



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING

Monday, October 03, 2022 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

AGENDA

CALL TO ORDER

INTRODUCTION OF GUESTS/VISITORS

ADOPTION OF AGENDA

1. Motion adopting the Regular Meeting Agenda.

PUBLIC HEARINGS

2. Hearing to consider the voluntary annexation of the property addressed as 385, 389, and 391 Timber Lane, as submitted by JWRPM Properties, LLC.
3. Hearing to consider to consider a Special Use Permit for a towing business in a C-2 (General Commercial) District at 1405 South Farmington Road, as submitted by Land Escapes, LLC.
4. Hearing to consider a Special Use Permit for shipping containers as long term storage in a C-2 (General Commercial) District at 957 West Independence Street, as submitted by Brennon Todt.

APPROVAL OF MINUTES

5. Motion approving the Minutes of the Regular Meeting of September 19, 2022.

FINANCIAL AFFAIRS

6. Motion approving the payment of the semimonthly bills.

ACTION ITEMS

Power, Light, and Water Committee

7. Bill proposing an Ordinance abandoning a Utility Easement at 2024 Watson Drive in a Resubdivision of Lots 88 & 91 of Bent Creek Spring Lake Addition, as requested by the Bill C. and Shelley L. Zellmer Trust.
8. Bill proposing an Ordinance correcting a Scrivener's Error in Bill No. 22-78, Ordinance No. 22-76, passed and approved on August 15, 2022, relative to the 2022 Parks and Recreation, General Revenue, Cemetery, and Band Tax Rates.

9. Bill proposing an Ordinance authorizing a supplier agreement with the Missouri Department of Social Services Family Support Division, relative to the Low Income Home Energy Assistance Program (LIHEAP).

Street, Sewer, and Cemetery Committee

10. Motion approving Change Order No. 2, in the amount of \$57,857.39, to Paving Pros, LLC, of Oak Ridge, Missouri, relative to the 2022 Asphalt Pavement Improvement Program.
11. Motion approving Change Order No. 2, in the amount of \$17,593.20, to Fronabarger Concreters, Inc., of Oak Ridge, Missouri, relative to the 2022 Concrete Pavement Improvement Program.
12. Motion approving Task Order Authorization No. 22-16, in the amount of \$101,000.00, to Smith & Company Engineers, of Poplar Bluff, Missouri, relative to providing engineering services under the Hubble Creek Recreation Trail Project, Phase 3.
13. Motion accepting the bid of Fronabarger Concreters, Inc., of Oak Ridge, Missouri, in the amount of \$62,437.50, relative to the Soccer Park Phase 1 Drainage Improvements Project.
14. Bill proposing an Ordinance authorizing a contractual agreement with Fronabarger Concreters, Inc., relative to the Soccer Park Phase 1 Drainage Improvements Project.
15. Motion approving a Park Memorial & Donation Form from the Jackson Area Organized Soccer Association, for the donation of field improvements at the Soccer Park.
16. Bill proposing an Ordinance approving a Memorandum of Understanding with the Jackson Area Organized Soccer Association, relative to field improvements at the Soccer Park.
17. Bill proposing an Ordinance approving a Memorandum of Understanding with Cape Land & Development, LLC, relative to the development of Savers Farm Subdivisions 8 and 9.
18. Bill proposing an Ordinance approving a Memorandum of Understanding with the Jackson Elks Lodge No. 2652 B.P.O.E., relative to providing overflow parking near the City Park.
19. Bill proposing an Ordinance approving a Special Use Permit request for a towing business in a C-2 (General Commercial) District at 1405 South Farmington Road, as submitted by Land Escapes, LLC.
20. Bill proposing an Ordinance approving a Special Use Permit for shipping containers as long term storage in a C-2 (General Commercial) District at 957 West Independence Street, as submitted by Brennon Todt.

NON-AGENDA CITIZEN INPUT

INFORMATION ITEMS

21. Report by Mayor
22. Reports by Board Members
23. Report by City Attorney
24. Report by City Administrator

25. Discussion of future agenda items

EXECUTIVE SESSION

Motion to have executive session. Litigation, personnel, and purchase of property. Authority is Section 610.021 and 610.022, Revised Statutes of Missouri, as amended.

ADJOURN

Posted on 9/30/2022 at 04:00 PM.



CITY OF JACKSON, MISSOURI VOLUNTARY ANNEXATION APPLICATION

DATE OF APPLICATION: 8-1-2022

PROPERTY LOCATION (address): 385 ~~1851~~ 213th Timber Lane, Jackson, MO 63755-8121

Other description of location if not addressed:

PROPERTY OWNERS (all legal property owners listed on deed)

Names & Mailing Addresses: JWRPM Properties LLC
110 Talbot Dr
Cape Girardeau, MO 63701-8871

CONTACT PERSON HANDLING APPLICATION

Contact's Mailing Address: 1107 Anise Ln Jackson, MO 63755

Contact's Phone: 573-450-7466 Email: _____

CURRENT USE OF PROPERTY: Single-family residential

IS A REZONING APPLICATION TO BE FILED? YES ☐ NO ☐

PROPOSED ZONING: (circle)

- | | |
|---------------------------------------|-------------------------------|
| R-1 (Single-Family Residential) | C-1 (Local Commercial) |
| R-2 (Single-Family Residential) | C-2 (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) |
| | I-2 (Heavy Industrial) |
| | I-3 (Planned Industrial Park) |

IS A SPECIAL USE PERMIT APPLICATION TO BE FILED? YES ☐ NO ☐

LEGAL DESCRIPTION OF TRACT: (attach legal description if metes & bounds description)

PT Lot 1 Block 34 PT Block 8 Grandview Acres Second 07/05

Attach to this page a scaled plat of the tract(s) showing the following information:

- All boundary dimensions.
- All adjoining streets, alleys and easements.
- All present improvements.
- All proposed improvements.
- All adjoining property lines and references to all owners listed in Section C.
- Zoning classification of all adjoining properties.

PETITION

TO: THE CITY OF JACKSON, MISSOURI, A MUNICIPAL CORPORATION

We, the undersigned, state that we are the fee and simple owners of the property described in Book _____ at Page _____, and we do hereby request and petition the City of Jackson, Missouri to annex the land described in the above referenced book and page so that the same is contained within the corporate limits of said City.

We, the undersigned, do further state and declare that no person, firm, or corporation other than the undersigned own any fee simple interest in the land described in the above referenced book and page.

We, the undersigned, do further state and declare that this request and petition is voluntarily made and is submitted under the provisions of Section 71.012 RSMo. 1986, as amended (Voluntary Annexation).

J M Wayland

B Wayland

STATE OF MISSOURI)

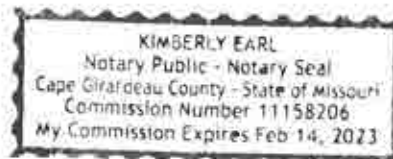
)ss.

COUNTY OF Cape Girardeau)

On this 1st day of August, 2022, before me personally appeared Jared M. Wayland, to me known to be the person described in and who executed the foregoing instrument and acknowledged to me that he/she executed the same as his/her free act and deed.

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.

Kimberly Earl
Kimberly Earl, Notary Public
 State Of Missouri
 County of Cape Girardeau
 My term expires: Feb 14 2023



STATE OF MISSOURI)

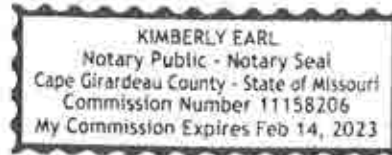
)ss.

COUNTY OF Cape Girardeau)

On this 1st day of August, 2022, before me personally appeared
Brooke V Wayland, to me known to be the person described in and who executed
the foregoing instrument and acknowledged to me that he/she executed the same as his/her free act and deed.

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.

Kimberly Earl
Kimberly Earl, Notary Public
State Of Missouri
County of Cape Girardeau
My term expires: Feb 14 2023



eRecorded
DOCUMENT #
2022-02307



ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
03/03/2022 08:31:01 AM
REC FEE: 27.00
PAGES: 2

WARRANTY DEED

This Warranty Deed made and entered into this 2nd day of March, 2022, by and between **Keith Brugger and Christy Brugger, husband and wife**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTORS**, and **JWRPM Properties LLC, a Missouri Limited Liability Company**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEE**. The mailing address of the Grantee is:

1429 Kurre Lane, Cape Girardeau, MO 63701

WITNESSETH: The Grantors, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid to the Grantors, the receipt of which is hereby acknowledged, do by these presents Grant, Bargain, and Sell, Convey and Confirm unto the Grantee the following described lots, tracts or parcels of land lying, being and situated in the County of Cape Girardeau and State of Missouri, to-wit:

Part of Block 8 and part of Lot 1 in Block 3 of Grandview Acres Second Subdivision in Section 13, Township 31 North, Range 12 East of the Fifth Principal Meridian, Cape Girardeau County, Missouri, as shown by plat filed for record in Plat Book 7 at Page 5 in the land records of Cape Girardeau County, Missouri, more particularly described as follows:


Commence at a found iron pin at the Northeast corner of U.S.P.S No. 186; thence South 06 degrees 18 minutes 45 seconds West 112.47 feet to a found iron pin; thence South 83 degrees 44 minutes 13 seconds East 160.98 feet to a set iron pin for the point of beginning; thence North 06 degrees 25 minutes 09 seconds East 204.71 feet to a set iron pin; thence North 46 degrees 49 minutes 21 seconds East 66.05 feet to a set iron pin on the West line of Sunset Lane; thence along said West line, South 06 degrees 08 minutes 30 seconds West 34.99 feet to a found iron pin on the South line of Timber Lane; thence along said South line, South 83 degrees 21 minutes 46 seconds East 71.34 feet to a set iron pin; thence leaving said South line, South 06 degrees 25 minutes 09 seconds West 219.44 feet to a set iron pin; thence North 83 degrees 44 minutes 13 seconds West 114.32 feet to the point of beginning. The herein described tract contains 0.59 acres, more or less.

