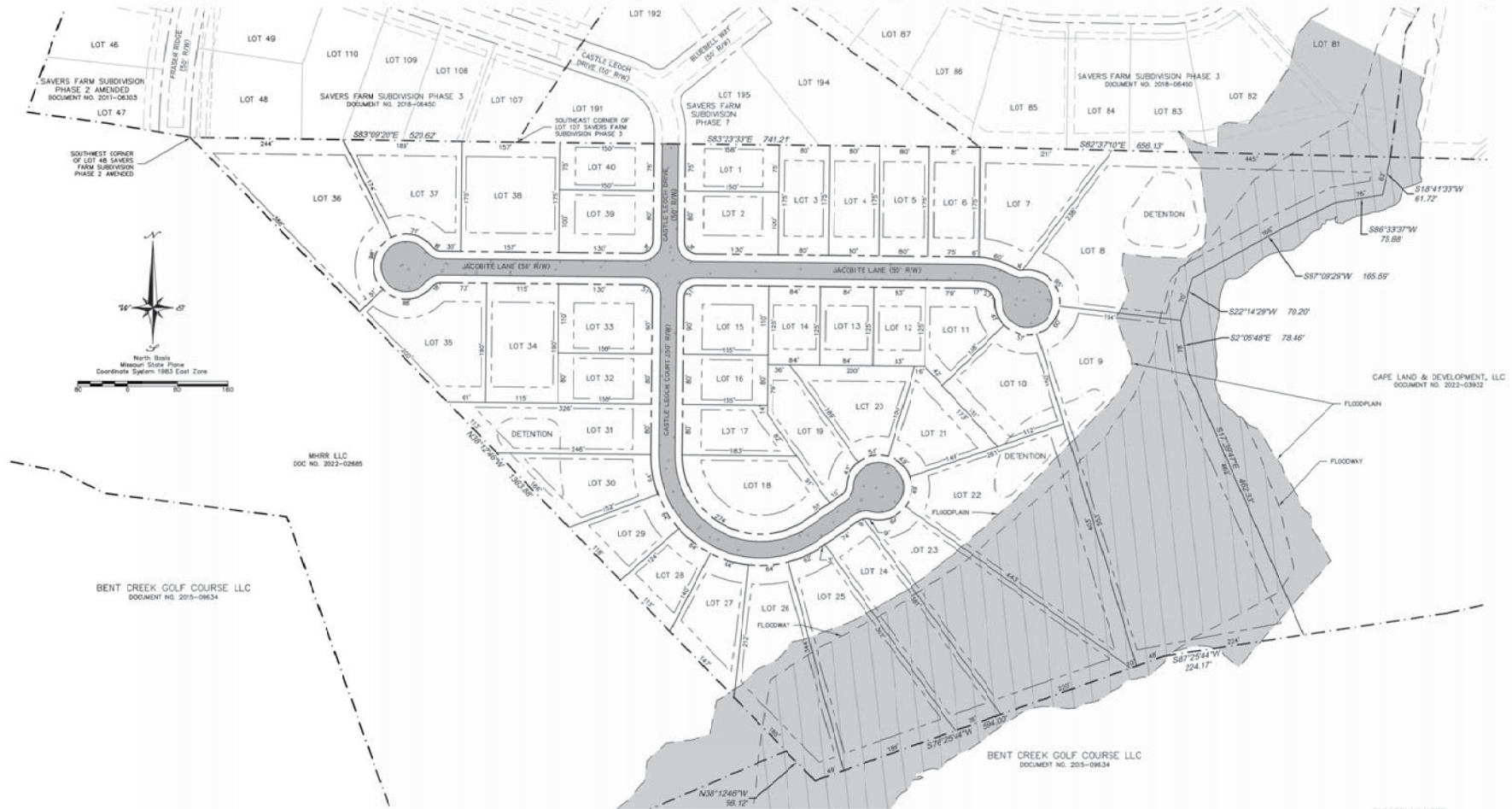
Item 5.



Savers Farm Subdiviioon Phase 8
Location Map

SAVERS FARM SUBDIVISION - PHASE 8

Part of U.S.P. SURVEY 318, Township 31 North Range 13 East of the Fifth Principal Meridian
in the City of Jackson and County of Cape Girardeau, Missouri.