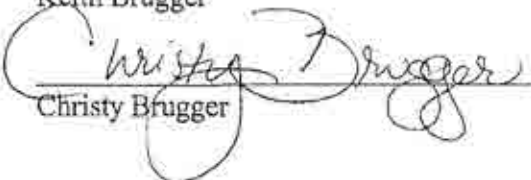
SUBJECT TO an easment for ingress and egress as set out in General Warranty Deed recorded 10/22/2014 in Document No. 2014-11063 in the land records of Cape Girardeau County, Missouri.

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 Grantee and unto its successors and assigns **FOREVER**, the said Grantors hereby covenanting that they are lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that they have good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by them or those under whom they claimed title; and that they will warrant and defend the title to said premises unto the said Grantee, and unto its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands the day and year first above written.

GRANTORS:


Keith Brugger

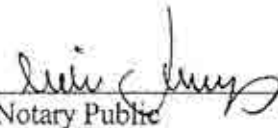

Christy Brugger

STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

On this 2 day of March, 2022, before me personally appeared **Keith Brugger and Christy Brugger, husband and wife**, to me known to be the persons described in and who executed the within Warranty Deed, and acknowledged to me that they executed the same as their free act and deed and for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.




Notary Public
My commission expires:

2201106

FOR CITY USE ONLY:

Date application/petition submitted filed with City staff: 8/18/2022

Date of resolution preparation by City Clerk: 8/31/2022

Date of action by Board of Aldermen to set public hearing: 9/6/2022

Date of publication in local newspaper of public hearing: 9/14/2022

Date of public hearing: 10/3/2022

Date of City Attorney preparation of ordinance:

Date of Board of Aldermen action:

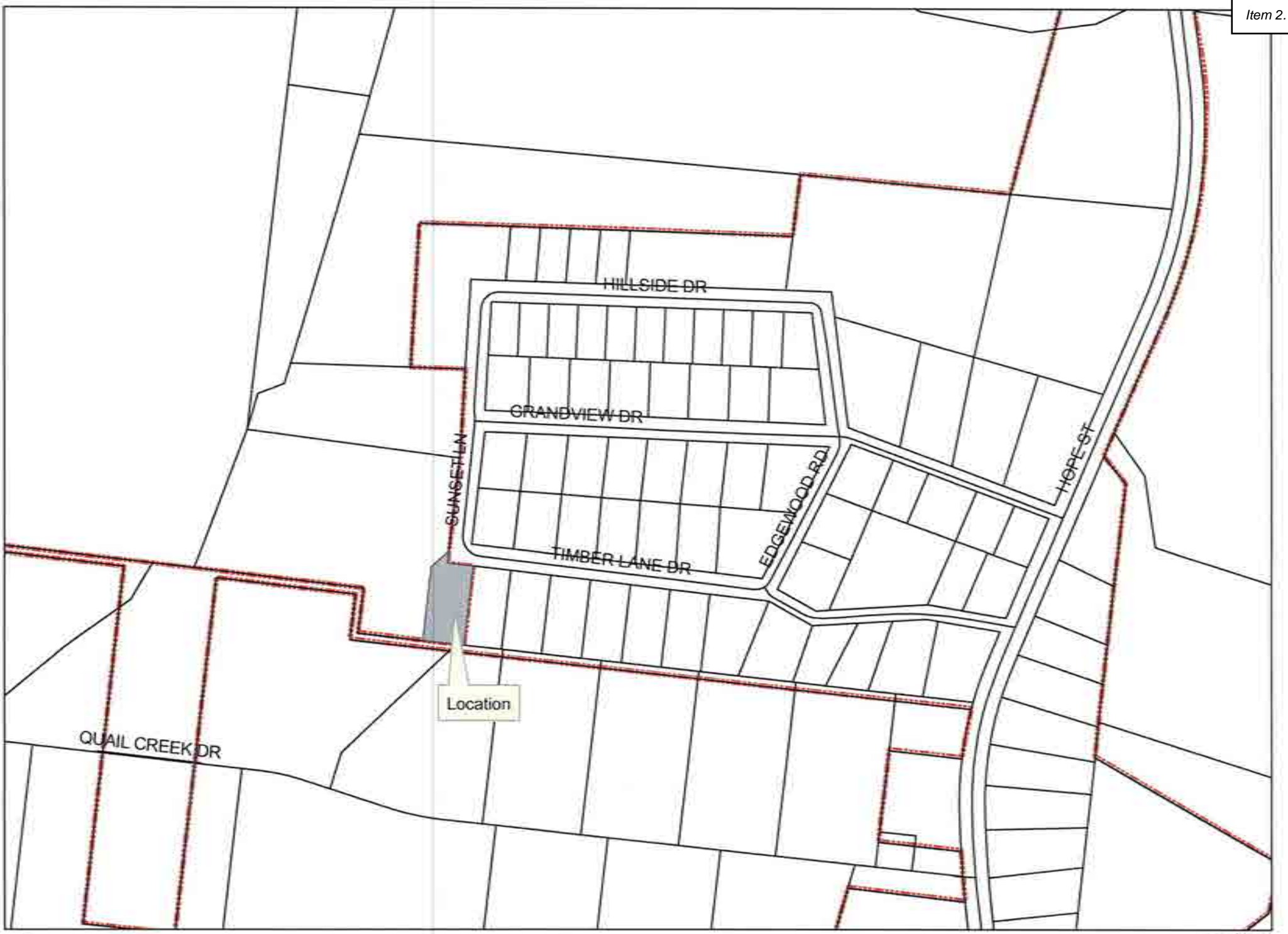
Board action filed (circle one): Approval Disapproval

Special conditions to be imposed upon annexation ordinance (if applicable):

Date of ordinance submittal to Cape Girardeau County Clerk:

Date of ordinance submittal to Cape Girardeau County Mapping & Appraisal:

Date of City maps update:



385 Timber Lane - Existing Triplex
Location Map



385 Timber Lane - Existing Triplex
Property Aerial Photo

8-16-2022 / js





CITY OF JACKSON

MAYOR & BOARD OF ALDERMEN REGULAR MEETING

Monday, September 19, 2022 at 6:00 PM

Board Chambers, City Hall, 101 Court St.

MINUTES

The Board of Aldermen met in the Regular Session with Mayor Dwain L. Hahs in the chair and the following Board Members present: Joe Bob Baker, Mike Seabaugh, David Reiminger, Paul Sander, Tommy Kimbel, Katy Liley, David Hitt, and Wanda Young. Present-8; Absent-0.

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

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

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

Presentation by Public Works Director)
Kent Peetz to Recognize Ashely Burns)
for Certification Achievement)

Now comes forth Public Works Director Kent Peetz to recognize Ashley Burns for obtaining the Journeyman Water Operator Certification as offered by the Missouri Department of Labor.

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.

Motion to Approve the Minutes of the)
September 6, 2022, Regular Board)
Meeting)

Motion made by Alderwoman Liley, seconded by Alderman Hitt, to approve the minutes of the preceding Regular Board Meeting of Monday, September 6, 2022. Ayes-8; Nays-0; Absent-0.

Motion to Approve Bills of September,)
2022)

Now is presented the Semimonthly Bills, in the various funds for the month of September, 2022. Motion made by Alderman Hitt, seconded by Alderwoman Young, to approve the Semimonthly Bills in the various funds for September, 2022. Ayes-8; Nays-0; Absent-0.

Motion to Approve the City Collector's)
Electric, Water & Sewer, Taxes &)
Licenses, and Refuse Report for)
August, 2022)

Motion made by Alderwoman Young, seconded by Alderman Seabaugh, to approve the City Collector's Electric, Water & Sewer, Taxes & Licenses, and Refuse Report for August, 2022. Ayes-8; Nays-0; Absent-0.



CITY OF JACKSON

MAYOR & BOARD OF ALDERMEN REGULAR MEETING

Monday, September 19, 2022 at 6:00 PM

Board Chambers, City Hall, 101 Court St.

MINUTES

COLLECTOR'S REPORT

AUGUST 2022

UTILITY SERVICE	ELECTRIC/SECURITY LIGHT (EL/SL)	WATER/PRIMACY (WA/PF)	SEWER (SE)	LANDFILL (TR)	GENERAL REVENUE	TOTALS
COLLECTIONS						
SERVICE CHARGES	1,675,163.98	265,126.48	209,383.14	57,202.17		2,206,875.77
LATE FEES	6,854.18	1,042.53	827.39	206.86		8,930.96
SALES TAX	53,567.89	8,641.50				62,209.39
RECONNECT FEES	2,500.00					2,500.00
RETURNED TRANSACTION FEES	330.00					330.00
CUSTOMER RELOCATION FEES					350.00	350.00
TRASH STICKERS				1,540.00		1,540.00
UTILITY COLLECTIONS	1,738,416.05	274,810.51	210,210.53	58,949.03	350.00	2,282,736.12
Adjustments/Refund/Return Checks - Services						-
Adjustments/Refund/Return Checks - Penalties						-
Adjustments/Refund/Return Checks - Taxes						-
Adjustments/Service Fees for Returns						-
Adjustments/Payments/Overpayments - Services						-
Adjustments/Payments/Overpayments - Penalties						-
Adjustments/Payments/Overpayments - Taxes						-
NET UTILITY COLLECTIONS	1,738,416.05	274,810.51	210,210.53	58,949.03	350.00	2,282,736.12
BUSINESS / CONTRACTOR LICENSES					447.50	447.50
EVENT CHARGES / MISC.						-
NON-UTILITY COLLECTIONS	-	-	-	-	447.50	447.50
MISC. ADJUSTMENTS						-
INTEREST ON FUNDS						7.67
CASH IN BANK						2,283,191.29
MISSOURI SALES TAX PAYMENT	(53,567.89)	(8,641.50)				(62,209.39)
Money Due to City Treasurer					\$	2,220,981.90
Respectfully Submitted,						
<i>Iron Bouson</i>						
City Collector						



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, September 19, 2022 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES

Motion to Approve the August, 2022)
 City Clerk's and Treasurer's Reports)

Motion made by Alderman Kimbel, seconded by Alderman Seabaugh, to approve the City Clerk's and City Treasurer's Reports for August, 2022. The City Clerk's Report is as follows: Electric Receipts – \$2,053.29; Cemetery Receipts – \$7,575.00; Water Receipts – \$345.00; Wastewater Receipts – \$0.00; General Revenue Receipts – \$21,770.09; Inmate Security Fund – \$0.00; Park Receipts – \$665.00; Trust & Agency Receipts – \$0.00; Park Foundation Receipts – \$2,572.00; Recreational Development Receipts – \$9,787.00; Landfill Receipts – \$21,248.88; Recreation Sales Tax Receipts – \$9,656.75; Health Insurance – \$1,964.55; Stormwater Maintenance Receipts – \$179.50; and Transportation Sales Tax Receipts – \$1,065.35. The Water & Light Deposit balance as of August 1, 2022 – \$296,004.65; Deposits – \$15,260.01; Refunds – \$16,505.83; balance as of August 31, 2022 – \$294,758.83. Ayes-8; Nays-0; Absent-0.