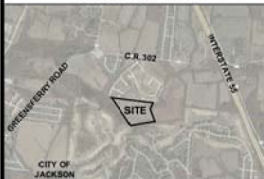


BENT CREEK GOLF COURSE LLC
DOCUMENT NO. 2015-09634

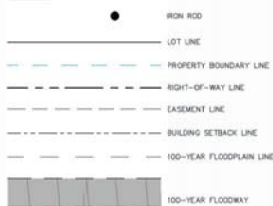
MHR LLC
DOC NO. 2012-02885

CAPE LAND & DEVELOPMENT, LLC
DOCUMENT NO. 2022-03832

LOCATION MAP



LEGEND



NOTES

ZONING:
R2 SINGLE FAMILY RESIDENTIAL

EASEMENT NOTES:
12' FRONT
10' REAR

BUILDING SETBACKS:
FRONT YARD SETBACK = 30'
REAR YARD SETBACK = 10'
SIDE YARD SETBACK = 8'

DESIGN STANDARDS:
50' RIGHT-OF-WAY WIDTH

26' WIDE PRIVATE CONCRETE STREETS WITH CURB TO BE MAINTAINED BY THE SAVERS FARM SUBDIVISION HOMEOWNERS ASSOCIATION.

OWNER & DEVELOPER:
CAPE LAND & DEVELOPMENT, LLC
609 BRANDON WILLIAMS
2985 BOUTIN DRIVE
CAPE GIRARDEAU, MO 63701

PREPARED BY:
STRICKLAND ENGINEERING
113 W MAIN STREET SUITE 1
JACKSON, MO 63755
(573) 243-4380

ACCURACY STANDARD: TYPE URBAN

FLOODPLAIN NOTE:
A PORTION OF THE DESCRIBED TRACT IS LOCATED WITHIN A FLOOD HAZARD ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 29031 C0144E.

STRICKLAND ENGINEERING CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING	113 WEST MAIN STREET P.O. BOX 159 JACKSON, MISSOURI 63755 TEL: 573-243-4380 FAX: 573-243-2191
	PRELIMINARY PLAT FOR SAVERS FARM SUBDIVISION PH. 8 CASTLE LEOCH DRIVE JACKSON, MO 63755
	SCALE 1" = 60' DATE 6-1-2022 DRAWN BY MTM CHECKED BY RA/BS PROJECT # 22-074

MEMO



TO: Mayor Hahs and Members of the Board of Aldermen

FROM: Janet Sanders, Building & Planning Manager

DATE: October 12, 2022

SUBJECT: Missouri Main Street Connection Workshop – HPF Grant Application

Missouri Main Street Connection is a non-profit organization of whom the City of Jackson and Uptown Jackson Revitalization are both members. MMSC holds annual conferences and quarterly trainings for their membership. They have requested to hold a quarterly workshop in Jackson in November of 2023. These workshops bring downtown revitalization directors and other members from throughout the state who spend one to two days in town for their training. Since this workshop will feature Historic Preservation speakers, MMSC is seeking partial funding through a Historic Preservation Fund Grant offered by the State Historic Preservation Office.

As a non-profit, MMSC cannot apply directly for this grant. As a Certified Local Government (CLG), the City of Jackson can apply and obtain extra “points” in the grant competition for being a CLG. Therefore, MMSC is asking the city to serve as the grant applicant with MMSC handling all the work of applying and administering the grant and providing all matching funding required. They have provided their proposed budget for the workshop, but there would be no cost to the city.

If the Board is willing to serve in this role, a letter of support will need to be officially approved by resolution at a later meeting. At the present time, MMSC has submitted a pre-application to show their interest in applying for the grant funding.

From: Diane Hannah <diane@momainstreet.org>

Sent: Wednesday, October 12, 2022 9:48 AM

To: jsanders@jacksonmo.org

Subject: SHPO application

Hello Janet,

I have attached a blank copy of the grant we are working on. In order for the city of Jackson to partner with us on this grant as we talked about on the phone this morning, we will need #1, #3, #4, #5, and #6 filled out by the city as the applicant. If your answer to #6 is yes, please send a flyer or other examples of the work.

Under question #20 on the last page, you will see a request for a resolution or application letter of support. I believe that is what you were asking about this morning. We don't need the letter of support for the pre-application this week but will need it by the final application submission date of November 15. Upon completion of the application, we will also need a signature of responsible official from the city to submit the application.

The project we intend to do (and we will send you a more complete description later) is a workshop in Jackson on November 9, 2023. We will have speakers from CAMP, which is the speakers' bureau of The National Alliance of Preservation Commissions. Their topic will be why a CLG is important for your community. As we develop the agenda for the workshop further, we may have a couple other preservation consultants. We will keep you informed about that.