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
 Monday, September 19, 2022 at 6:00 PM
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MINUTES

CITY TREASURER'S REPORT FOR AUGUST, 2022							
FUND	FUND BALANCES 08-01-2022	RECEIPTS	TRANSFER OF FUNDS	DISBURSEMENTS	FUND BALANCES 08-31-2022	INVESTMENTS	CASH BALANCE 08-31-2022
ELECTRIC FUND							
Operation & Maintenance	-	1,303,862.48	17,008.71	1,380,869.19	-	-	-
Electric Surplus	3,955,279.71	330,071.09	-	168,687.78	4,116,663.02	2,323,194.38	1,793,468.64
Electric Capital Projects Fund	7,456,672.39	-	-	-	7,456,672.39	7,412,000.00	44,672.39
General Revenue	3,188,088.25	43,598.45	258,246.51	662,831.95	2,805,081.26	550,000.00	2,255,081.26
Landfill Fund	465,114.59	80,427.09	(7,835.39)	47,832.73	489,873.56	245,000.00	244,873.56
City Park Fund	195,733.09	1,748.69	(6,490.14)	32,547.10	158,444.54	-	158,444.54
Public Park Foundation Fund	141,167.57	2,572.00	-	3,606.06	140,133.51	-	140,133.51
Cemetery Fund	851,938.33	8,695.24	(5,416.71)	14,906.36	840,310.50	299,000.00	541,310.50
Band Fund	-	667.25	-	667.25	-	-	-
Stormwater Maintenance Fund	281,557.24	190.68	-	-	281,747.92	61,000.00	220,747.92
ARPA Fund	1,402,269.84	1,511,271.01	-	-	2,913,540.85	1,500,000.00	1,413,540.85
Road Use Tax Fund	1,174,434.47	53,385.00	(19,166.66)	214,772.06	993,880.75	850,000.00	143,880.75
Sales Tax Fund	3,100,556.14	284,883.46	-	89.28	3,385,350.32	3,289,464.41	95,885.91
Fire Protection Sales Tax Fund	54,200.68	67,570.11	(118,437.79)	-	3,333.00	-	3,333.00
Recreation Sales Tax	6,574.73	77,224.50	(5,080.78)	19,533.16	59,185.29	-	59,185.29
Public Safety Sales Tax	102,734.85	135,130.72	(236,865.57)	-	1,000.00	-	1,000.00
Trust and Agency Fund	1,014,063.72	39,729.14	19,147.99	23,527.48	1,049,413.37	720,000.00	329,413.37
Recreational Development	78,255.80	9,787.00	(5,128.26)	24,708.32	58,206.22	-	58,206.22
Transportation Sales Tax	2,287,663.45	137,893.00	-	203,760.20	2,221,797.05	2,173,000.00	48,797.05
I-55 Corridor Special Alloc.	619.70	-	-	-	619.70	-	619.70
Capital Projects Construction	-	-	-	-	-	-	-
CDBG Grant Fund	-	-	-	-	-	-	-
Health Insurance Fund	766,241.97	1,964.55	149,807.79	129,784.00	788,230.31	-	788,230.31
Inmate Security Fund	14,835.12	118.50	-	-	14,953.62	-	14,953.62
Equitable Sharing Fund	3,617.07	-	-	-	3,617.07	-	3,617.07
WATER & SEWER FUND							
Water Operation & Maint.	-	147,147.18	(24,623.06)	122,524.12	-	-	-
Water Replacement	719,905.65	17,550.42	-	-	737,536.07	715,000.00	22,536.07
Water & Sewer Revenue Bond	329,113.79	100,120.42	-	115,639.00	313,595.21	300,000.00	13,595.21
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	9,450,379.84	161,103.72	-	40,465.00	9,563,018.56	8,999,077.00	563,941.56
Wastewater Operation & Maint.	-	55,657.58	(15,164.64)	40,492.94	-	-	-
Wastewater Replacement	1,113,253.35	-	-	-	1,113,253.35	1,066,297.14	26,956.21
W & S Construction Fund	1,572,839.80	-	-	317,659.64	1,255,180.16	200,000.00	1,055,180.16
TOTALS	39,815,171.14	4,632,370.08	-	3,572,903.62	40,874,637.60	30,833,032.93	10,041,604.67
Respectfully Submitted,					Cash on Hand		1,475.00
					General Account		7,815,530.70
					Collectors Account		2,220,981.90
					Equitable Sharing Fund		3,617.07
Liza Walker, City Clerk/Treasurer (signed)					TOTAL		10,041,604.67



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, September 19, 2022 at 6:00 PM
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MINUTES

Motion to Approve the City of Jackson)
 Emergency Operations Plan)

Motion made by Alderman Reiminger, seconded by Alderman Seabaugh, to approve the City of Jackson Emergency Operations Plan. Ayes-8; Nays-0; Absent-0.

Motion to Accept the Bid of Electrical)
 Contractors, Inc. of Cape Girardeau,)
 Missouri, and to Authorize the Purchase)
 of Two Eaton DG-1 Series Variable)
 Frequency Drives for the Water Plant)

Motion made by Alderman Reiminger, seconded by Alderman Kimbel, to accept the bid of Electrical Contractors, Inc. of Cape Girardeau, Missouri, in the amount of \$31,231.00, and to authorize the purchase of two Eaton DG-1 Series variable frequency drives for the Water Plant. Ayes-8; Nays-0; Absent-0.

Motion to Approve Change Order No. 1)
 to Power Line Consultants, LLC of)
 Farmington, Missouri, relative to the)
 Wedekind 73 Pole Replacement Project)

Motion made by Alderman Reiminger, seconded by Alderman Sander, to approve Change Order No. 1 to Power Line Consultants, LLC of Farmington, Missouri, relative to the Wedekind 73 Pole Replacement Project. Ayes-8; Nays-0; Absent-0.

Motion to Authorize the Sale of)
 Intoxicating Liquor, Malt Liquor, and)
 Non-Intoxicating Beer, at the Big Love)
 Concert in the Jackson City Park, on)
 Sunday, October 9, 2022, as submitted)
 by Hickory Ridge Hospitality)

Motion made by Alderman Reiminger, seconded by Alderman Seabaugh, to authorize the sale of intoxicating liquor, malt liquor (beer), and non-intoxicating beer, at the Big Love Concert, at the Leist Memorial Band Shell in the Jackson City Park, on Sunday, October 9, 2022, as submitted by Hickory Ridge Hospitality. Ayes-8; Nays-0; Absent-0.

Resolution No. 2022-07: A Resolution)
 to Support a Governor's Transportation)
 Cost Share Program Application for the)
 East Jackson Boulevard Roadway)
 Lighting Project)

RESOLUTION NO. 2022-07

**A RESOLUTION OF THE CITY OF JACKSON, MISSOURI BOARD OF ALDERMEN,
 EXPRESSING AND CONFIRMING SUPPORT OF A GOVERNOR'S TRANSPORTATION
 COST SHARE PROGRAM APPLICATION, RELATIVE TO THE EAST JACKSON
 BOULEVARD ROADWAY LIGHTING PROJECT**

WHEREAS, the City of Jackson, Missouri constructs, operates and maintains an extensive network of public streets for the benefit of their citizens and the traveling public at large, and;



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MINUTES

WHEREAS, the Board of Aldermen of the City has adopted a Comprehensive Plan, a City Wide Transportation Plan, an ADA Transition Framework Plan, and has appointed a Planning and Zoning Commission, and said Commission has adopted a Major Street Plan, and;

WHEREAS, the State of Missouri, through its Department of Transportation, hereinafter referred to as MoDOT, has designated and constructed a system of interstate, primary and secondary highways that are integral elements of the highway network vital for state, regional and local travel, and are therefore major elements of the street and highway network of Jackson, and;

WHEREAS, the City and MoDOT each have the responsibility to provide for the general health, safety, and welfare of citizens within their respective jurisdictions and that the provision of safe and effective transportation systems and highways is part of that responsibility, and;

WHEREAS, improving this roadway with lighting from K-Land Drive east to Interstate 55 at Center Junction will provide increased safety for motorized and non-motorized travelers, enhance incident management route options, and encourage and promote economic development and viability of Jackson for the overall betterment of the region.

NOW, THEREFORE BE IT RESOLVED THAT the Board of Aldermen of the City of Jackson, Missouri hereby expresses and confirms its support of a Governor's Transportation Cost Share Program application for the East Jackson Boulevard Roadway Lighting Project.

2. This Resolution shall be submitted as soon as practical upon its passage to the Missouri Department of Transportation's Southeast District in Sikeston, Missouri, as an attachment to the program application.

3. The City hereby commits to any and all follow-up actions that may be necessary to secure funding of said project in the most timely and economical manner possible.

PASSED AND APPROVED this 19th day of September, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
 Mayor

ATTEST:

Liza Walker (signed)
 City Clerk

Motion made by Alderman Reiminger, seconded by Alderman Kimbel, to support a Governor's Transportation Cost Share Program application for the East Jackson Boulevard Roadway Lighting Project. Ayes-8; Nays-0; Absent-0.

Ordinance No. 22-84 Re: To Call for a)
 General Municipal Election on April 4,)
 2023, to Fill the Offices of Mayor and)
 Board of Aldermen)



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MAYOR & BOARD OF ALDERMEN REGULAR MEETING

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The matter of calling for a General Municipal Election on April 4, 2023, to fill the Offices of Mayor and Board of Aldermen, came on for consideration. Alderman Reiminger introduced Bill No. 22-86, being for an ordinance entitled as follows:

AN ORDINANCE CALLING A GENERAL ELECTION TO FILL THE OFFICES OF MAYOR, ALDERMAN WARD I, ALDERMAN WARD II, ALDERMAN WARD III, AND ALDERMAN WARD IV; ESTABLISHING FILING DEADLINE FOR SAID OFFICES; PROVIDING SAMPLE BALLOT; PROVIDING SAMPLE NOTICE; REQUESTING ELECTION AUTHORITY TO PROCEED WITH ELECTION; ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 19 OF THE CITY CODE OF ORDINANCES AND CHAPTER 115 OF THE REVISED STATUTES OF MISSOURI, 2000, AS AMENDED; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

On a motion made by Alderman Reiminger, seconded by Alderman Sander, Bill No. 22-86 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 Reiminger, seconded by Alderman Sander, Bill No. 22-86 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 22-84 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Reiminger-aye; Alderwoman Young-aye; Alderman Baker-aye; Alderman Seabaugh-aye; Alderman Kimbel-aye; Alderwoman Liley-aye; Alderman Hitt-aye; and Alderman Sander-aye.

BILL NO. 22-86

ORDINANCE NO. 22-84

AN ORDINANCE CALLING A GENERAL ELECTION TO FILL THE OFFICES OF MAYOR, ALDERMAN WARD I, ALDERMAN WARD II, ALDERMAN WARD III, AND ALDERMAN WARD IV; ESTABLISHING FILING DEADLINE FOR SAID OFFICES; PROVIDING SAMPLE BALLOT; PROVIDING SAMPLE NOTICE; REQUESTING ELECTION AUTHORITY TO PROCEED WITH ELECTION; ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 19 OF THE CITY CODE OF ORDINANCES AND CHAPTER 115 OF THE REVISED STATUTES OF MISSOURI, 2000, AS AMENDED; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

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 the Board of Aldermen of the City of Jackson, Missouri, hereby call an election to be held on the date and the times hereinafter set forth.

Section 2. That the Mayor and the Board of Aldermen, Jackson, Missouri, in accordance with the provisions of Chapter 19 of the City Code of Ordinances and Chapter 115 of the Revised Statutes of Missouri, 2000, as amended, hereby direct the City Clerk to file official notice of general election to fill the offices of Mayor, Alderman Ward I, Alderman Ward II, Alderman Ward III, and Alderman Ward IV. Said notice shall include the following information:

Agency Calling the Election: City of Jackson, Missouri

Name of Office to be Filed: Mayor
Alderman Ward I
Alderman Ward II
Alderman Ward III
Alderman Ward IV



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Date of Election: April 4, 2023

Period Within Which A Candidate Must File:
 8:00 A.M., Tuesday, December 6, 2022, to
 5:00 P.M., Tuesday, December 27, 2022

Said notice shall be delivered to the County Clerk no later than 5:00 P.M. on January 24, 2023, the tenth Tuesday prior to the election.

A sample notice of the calling of said election is attached hereto, marked Exhibit A and incorporated herein by reference. It is intended that said sample notice shall be forwarded to the County Clerk for his use as reference only.

Section 3. The City Clerk shall, before the sixteenth Tuesday prior to any election at which offices are to be filled, notify the general public of the opening filing date, the office or offices to be filled, the proper place for filing and the closing filing date of the election. Such notification shall be accomplished by a legal notice published in at least one (1) newspaper of general circulation in the city. The City Clerk shall keep a permanent record of the names of the candidates, the office for which they seek election and the dates of the filings; and the order in which the candidates' names shall appear on the ballot as determined under section 19-4 of this Code.

Section 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

FIRST READING: September 19, 2022.

SECOND READING: September 19, 2022.

PASSED AND APPROVED this 19th day of September, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
 Mayor

ATTEST:

Liza Walker (signed)
 City Clerk

Motion to Set a Public Hearing for)
 Monday, October, 17, 2022, to Consider)
 the Rezoning of the Property Addressed)
 as 385, 389, and 391 Timber Lane, as)
 submitted by JWRPM Properties, LLC)



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Motion made by Alderwoman Liley, seconded by Alderman Baker, to set a public hearing for Monday, October 17, 2022, at 6:00 p.m., to consider the rezoning of the property addressed as 385, 389, and 391 Timber Lane from R-1 (Single-Family Residential) District to R-4 (General Residential) District, as submitted by JWRPM Properties, LLC. Ayes-8; Nays-0; Absent-0.

Motion to Set a Public Hearing for)
 Monday, October, 17, 2022, to Consider)
 a Special Use Permit for a Towing)
 Business at 1383 South Hope Street, as)
 Submitted by Land Escapes, LLC)

Motion made by Alderwoman Liley, seconded by Alderman Hitt, to set a public hearing for Monday, October 17, 2022, at 6:00 p.m., to consider a Special Use Permit for a towing business in a C-2 (General Commercial) District located on 1.6 acres of property at 1383 South Hope Street, as submitted by Land Escapes, LLC. Ayes-8; Nays-0; Absent-0.

Motion to Approve the Mayor's)
 Appointment of Tom Ludwig to the)
 2022 Comprehensive Plan Update)
 Steering Committee)

Motion made by Alderwoman Liley, seconded by Alderwoman Young, to approve the Mayor's appointment of Tom Ludwig to the 2022 Comprehensive Plan Update Steering Committee. Ayes-8; Nays-0; Absent-0.

Motion to Accept the Bid of Daniel's)
 Roofing and Construction, LLC of)
 Marble Hill, Missouri, relative to the)
 Brookside Park Restroom and Pavilion)
 Roof Replacement Project)

Motion made by Alderwoman Liley, seconded by Alderman Baker, to accept the bid of Daniel's Roofing and Construction, LLC of Marble Hill, Missouri, in the amount of \$7,000.00, relative to the Brookside Park Restroom and Pavilion Roof Replacement Project. Ayes-8; Nays-0; Absent-0.

Ordinance No. 22-85 Re: To Authorize a)
 Contractual Agreement with Daniel's)
 Roofing and Construction, LLC, relative)
 to the Brookside Park Restroom and)
 Pavilion Replacement Project)

The matter of authorizing a contractual agreement with Daniel's Roofing and Construction, LLC, relative to the Brookside Park Restroom and Pavilion Roof Replacement Project, came on for consideration. Alderwoman Liley introduced Bill No. 22-87, 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 DANIEL'S ROOFING AND CONSTRUCTION, LLC OF MARBLE HILL, MISSOURI, RELATIVE TO THE BROOKSIDE PARK RESTROOM AND PAVILION ROOF REPLACEMENT PROJECT; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.



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On a motion made by Alderwoman Liley, seconded by Alderman Seabaugh, Bill No. 22-87 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 Seabaugh, Bill No. 22-87 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 22-85 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Seabaugh-aye; Alderman Hitt-aye; Alderman Baker-aye; Alderman Reiminger-aye; Alderwoman Young-aye; Alderman Kimbel-aye; Alderwoman Liley-aye; and Alderman Sander-aye.

BILL NO. 22-87

ORDINANCE NO. 22-85

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND DANIEL'S ROOFING AND CONSTRUCTION, LLC OF MARBLE HILL, MISSOURI, RELATIVE TO THE BROOKSIDE PARK RESTROOM AND PAVILION ROOF REPLACEMENT PROJECT; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have been presented a contract 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 **Daniel's Roofing and Construction, LLC of Marble Hill, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said contract.

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

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

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such



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

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

FIRST READING: September 19, 2022.

SECOND READING: September 19, 2022.

PASSED AND APPROVED this 19th day of September, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk

Ordinance No. 22-86 Re: To Approve a)
 Contractual Agreement with)
 Lochmueller Group, Inc. of Evansville,)
 Indiana, relative to Providing)
 Engineering Services under the)
 Roundabout Project at North High)
 Street and Deerwood Drive)

The matter of approving a contractual agreement with Lochmueller Group, Inc. of Evansville, Indiana, relative to providing engineering services under the Roundabout Project at North High Street and Deerwood Drive, came on for consideration. Alderwoman Liley introduced Bill No. 22-88, 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 LOCHMUELLER GROUP, INC. OF EVANSVILLE, INDIANA, RELATIVE TO PROVIDING ENGINEERING SERVICES UNDER THE ROUNDABOUT PROJECT AT NORTH HIGH STREET AND DEERWOOD DRIVE; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

On a motion made by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 22-88 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. 22-88 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 22-86 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Kimbel-aye; Alderwoman Liley-aye; Alderman Baker-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderwoman Young-aye; Alderman Hitt-aye; and Alderman Sander-aye.



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BILL NO. 22-88

ORDINANCE NO. 22-86

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND *LOCHMUELLER GROUP, INC. OF EVANSVILLE, INDIANA*, RELATIVE TO *PROVIDING ENGINEERING SERVICES UNDER THE ROUNDABOUT PROJECT AT NORTH HIGH STREET AND DEERWOOD DRIVE*; 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 **Lochmueller Group, Inc. of Evansville, Indiana**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said contract.

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

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

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

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

FIRST READING: September 19, 2022.

SECOND READING: September 19, 2022.



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PASSED AND APPROVED this 19th day of September, 2022, by a vote of 8 ayes, 0 nays,
 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
 Mayor

ATTEST:

Liza Walker (signed)
 City Clerk

Ordinance No. 22-87 Re: To Amend the)
 "Stop Street Designation Schedule" –)
 Schedule VI, by Adding a Designation)
 on Cascade Drive)

The matter of amending the "Stop Street Designation Schedule" – Schedule VI, by adding a designation on Cascade Drive, came on for consideration. Alderwoman Liley introduced Bill No. 22-89, being for an ordinance entitled as follows:

AN ORDINANCE AMENDING THE "STOP STREET DESIGNATION SCHEDULE, SCHEDULE VI," PASSED AND APPROVED THE 18TH DAY OF NOVEMBER, 1985, BY ADDING THERETO CERTAIN STOP STREET DESIGNATIONS.

On a motion made by Alderwoman Liley, seconded by Alderwoman Young, Bill No. 22-89 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 Alderwoman Young, Bill No. 22-89 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 22-87 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Sander-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderwoman Young-aye; Alderman Kimbel-aye; Alderwoman Liley-aye; Alderman Hitt-aye; and Alderman Baker-aye.