All Missouri communities will be invited to Jackson to attend this workshop. We typically have about 100 people in attendance. The city of Jackson will not be responsible for any of the workshop planning or the grant application. MMSC will handle all of that and Uptown Jackson will be our co-host. The check for the grant will be made out to the city and then the city can pass it on to MMSC for expenses. MMSC will do all of the reporting and necessary follow-up for the grant.

Let me know if you have any questions and we will be in touch soon.

Thanks,

Diane Hannah

Special Projects Coordinator

Missouri Main Street Connection, Inc.

P. O. Box 1066, Branson, MO 65615

Direct 660-885-1875 | Office 417-334-3014

www.momainstreet.org



Upcoming Training/Workshops for Missouri Main Street Connection:
Winter Quarterly Workshop: Lee's Summit – November 4, 2022



[illegible]



City of Jackson

TO: Mayor and Board of Aldermen

CC: Jim Roach, City Administrator

FROM: Anna Bergmark, City Engineer

DATE: October 12, 2022

RE: Master Services Agreement with Bacon Farmer Workman Engineering & Testing

Staff would like to recommend that the City enter into a Master Services Agreement (MSA) with Bacon Farmer Workman Engineering & Testing (BFW). BFW has an office in Cape Girardeau and will be able to assist the City with many of our professional services needs such as: transportation projects, stormwater, inspections, materials testing, surveying and geotechnical. If there are no objections, Staff will present the MSA for approval at the next regular Mayor and Board of Aldermen meeting.

THE LIMBAUGH FIRM
—ATTORNEYS AT LAW—
EST. 1916

Memo

To: Jim Roach
From: Curt Poore
Date: October 12, 2022
Re: Questions concerning formation of sewer district

Mayor Hahs has asked a number of questions related to the formation of a sewer district. The answers to those questions are as follows:

1. The steps for establishing a sewer district are set out in the excellent checklist provided by Larry Koenig. A copy of the checklist is attached.
2. Construction cannot begin until the sewer district is formed because the statutes require notice of the formation of a sewer district to the property owners and that the property owners are given an opportunity for public hearing to determine the propriety of forming a sewer district.
3. Although the statute is not completely clear, the best practice is to assess the costs for each property in the sewer district on a square footage basis. If all of the lots are of substantially the same size then an assessment on a per lot basis is allowed.
4. The City cannot pay part of the sewer district's construction cost except for the City's portion of property it owns in the sewer district.
5. As to the earliest opportunity to start construction in a sewer district, assuming plans and estimates are completed, and easements have been obtained:
 - a. Steps 4-8 (see checklist) are necessary to pass the resolution and ordinances, and provide notices to the property owners. Notice of the formation of the sewer district must be advertised for two weeks. It does not appear that construction could begin sooner than sixty (60) days, assuming no public hearing is required.
6. If no sewer district is formed, the City can pay all of the construction costs or enter into a cost sharing with owners who receive benefit from the project.

7. If condemnation for the easements is necessary, the process would slow considerably. The necessary steps for condemnation are listed below:
- a. The property owner is entitled to Notice of Acquisition from the City at least sixty (60) days prior to the actual filing of the condemnation petition in court. In this Notice, the City must provide the owner with details of why the property is being condemned and what the owner's rights are according to law.
 - b. After the Notice of Acquisition is served, the City must give the property owner a formal written purchase offer for the easement. This offer must be presented to the property owner at least thirty (30) days before the City can file its court case to take the property through eminent domain. The written offer must enclose documentation to show how the purchase price was determined. This might include an appraisal or other market data supporting the purchase price offer.
 - c. If the owner accepts the City's offer, the transaction will proceed along the lines of a regular real estate sale and there will be no need for the City to exercise its power of eminent domain through the condemnation process.
 - d. If the owner rejects the offer, further negotiations can occur. If the property owner and the City are too far apart on the amount of compensation due, the matter must proceed into court through the condemnation process.
 - e. The City files a Condemnation Petition and the owner must be served. The owner is granted thirty (30) days to file an answer to the City's Petition.
 - f. Typically, the parties will conduct discovery in the form of written interrogatories requiring written answers under oath, and depositions. Most often, this centers around the respective parties' expert witnesses in determining the value of the taking.
 - g. The case will be assigned to a judge who will eventually conduct a hearing on the Condemnation Petition. This is the owner's opportunity to argue that the taking is not legitimate. For example, the property owner can argue that the City did not negotiate in good faith, that the purpose of the taking is private rather than public, or that the owner's property is not necessary for the project. In most cases, the judge will allow the condemnation to proceed and will appoint three residents of the County to act as Condemnation Commissioners.
 - h. The Condemnation Commissioners will view the property and hear the arguments for each side. The Commissioners will file their report with the Court setting forth their assessment of damages, or just compensation, due to the property owners for the taking of the property through eminent domain.