BILL NO. 22-89

ORDINANCE NO. 22-87

AN ORDINANCE AMENDING THE "STOP STREET DESIGNATION SCHEDULE, SCHEDULE VI," PASSED AND APPROVED THE 18TH DAY OF NOVEMBER, 1985, BY ADDING THERETO CERTAIN STOP STREET DESIGNATIONS.

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

Section 1. The "Stop Street Designation Schedule, Schedule VI," passed and approved on the 18th day of November, 1985, is hereby amended by adding thereto the following stop street designations:

CASCADE DRIVE: On Cascade Drive at its intersection with Hubble Ford, traffic on Cascade Drive to stop.



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Section 2. It is the intent of the Mayor and Board of Aldermen of the City of Jackson, Missouri, that this ordinance become and be made a part of the "Stop Street Designation Schedule, Schedule VI," of the City of Jackson, Missouri, and the City Clerk is directed to amend said schedule in accordance herewith.

Section 3. The City Administrator of the City of Jackson, Missouri, is hereby directed to cause stop signs to be placed at the above streets in accordance herewith.

Section 4. This ordinance shall not be codified in the Code of Ordinances of the City of Jackson, Missouri, but kept on file in the office of the City Clerk.

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

FIRST READING: September 19, 2022.

SECOND READING: September 19, 2022.

PASSED AND APPROVED this 19th day of September, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk

Ordinance No. 22-88 Re: To Amend the)
 "Crosswalks Designated Schedule" –)
 Schedule XVI, by Adding Designations)
 on Cascade Drive and Parkview Street)

The matter of amending the "Crosswalks Designated Schedule" – Schedule XVI, by adding designations on Cascade Drive and Parkview Street, came on for consideration. Alderwoman Liley introduced Bill No. 22-90, being for an ordinance entitled as follows:

AN ORDINANCE AMENDING THE "CROSSWALKS DESIGNATED SCHEDULE, SCHEDULE XVI," PASSED AND APPROVED THE 18TH DAY OF NOVEMBER, 1985, BY ADDING THERETO CERTAIN CROSSWALK DESIGNATIONS.



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On a motion made by Alderwoman Liley, seconded by Alderman Baker, Bill No. 22-90 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. 22-90 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 22-88 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderwoman Young-aye; Alderman Reiminger-aye; Alderman Baker-aye; Alderman Seabaugh-aye; Alderman Kimbel-aye; Alderwoman Liley-aye; Alderman Hitt-aye; and Alderman Sander-aye.

BILL NO. 22-90

ORDINANCE NO. 22-88

AN ORDINANCE AMENDING THE "CROSSWALKS DESIGNATED SCHEDULE, SCHEDULE XVI," PASSED AND APPROVED THE 18TH DAY OF NOVEMBER, 1985, BY ADDING THERETO CERTAIN CROSSWALK DESIGNATIONS.

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

Section 1. The "Crosswalks Designated Schedule, Schedule XVI," passed and approved on the 18th day of November, 1985, is hereby amended by adding thereto the following crosswalks designations:

CASCADE DRIVE: On Cascade Drive, at its intersection with Hubble Ford, crosswalk on the west side of the intersection.

PARKVIEW STREET: On Parkview Street, at its intersection with Hubble Ford, crosswalk on the west side of the intersection.

Section 2. It is the intent of the Mayor and Board of Aldermen of the City of Jackson, Missouri, that this ordinance become and be made a part of the "Crosswalks Designated Schedule, Schedule XVI," and the City Clerk of the City of Jackson, Missouri, is directed to amend the schedule in accordance herewith.

Section 3. The City Administrator of the City of Jackson, Missouri, is hereby directed to cause "Crosswalk" signs, or other appropriate signage, to be placed at the location set forth above.

Section 4. This ordinance shall not be codified in the Code of Ordinances of the City of Jackson, Missouri, but kept on file in the office of the City Clerk.

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.



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

FIRST READING: September 19, 2022.

SECOND READING: September 19, 2022.

PASSED AND APPROVED this 19th day of September, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)

Ordinance No. 22-89 Re: To Amend the)
 "Handicapped Parking Designated)
 Schedule" – Schedule XVII, by Adding a)
 Designation at Restroom No. 3 Located)
 at 606 Cascade Drive)

The matter of amending the "Handicapped Parking Designated Schedule" – Schedule XVII, by adding a designation at Restroom No. 3 located at 606 Cascade Drive, came on for consideration. Alderwoman Liley introduced Bill No. 22-91, being for an ordinance entitled as follows:

AN ORDINANCE AMENDING THE "HANDICAPPED PARKING DESIGNATED SCHEDULE, SCHEDULE XVII," PASSED AND APPROVED THE 18TH DAY OF NOVEMBER, 1985, BY ADDING THERETO CERTAIN HANDICAPPED PARKING DESIGNATIONS.

On a motion made by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 22-91 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. 22-91 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 22-89 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Hitt-aye; Alderman Seabaugh-aye; Alderman Kimbel-aye; Alderman Sander-aye; Alderwoman Young-aye; Alderwoman Liley-aye; Alderman Baker-aye; and Alderman Reiminger-aye.

BILL NO. 22-91

ORDINANCE NO. 22-89

AN ORDINANCE AMENDING THE "HANDICAPPED PARKING DESIGNATED SCHEDULE, SCHEDULE XVII," PASSED AND APPROVED THE 18TH DAY OF NOVEMBER, 1985, BY ADDING THERETO CERTAIN HANDICAPPED PARKING DESIGNATIONS.

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



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Section 1. The "Handicapped Parking Designated Schedule, Schedule XVII," passed and approved on the 18th day of November, 1985, is hereby amended by adding thereto the following new handicapped parking designations:

CASCADE DRIVE: On Cascade Drive at its intersection with Hubble Ford, one handicapped parking spot on the south side of the street east of the crosswalk and located in the parking lot of Restroom No. 3.

Section 2. It is the intent of the Mayor and Board of Aldermen of the City of Jackson, Missouri, that this ordinance become and be made a part of the "Handicapped Parking Designated Schedule, Schedule XVII," and the City Clerk of the City of Jackson, Missouri, is directed to amend the schedule in accordance herewith.

Section 3. The City Administrator of the City of Jackson, Missouri, is hereby directed to cause "Handicapped Parking" signs, or other appropriate signage, to be placed at the location set forth above.

Section 4. This ordinance shall not be codified in the Code of Ordinances of the City of Jackson, Missouri, but kept on file in the office of the City Clerk.

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

FIRST READING: September 19, 2022.

SECOND READING: September 19, 2022.

PASSED AND APPROVED this 19th day of September, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
 Mayor

ATTEST:

Liza Walker (signed)
 City Clerk



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, September 19, 2022 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES

Robin Cole to Address Board Re: Polio)

Now comes forth City resident Robin Cole to bring to the Board of Aldermen the concern of polio in the wastewater. Mr. Cole states that polio testing will be available in mid-October in Missouri and requests Jackson begin testing the wastewater for polio; he states that Cape Girardeau is currently testing for COVID. The samples would be tested in Columbia, and it is unknown who would pay for the testing. Public Works Director Kent Peetz states that the process to collect the data would be detailed and lengthy. City Attorney Curt Poore questions if Cape Girardeau's testing would be sufficient to cover the area. Mr. Coles states that the State is recommending cities with populations over 500 to test for polio.

Don Howard to Address Board with)
 Concern of Trailer Parked on City Street)

Now comes forth City resident Don Howard to bring to the Board of Aldermen a safety concern of a trailer parked on a street corner at 820 Corinne Street. Mr. Howard spoke with the Jackson Police Department and states the JPD delivered a notice to the owners to move the trailer. Mayor Hahs states that he will pass the concern on to the Police Department and will request a report.

Motion to Adjourn the Meeting)

Meeting concluded at 6:49 P.M., on a motion by Alderman Baker, seconded by Alderwoman Liley, to adjourn the meeting. Ayes-8; Nays-0; Absent-0.

ATTEST:

Mayor

City Clerk

MEMO



TO: Mayor Hahs and Members of the Board of Aldermen
FROM: Janet Sanders, Building & Planning Manager
DATE: September 30, 2022
SUBJECT: Easement Abandonment – 2024 Watson Drive

This easement abandonment location is the neighboring property to the Rau easement abandonment previously completed at 1962 Watson Drive. The Zellmers have an unpermitted structure built on the easement and until this easement is abandoned, we cannot bring it into compliance with the required building permit and inspections.

Abandoning this easement is one of the conditions of the previous Memorandum of Understanding with the Zellmers.

BILL NO. 22-__

ORDINANCE NO. 22-__

AN ORDINANCE VACATING AN EASEMENT LOCATED IN THE CITY OF JACKSON, MISSOURI; SPECIFICALLY DESCRIBING SAID EASEMENT; TRANSFERRING TITLE OF SAID AREA TO THE OWNERS OF RECORD; AUTHORIZING THE MAYOR AND CITY CLERK TO TRANSFER SAID AREA; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the Bill C. and Shelley L. Zellmer Trust has requested vacation of the following described areas in the City of Jackson, Missouri, to-wit:

UTILITY EASEMENT

PART OF LOT 88A OF A RE-SUBDIVISION OF LOTS 88 AND 91 OF BENT CREEK – SPRING LAKE ADDITION AS SHOWN IN DOCUMENT NUMBER 2011-08642, IN U.S.P.S. 2262, TOWNSHIP 31 NORTH, RANGE 13 EAST IN THE CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI BEING DESCRIBED AS FOLLOWS: BEGINNING at the northeast corner of Lot 89 of Bent Creek – Spring Lake Addition as shown in Plat Book 19, Page 43 said point being on the West Line of said Lot 88A; thence N 08°16'24" W along the West Line of said Lot 88A, 10.64 feet; thence S 78°21'00" E, 169.52 feet; thence S 16°42'30" W, 20.08 feet to a point in the East Line of said Lot 88A; thence N 78°21'00" W, 164.13 feet to a point in the West Line of said Lot 88A; thence N 11°38'57" E along the West Line of said Lot 88A, 10.00 feet to the POINT OF BEGINNING.

Real estate described as set forth in Exhibit A which is attached hereto and incorporated by reference as if fully set forth.

(The description herein was prepared by Matt Dejournett on behalf of the Bill C. and Shelley L. Zellmer Trust. Also attached as Exhibit A is the plat showing the utility easement to be vacated.)

and,

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

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

- 2 -

Section 1. That the above-described areas be and that the same are hereby vacated and said areas are transferred to the owners of record.

Section 2. That the Mayor is hereby authorized to execute and the City Clerk is hereby authorized to attest the signature of the Mayor on any instruments necessary for the vacation of said areas.

Section 3. That the City Clerk is hereby directed to record a copy of this ordinance 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: October 3, 2022.

SECOND READING: October 3, 2022.

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

CITY OF JACKSON, MISSOURI

(SEAL)

BY: _____
Mayor

ATTEST:

City Clerk

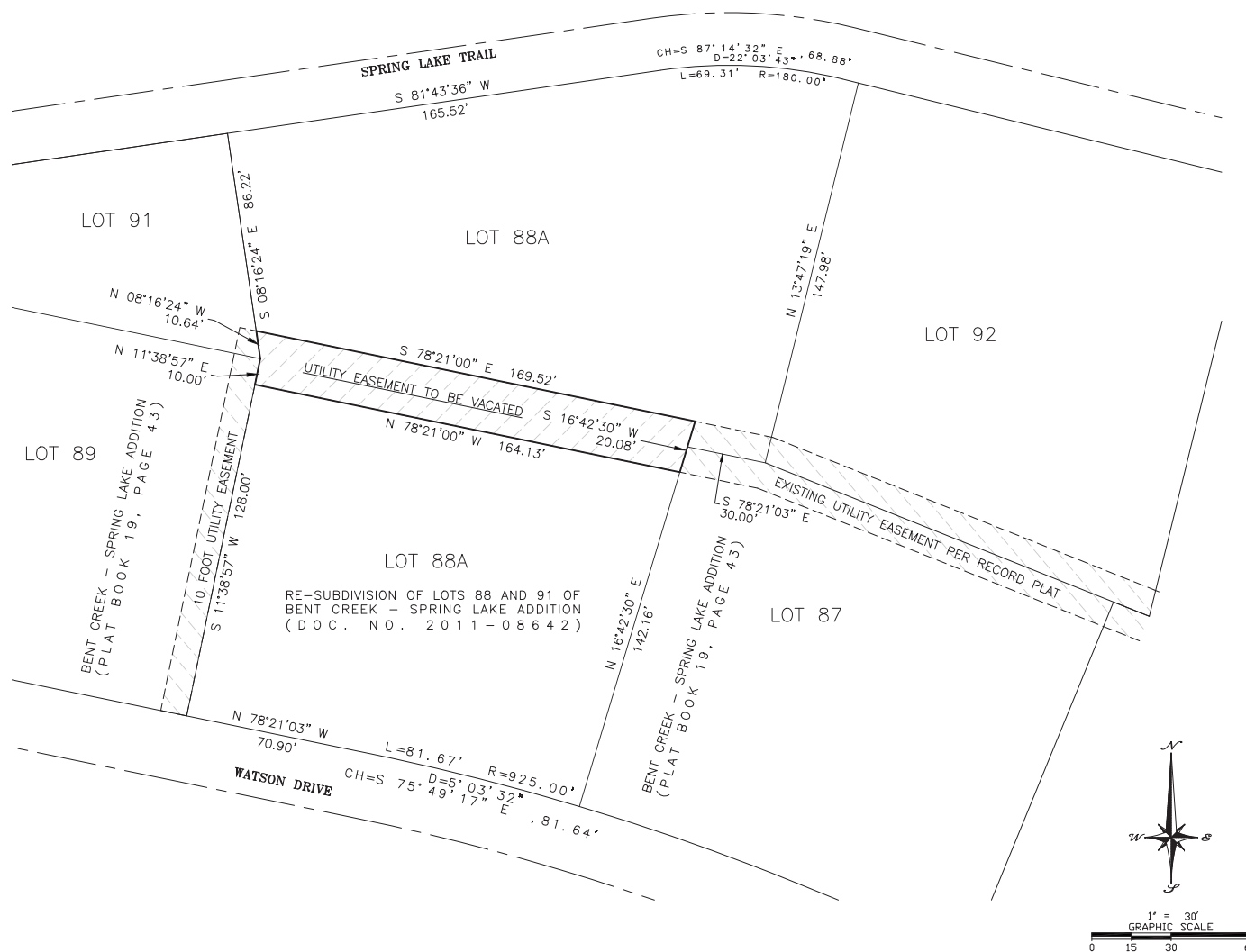
EXHIBIT A:
"LEGAL DESCRIPTION OF
LEGAL EASEMENT TO BE VACATED"

UTILITY EASEMENT

PART OF LOT 88A OF A RE-SUBDIVISION OF LOTS 88 AND 91 OF BENT CREEK – SPRING LAKE ADDITION AS SHOWN IN DOCUMENT NUMBER 2011-08642, IN U.S.P.S. 2262, TOWNSHIP 31 NORTH, RANGE 13 EAST IN THE CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI BEING DESCRIBED AS FOLLOWS: BEGINNING at the northeast corner of Lot 89 of Bent Creek – Spring Lake Addition as shown in Plat Book 19, Page 43 said point being on the West Line of said Lot 88A; thence N 08°16'24" W along the West Line of said Lot 88A, 10.64 feet; thence S 78°21'00" E, 169.52 feet; thence S 16°42'30" W, 20.08 feet to a point in the East Line of said Lot 88A; thence N 78°21'00" W, 164.13 feet to a point in the West Line of said Lot 88A; thence N 11°38'57" E along the West Line of said Lot 88A, 10.00 feet to the POINT OF BEGINNING.

EASEMENT EXHIBIT FOR: BILL ZELLMER

PART OF LOT 88A OF A RE-SUBDIVISION OF LOTS 88 AND 91 OF BENT CREEK - SPRING LAKE ADDITION,
IN U.S.P.S. 2262, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN,
IN THE CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI



UTILITY EASEMENT TO BE VACATED

PART OF LOT 88A OF A RE-SUBDIVISION OF LOTS 88 AND 91 OF BENT CREEK - SPRING LAKE ADDITION AS SHOWN IN DOCUMENT NUMBER 2011-08642, IN U.S.P.S. 2262, TOWNSHIP 31 NORTH, RANGE 13 EAST IN THE CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI BEING DESCRIBED AS FOLLOWS: BEGINNING at the northeast corner of Lot 89 of Bent Creek - Spring Lake Addition as shown in Plat Book 19, Page 43 said point being on the West Line of said Lot 88A; thence N 08°16'24" W along the West Line of said Lot 88A, 10.64 feet; thence S 78°21'00" E, 169.52 feet; thence S 16°42'30" W, 20.08 feet to a point in the East Line of said Lot 88A; thence N 78°21'00" W, 164.13 feet to a point in the West Line of said Lot 88A; thence N 11°38'57" E along the West Line of said Lot 88A, 10.00 feet to the POINT OF BEGINNING.

NOTES:

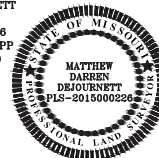
THE PURPOSE OF THIS EXHIBIT IS TO DISPLAY AND DESCRIBE A PORTION OF A UTILITY EASEMENT THAT IS TO BE VACATED BY THE CITY OF JACKSON. ALL DIMENSIONS ARE BASED ON THE RECORD PLATS FOR BENT CREEK - SPRING LAKE ADDITION AS SHOWN IN PLAT BOOK 19, PAGE 43 AND A RE-SUBDIVISION OF LOTS 88 AND 91 OF BENT CREEK - SPRING LAKE ADDITION AS SHOWN IN DOCUMENT NUMBER 2011-08642. NO FIELD WORK WAS COMPLETED IN THE PREPARATION OF THIS EXHIBIT AND THIS EXHIBIT DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE SUBJECT LOTS OR EASEMENTS. THE LIMITS OF THE UTILITY EASEMENT TO BE VACATED WERE PROVIDED BY THE CITY OF JACKSON AND THE SURVEYOR DOES NOT WARRANT THAT ALL THE EXISTING UTILITIES WILL BE LOCATED WITHIN THE REMAINING EASEMENT.

DOWDY AND DEJOURNETT SURVEYING

LARRY D. DOWDY, PLS 1518
MATT DEJOURNETT, PLS 2015000226

DEJOURNETT SURVEYING, LLC.
PROFESSIONAL LAND SURVEYORS
(LS-2015007724)
2401 STATE HIGHWAY PP
SCOTT CITY, MO 63780
Ph: (573) 579-4524
mattdejournett@hotmail.com

MATTHEW D. DEJOURNETT
PROFESSIONAL LAND
SURVEYOR 2015000226
2401 STATE HIGHWAY PP
SCOTT CITY, MO 63780



EASEMENT EXHIBIT FOR
BILL ZELLMER
2024 WATSON DRIVE
JACKSON, MO
CAPE GIRARDEAU COUNTY

DATE: 09/13/2022

DRAWN BY: MDD

MEMO



TO: Mayor and Board of Aldermen
From: Larry Koenig
Date: Friday, September 30, 2022
Subject: Amendment to Approved Tax Rates for 2022

On August 15, 2022, we adopted an ordinance formally approving the property tax rates for 2022. That ordinance included assessments for the General Revenue, Parks and Recreation, Cemetery, and Band tax rates. Those final approved rates were based on assessed valuations that were provided by the County Clerk's office, both prior to, and following Board of Equalization hearings.

On September 21st, the County Clerk advised that the assessed valuations that they had provided were incorrect due to an over-valuation from the Assessor's office.

Based on those revised valuations, we need to approve a new ordinance which sets our total tax rate at \$0.8671 per \$100 assessed valuation. This new rate is a reduction from the rates which were originally approved on August 15th. As a matter of comparison, the corrected rate is the same as was approved for 2021, resulting in no increase for 2022.