Once the City pays that amount into Court, the City may proceed to use the property for the construction of the sewers.

- i. Either the City or the property owner may disagree with the report of the Commissioners and may request a trial by jury. This jury would then decide the property owner's just compensation.

SPECIAL ASSESSMENTS FOR DISTRICT SEWER IMPROVEMENTS
CITY OF JACKSON
PROCEDURE CHECKLIST

	COMPLETED	DATE
1. Property owners submit petition to Board of Aldermen requesting sewer improvements or Board deems them necessary for sanitary or other purposes. §88.834		
2. Board motions for City Engineer to prepare plans, specifications and estimate of cost for sewer improvement.		
3. Engineer prepares plans, specs and estimate of cost of sewer improvement and files with City Clerk. §88.812 (a) All must be on file <u>in office of City Clerk before</u> resolution. They are open to public view. (b) Engineer estimate to include: i. Estimate of total costs (construction, construction contingency, fees and other expenses). ii. Estimate of cost, based on estimate for each property to be assessed.		
4. Resolution passed by Board declaring it necessary to improve sewers.		
5. Resolution published for two consecutive weeks in Cash Book Journal. §88.812		
6. Staff sends letters to affected property owners notifying them of City's plans to improve sewers and indicates engineer's estimate is on file with the City Clerk.		
7. If written request by three (3) citizens of City, must hold public hearing. §88.812		
8. Board passes ordinance to improve the sewers which ordinance sets the bid date (must be advertised in at least two publications of weekly newspaper).		
9. Staff sends second letter, if appropriate.		
10. Board accepts lowest, most responsive and responsible bid (must be under engineer's estimate). §88.824		
11. Board passes ordinance accepting the Contract with bidder.		
12. Property owner may request, in writing, ten (10) year payment plan. §88.816		

SPECIAL ASSESSMENTS FOR DISTRICT SEWER IMPROVEMENTS
CITY OF JACKSON
PROCEDURE CHECKLIST

	COMPLETED	DATE
13. Upon project completion, Engineer/PWD prepares final report on project listing total cost to be assessed, the method per tract cost to be assessed, the description of lot, lot owner, square footage assessed per tract, and amount of assessment. §88.822		
14. Engineer report accepted by Board.		
15. Ordinance levying special assessment passed by Board.		
16. Any property owner assessed a special tax may request a public hearing re: whether assessment is excessive or levied at greater sum than stated in public notices. §88.814		
17. Staff prepares special assessment tax bills and gives to contractor (bearing interest at rate of last Federal 10 Year Note sale rate starting 60 days from date of issue). §88.822 and 88.812		
18. Contractor usually discounts same to local bank and bank proceeds to collect.		
19. If bank cannot collect after a reasonable effort, tax bill reassigned to City, City pays bank and proceeds to collect tax bill.		

POLICY REGARDING THE ACQUISITION OF PROPERTY

This policy is written and adopted by the City Administrator of the City of Jackson, Missouri, on the day below written.

In all cases where the City of Jackson, Missouri determines it necessary to acquire property (rights of way and/or easements) for the completion of public infrastructure projects, City staff shall adhere to the following guidelines. These written guidelines provide for a minimum standard of acquisition and shall be met or exceeded by the City in all cases. However, City staff reserves the right to require additional guidelines on a case by case basis.