BILL NO. 22-__

ORDINANCE NO. 22-__

AN ORDINANCE TO CORRECT A SCRIVENER'S ERROR IN BILL NO. 22-78, ORDINANCE NO. 22-76, PASSED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN ON AUGUST 15, 2022, AND PROVIDING FOR THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION FOR GENERAL REVENUE, PARK FUND, CEMETERY FUND, AND BAND FUND DURING THE ENSUING FISCAL YEAR; FIXING THE ANNUAL RATE OF LEVY THEREFOR; AND STATING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

WHEREAS, in accordance with Missouri Statutes as made and provided, the City is empowered to establish taxation for purposes upon the assessed valuation of the City for general revenue purposes, for parks & recreation fund, for cemetery maintenance, and for band fund; and

WHEREAS, in accordance with said statutory authorization, the City must establish rates after holding a public hearing for the current tax year of 2022; and

WHEREAS, the City has held a public hearing as required by statute; and

WHEREAS, there appeared in Bill No. 22-78, Ordinance No. 22-76, passed and approved on August 15, 2022, a scrivener's error as to the amount of money necessary to be raised by taxation; and

WHEREAS, the amount of money necessary to be raised by taxation is less than the amount requested and approved by public hearing held on August 15, 2022 and therefore, a new public hearing is not required.

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

Section 1. That the correct amount of money necessary to be raised by taxation during the ensuing fiscal year on the assessed valuation of all properties situated in the City of Jackson, Missouri, for general revenue purposes is One Million Six Hundred Forty-Nine Thousand One Hundred Thirty-Eight Dollars (\$1,649,138.00); for cemetery purposes is Two Hundred Thirteen Thousand Forty

Dollars (\$213,040.00); for city parks & recreation is Three Hundred Forty-Five Thousand Nine Hundred Sixty-Two Dollars (\$345,962.00); and for band fund is Two Hundred Thirteen Thousand Forty Dollars (\$213,040.00).

Section 2. That the total assessed valuation of all property in the City, as shown by a certified abstract transmitted to the Board of Aldermen of the City of Jackson by the County Clerk of Cape Girardeau County, Missouri is Two Hundred Seventy-Nine Million Two Hundred Twenty-Seven Thousand Three Hundred Twenty-Four Dollars (\$279,227,324.00).

Section 3. That the Board of Aldermen of the City hereby establishes the rate of levy for general revenue purposes at Fifty-Nine and Six Hundredths Cents (\$0.5906) on each One Hundred Dollars (\$100.00) assessed valuation on all property situated in the City of Jackson, Missouri.

Section 4. That the Board of Aldermen of the City hereby establishes the rate of levy for cemetery fund purposes at Seven and Sixty-Three Hundredths Cents (\$0.0763) on each One Hundred Dollars (\$100.00) assessed valuation on all property situated in the City of Jackson, Missouri.

Section 5. That the Board of Aldermen of the City hereby establishes the rate of levy for park fund purposes at Twelve and Thirty-Nine Hundredths Cents (\$0.1239) on each One Hundred Dollars (\$100.00) assessed valuation on all property situated in the City of Jackson, Missouri.

Section 6. That the Board of Aldermen of the City hereby establishes the rate of levy for band fund purposes at Seven and Sixty-Three Hundredths Cents (\$0.0763) on each One Hundred Dollars (\$100.00) assessed valuation on all property situated in the City of Jackson, Missouri.

Section 7. That all other provisions of Bill No. 22-78, Ordinance No. 22-76, not specifically corrected herein shall remain in full force and effect.

Section 8. 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 9. 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 ___ ayes, ___ nays, ___ abstentions and ___ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

BY: _____
Mayor

ATTEST:

City Clerk



Office of the Cape Girardeau County Clerk

Kara Clark Summers

1 Barton Square, Suite 301

Jackson, MO 63755

Phone # 573-243-3547 Fax # 573-204-2418

Amended New Construction 09/19/2022

Notice of 2022 Aggregate Assessed Valuation

As required by Section 137.245.3, RSMo, I, Kara Clark Summers, County Clerk of Cape Girardeau County, State of Missouri, do hereby certify the foregoing to be a true and correct Aggregate Assessed Valuation of said Political Subdivision, in said County, for the 2022 Tax Year as certified by the County Assessor.

The figures include Railroad and Utility Valuations as reported by the State Tax Commission.

		<u>City of Jackson</u>		
REAL ESTATE :		JUNE	After B O E	T I F
Assessor's List				
	Agriculture	312,370	312,370	5,040
	Residential	150,589,300	150,589,930	6,300
	Commercial	53,790,040	53,949,380	0
	Sub-total	204,691,710	204,851,680	11,340
RR/Utility				
	(Local)			
	Operating Property	14,783	14,783	
	Non-operating	0	0	
	(State) Commercial	383,717	383,717	
GRAND TOTAL Real Estate		205,090,210	205,250,180	
PERSONAL PROPERTY:				
Assessor's List		72,135,138	73,785,386	
RR/Utility				
	(Local)	28,232	28,232	
	(State)	174,866	174,866	
GRAND TOTAL Personal Property		72,338,236	73,988,484	
ASSESSED VALUATION TOTAL		277,428,446	279,238,664	
ASSESSED VALUATION MINUS TIF		277,417,106	279,227,324	

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Commission of Cape Girardeau County this 20th day of September 2022.

Kara Clark Summers, County Clerk

NEW CONSTRUCTION:

34,200,650

34,401,720

Amended 09/19/2022

6,659,025

This information is transmitted to assist you in complying with section 67.110, RSMo, which requires that notice be given and public hearings held before tax rates are set.

Document prepared by Kathy A Friedrich, Deputy Clerk



Memo

To: Mayor and Members of the Board of Aldermen

From: Joan Evans

Date: Friday, September 30, 2022

Re: Low-Income Home Energy Assistance Program (LIHEAP) Agreement

The Missouri Department of Social Services (DSS) implements energy assistance funding to utility customers during times of hardship through two programs. The Energy Assistance Program (EA) allows a single annual payment for qualified customers. The Energy Crisis Intervention Program (ECIP) is designed to help qualified customers in an energy emergency situation.

LIHEAP is funded by a federal grant to the State of Missouri. A customer's eligibility for pledge funds is evaluated by the contracted agency for our region, East Missouri Action Agency (EMAA), or directly by DSS personnel. More information on the program is available at: <https://mydss.mo.gov/utility-assistance/liheap>.

Since federal grant requirements do not allow for direct payment to a qualified applicant, the City needs to enter into an agreement with DSS, so that customers meeting the LIHEAP criteria are able to receive any allocated funds.

BILL NO. 22-__

ORDINANCE NO. 22-__

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A SUPPLIER AGREEMENT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND *THE MISSOURI DEPARTMENT OF SOCIAL SERVICES FAMILY SUPPORT DIVISION*, RELATIVE TO THE *LOW INCOME HOUSEHOLD ENERGY ASSISTANCE PROGRAM (LIHEAP)*; 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 the **Missouri Department of Social Services Family Support Division**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said contract.

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

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

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion

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

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

FIRST READING: October 3, 2022.

SECOND READING: October 3, 2022.

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

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

BY: _____
Mayor

City Clerk



City of Jackson

CHANGE ORDER

Paving Pros LLC

2

Name of Contractor

Change Order No.

511 County Road 411

Oak Ridge, MO 63769

Contractor Address

City/State/Zip

2022 Asphalt Pavement Improvement Program

9/26/2022

Project Name

Date

Description: ☒ See Attachments

This is a final quantities change order. Changes in quantities resulted from unsuitable subgrade and corrections in the original quantities. Attached is a spreadsheet that breaks down all the additional quantities as well as the 3 change directives associated with the project.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price: \$ 346,960.80	Original Contract End Date: October 24, 2022
Previous Change Orders: \$ 4,800.00	Net Change from Previous Change Orders: 0
Contract Price prior to this Change Order: \$ 351,760.80	Contract End Date prior to this Change Order: October 24, 2022
Net Increase (Decrease) of this Change Order: \$ 57,857.39	Net Increase (Decrease) of this Change Order: 0
Contract Price with all approved Change Orders: \$ 409,618.19	Contract End Date with all approve Change Orders: October 24, 2022

Recommended By:

Anna Bergmark

Anna Bergmark P.E., City Engineer

9-28-22

Date

Authorized By:

Mayor, City of Jackson

Date

Accepted By:

Rich L. H.

Contractor Auth. Representative

26 Sept 2022

Date

Total Additional Overhead: \$ 57,857.35



City of Jackson

CHANGE DIRECTIVE

Paving Pros LLC

Name of Contractor

1

Change Directive No.

511 County Road 411

Contractor Address

Oak Ridge, MO 63769

City/State/Zip

2022 Asphalt Pavement Improvement Program

Project Name

7/28/2022

Date

Basis of Change Directive:

- | | |
|--|---|
| <input type="checkbox"/> Error / Omission | <input checked="" type="checkbox"/> Differing Site Conditions |
| <input type="checkbox"/> Owner Request | <input type="checkbox"/> Field Resolution |
| <input type="checkbox"/> Value Engineering | <input type="checkbox"/> Other |

Cost Basis:

- | |
|--------------------------------------|
| <input type="checkbox"/> Unit Price |
| <input type="checkbox"/> Fixed Price |
| <input type="checkbox"/> Other |

Contract Price:

Amount: \$ 21,090.97

- | | |
|---|---|
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Equal Exchange |
| <input type="checkbox"/> Deduct | <input type="checkbox"/> No Change |

Contract Time:

Days:

- | | |
|---------------------------------|---|
| <input type="checkbox"/> Add | <input type="checkbox"/> Equal Exchange |
| <input type="checkbox"/> Deduct | <input checked="" type="checkbox"/> No Change |

Description: ☐ See Attachment

The milling process on Daisy Street uncovered unsuitable asphalt and subgrade for completing an overlay as planned. Full depth replacement will be required for three areas totaling 4,374 square feet. The cost based on unit prices is estimate to be \$21,090.97. This additional work will be included in a final quantities change order.

Note: This Change Directive identifies satisfaction of all compensation and time adjustments related to the Changes to the Work. A Change Order must be completed for full authorization of changes in price and time.