The Property Acquisition Process

1. **Survey Permission Letter:** City staff sends a preliminary notification letter to all owners of record indicating that it intends to access the property in order to conduct field surveys for the preliminary alternatives. The letter also advises the owner of the possibility of a future right of way and/or easement acquisition. Correspondence shall be sent via USPS Certified Mail Delivery.
2. **Plans & Specifications:** The City's project engineer prepares construction plans and specifications necessary for the completion of the project. Staffs from local, state, and federal agencies will then review and approve the construction plans and specifications. Engineer also obtains letter report showing all legal owners of the property.
3. **Easement Packet:** City staff sends the initial notification packet (including a cover letter, deed, and exhibit map) to all owners of record regarding the right of way and/or easement needed to complete the project. This letter includes (at a minimum) the owner's "bill of rights" pertaining to said acquisition in accordance with laws of the State of Missouri. Correspondence shall be sent to all owners of record via USPS Certified Mail Delivery. Additionally, City staff will distribute a memo to the Mayor and Board of Aldermen.
4. **Negotiations:** Prior to construction, City staff will discuss the value of the easement and make every effort to reach a fair and reasonable settlement with all owners of record. Communication with the owner may be in the form of meetings, telephone calls, correspondence and email. Said discussions, communications and negotiations will be memorialized by City staff in the form of "Negotiator's Reports". During this time, staff may discuss with the owner the following settlement options:
 - a. Donation of right of way or easement. The owner is first asked if they would donate the deed at no cost to the City and waive their right to an appraisal of their land. If agreeable, the owner also signs a "Donation and Waiver of Compensation Affidavit" (see attached sheet).

- b. Exchange for construction features. If a donation is not possible, City staff may offer the owner construction features or improvements upon their property in exchange for granting the easement. However, the features or improvements should be relevant to and in the general location of the project. In most cases, the owner (not the City) will obtain a work estimate from a private contractor.*
- c. Compensation (based on appraisal). If a donation or exchange for construction features is not agreed upon, City staff may order an appraisal of the land. Following receipt of the appraisal, staff is authorized to offer the appraised value of the land to the owner. At this point in the process, all correspondence between City staff and the owner will be copied to the Board of Aldermen for their consideration. In the event the owner demands an amount of compensation beyond the appraised value, City staff shall obtain Board of Aldermen approval of the amount of compensation due to all owners of record prior to agreement to pay same.*

* All owners of record will not receive both construction features and compensation in any settlement agreement without approval by the Board of Aldermen.

5. Follow-up Letter: If contact has not been made within a reasonable amount of time after the initial easement packet (item no. 3 above) was sent, City staff sends follow-up notification letter to all owners of record. This shall be accomplished by sending the information to the owner via USPS Certified Mail Delivery. If contact is made with the owner after the follow-up letter is sent, then staff will begin the negotiation process listed above (in item no. 4).

6. Conference with City Administrator: In the event a settlement agreement has not been reached between the owner and City staff throughout the negotiation process, a conference between the City Administrator and City staff (without the property owner's presence) is scheduled to determine what action is necessary to conclude the acquisition process and move the project forward. Additional contact, correspondence and negotiation between staff and the owner may be necessary following the City Administrator's conference.

7. City Attorney: When, in the opinion of the City Administrator, a fair and reasonable settlement cannot be reached with the owner following the negotiation process, the Board of Aldermen may then authorize the City Attorney to use condemnation action as necessary. If action is approved, the City Attorney orders a title report and appraisal on the subject property, as well as prepares an ordinance declaring public need and purpose. At this point in the process, the City Attorney officially assumes control of the project file and City staff no longer continues negotiating with the owners of record.

It should be noted that all administrative action letters sent by City staff or City Attorney to all owners of record shall be via both USPS First Class Mail delivery and Certified Mail delivery. Administration action letters describe the settlement agreement reached.

This policy shall be effective only on public infrastructure projects started after the date written below.

Dated this 21 day of September, 2009.


James D. Roach, City Administrator

JOURNAL OF THE BOARD OF ALDERMEN
CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI

Item 9.



MONDAY, SEPTEMBER 21, 2009 – REGULAR SESSION

The Board of Aldermen met in the Regular Session with Mayor Barbara Lohr in the chair and the following Board Members present: Joe Bob Baker, Larry Cunningham, Mark Dambach, David Hitt, Philip Penzel, Dale Rauh, Dave Reiminger and Timothy Welker. Present-8; Absent-0.

EXCERPT FROM REGULAR SESSION:

Motion to Adopt the Property Acquisition)
Policy)

On a motion by Alderman Rauh duly seconded by Alderman Hitt to adopt the Property Acquisition Policy. Ayes-8; Nays-0; Absent-0.

Motion to Adjourn the Meeting)

Meeting concluded at 7:45 p.m., on a motion by Alderman Cunningham duly seconded by Alderman Dambach, to adjourn the meeting. Ayes-8; Nays-0; Absent-0.

Barbara Lohr

Mayor

ATTEST

Mary Hawley
City Clerk