Recommended By:

Anna Bergmark
Anna Bergmark, PE
City Engineer

8-2-22

Date

Approved By:

Kent Peetz
Kent Peetz, PE
Public Works Director

8-2-22

Date

Accepted By:

Rick L. H.
Contractor Auth. Representative

Aug 2, 2022

Date

Sheet	STREET	Width (ft)	Length (ft)	Area (SF)	Combined Area (SF)	Crosshatched Area (SF)	EXCAVATION		AGGREGATE			GRADE		ASPHALT			EXCAVATION		AGGREGATE			PAVE		ASPHALT			TOTAL COST
							IN	CF	IN	CF	TON	IN	CF	IN	CF	TON	\$/UNIT	TOTAL	\$/UNIT	TOTAL	\$/UNIT	TOTAL	\$/UNIT	TOTAL	\$/UNIT	TOTAL	
5	Daley	8	210	1680	187	1680	10	51.85	6	840.00	58.80	9.33	4	360.00	40.6		\$ 40.00	\$ 2,074.00	\$ 32.00	\$ 1,881.60	\$ 4.75	\$ 44.32	\$ 101.00	\$ 4,300.60	\$ 8,290.52		
5	Daley	6	25	150	17	150	10	4.63	6	75.00	5.25	0.82	4	50.00	3.63		\$ 40.00	\$ 185.20	\$ 32.00	\$ 168.00	\$ 4.75	\$ 154	\$ 101.00	\$ 366.63	\$ 723.27		
5	Daley	8	338	2544	283	2544	10	78.52	6	1272.00	89.06	14.18	4	648.00	61.48		\$ 40.00	\$ 3,140.80	\$ 32.00	\$ 2,049.28	\$ 4.75	\$ 67.12	\$ 101.00	\$ 6,209.48	\$ 12,250.58		

Field Change #1 Total = \$ 21,050.37



City of Jackson

CHANGE DIRECTIVE

Paving Pros LLC	2
Name of Contractor	Change Directive No.
511 County Road 411	Oak Ridge, MO 63769
Contractor Address	City/State/Zip
2022 Asphalt Pavement Improvement Program	8/2/2022
Project Name	Date

Basis of Change Directive:

<input type="checkbox"/> Error / Omission	<input checked="" type="checkbox"/> Differing Site Conditions
<input type="checkbox"/> Owner Request	<input type="checkbox"/> Field Resolution
<input checked="" type="checkbox"/> Value Engineering	<input type="checkbox"/> Other

Cost Basis:

<input type="checkbox"/> Unit Price
<input type="checkbox"/> Fixed Price
<input type="checkbox"/> Other

Contract Price:

Amount: \$ 8,613.52

<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Equal Exchange
<input type="checkbox"/> Deduct	<input type="checkbox"/> No Change

Contract Time:

Days: _____

<input type="checkbox"/> Add	<input type="checkbox"/> Equal Exchange
<input type="checkbox"/> Deduct	<input checked="" type="checkbox"/> No Change

Description: ☒ See Attachment

The Contractor requested that the City consider combining the patches along North Farmington to improve the final condition of the project and to simplify construction. Follow up inspection showed that the City would be willing to combine patches A and B (additional 399 SF) and patches E and F (220 SF). The contractor also notified the City of further deterioration of the area between patches F and G. This area has also been added to the project (1012 SF). The additional work will be included in a final quantities change order.

The City determined that the areas between patches C and D as well as D and E do not need to be replaced at this time. The Contractor can include these areas for simplifying construction, but it will be at the Contractor's cost.

Note: This Change Directive identifies satisfaction of all compensation and time adjustments related to the Changes to the Work. A Change Order must be completed for full authorization of changes in price and time.

Recommended By: Anna Bergmark
Anna Bergmark, PE
City Engineer

8-2-22
Date

Approved By: Kent Peetz
Kent Peetz, PE
Public Works Director

8-2-22
Date

Accepted By: David L. L. L.
Contractor Auth. Representative

Aug 3, 2022
Date

Sheet	STREET	PATCH	Width (ft)	Length (ft)	Area (SF)	EXCAVATION		AGGREGATE			TACK		ASPHALT			EXCAVATION		AGGREGATE		TACK		ASPHALT		TOTAL COST
						IN	CF	IN	CF	TON	GAL	IN	CF	TON	\$/UNIT	TOTAL	\$/UNIT	TOTAL	\$/UNIT	TOTAL	\$/UNIT	TOTAL	\$/UNIT	TOTAL
8	N. Farmington Rd.	B-C	19	21	399	10	12.31	6	199.50	11.97	1.12	4	113.00	9.64	\$ 40.00	\$ 492.40	\$ 32.00	\$ 447.04	\$ 4.75	\$ 10.35	\$ 120.00	\$ 1,156.80	\$ 2,106.79	
8	N. Farmington Rd.	E-F	21	30	630	10	6.79	8	110.00	7.70	1.12	4	73.33	9.33	\$ 40.00	\$ 273.60	\$ 32.00	\$ 246.40	\$ 4.75	\$ 5.80	\$ 120.00	\$ 636.40	\$ 1,162.70	
8	N. Farmington Rd.	F-G	22	46	1012	10	31.23	6	306.00	35.43	5.62	4	337.33	24.46	\$ 40.00	\$ 1,249.20	\$ 32.00	\$ 1,133.44	\$ 4.75	\$ 26.70	\$ 120.00	\$ 1,955.20	\$ 3,344.54	

Field Change #7 Total = \$ 8,513.51



2022 ANNUAL ASPHALT REPAIR ALL MEASUREMENTS ARE ESTIMATED	SCALE 1" = 100' 0 50 100		PATCHES	PATCH	A	B	C	D	E	F	OVERLAY	AVG. LENGTH	8
				AREA	14 SY	324 SY	184 SY	381 SY	131 SY	149 SY		AVG. WIDTH	
				PATCH	G							EST. AREA	
				AREA	225 SY							N. FARMINGTON RD.	



City of Jackson

CHANGE DIRECTIVE

Paving Pros LLC

Name of Contractor

3

Change Directive No.

511 County Road 411

Contractor Address

Oak Ridge, MO 63769

City/State/Zip

2022 Asphalt Pavement Improvement Program

Project Name

8/17/2022

Date

Basis of Change Directive:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Error / Omission | <input checked="" type="checkbox"/> Differing Site Conditions |
| <input type="checkbox"/> Owner Request | <input type="checkbox"/> Field Resolution |
| <input type="checkbox"/> Value Engineering | <input type="checkbox"/> Other |

Cost Basis:

- | |
|--------------------------------------|
| <input type="checkbox"/> Unit Price |
| <input type="checkbox"/> Fixed Price |
| <input type="checkbox"/> Other |

Contract Price:

Amount: \$ 22,500.11

- | | |
|---|---|
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Equal Exchange |
| <input type="checkbox"/> Deduct | <input type="checkbox"/> No Change |

Contract Time:

Days:

- | | |
|---------------------------------|---|
| <input type="checkbox"/> Add | <input type="checkbox"/> Equal Exchange |
| <input type="checkbox"/> Deduct | <input checked="" type="checkbox"/> No Change |

Description: ☒ See Attachment

The milling process on Daisy Street uncovered unsuitable asphalt and subgrade for completing an overlay as planned. Full depth replacement will be required for an area of 416 square feet in addition to the area approved under Change Directive No 1. The cost based on unit prices is estimated to be \$2,083.30. This additional work will be included in a final quantities change order.

An error was made in the original bid quantities on North Georgia Street. The width was incorrectly entered as 23 feet when it should have been 32 feet. The additional width adds 8,757 square feet at a cost of \$20,416.81. This additional work will be included in a final quantities change order.

Note: This Change Directive identifies satisfaction of all compensation and time adjustments related to the Changes to the Work. A Change Order must be completed for full authorization of changes in price and time.

Recommended By:

Anna Bergmark
Anna Bergmark, PE
City Engineer

8-23-22

Date

Approved By:

Kent Peetz
Kent Peetz, PE
Public Works Director

8-23-22

Date

Accepted By:

Rich L. H.
Contractor Auth. Representative

Aug 24, 2022

Date

Field Change #3 Total: \$ 32,500.11



PUBLIC WORKS MEMORANDUM

City of Jackson

TO: Mayor and Board of Aldermen

CC: Jim Roach, City Administrator

FROM: Anna Bergmark, City Engineer

DATE: September 26, 2022

RE: 2022 Concrete Pavement Improvement Program Change Order No. 2

Attached you will find Change Order No. 2 for the 2022 Concrete Pavement Improvement Program. The purpose of this Change Order is to approve the final quantities for the project. Additional work was needed to complete the project due to changes since the original estimate.



City of Jackson

CHANGE ORDER

Fronabarger Concreters, Inc.

2

Name of Contractor

Change Order No.

3290 State Highway E

Oak Ridge, MO 63769

Contractor Address

City/State/Zip

2022 Concrete Pavement Improvement Program

9/22/2022

Project Name

Date

Description: ☒ See Attachments

This is a final quantities change order. Changes in quantities resulted from revisions to the maps for Main Street (Change Directive 1 - \$740.00), additional work on Brandom Street and Rolling Fields (Change Directive 2 - \$11,850.00) and additional panels on East Main Street (\$5,003.20). The total increase in contract price is \$17,593.20.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIME
Original Contract Price: \$ 304,290.00	Original Contract End Date: August 22, 2022
Previous Change Orders: \$ 0.00	Net Change from Previous Change Orders: 31
Contract Price prior to this Change Order: \$ 304,290.00	Contract End Date prior to this Change Order: September 22, 2022
Net Increase (Decrease) of this Change Order: \$ 17,593.20	Net Increase (Decrease) of this Change Order: 0
Contract Price with all approved Change Orders: \$ 321,883.20	Contract End Date with all approved Change Orders: September 22, 2022

Recommended By:

Anna Bergmark

City Engineer, Anna Bergmark, PE.

9-22-22

Date

Authorized By:

Mayor, City of Jackson

Date

Accepted By:

Dan McNellis

Contractor Auth. Representative

9/22/22

Date



City of Jackson

CHANGE DIRECTIVE

Fronabarger Concreters, Inc.

Name of Contractor

1

Change Directive No.

3290 State Highway E

Contractor Address

Oak Ridge, MO 63769

City/State/Zip

2022 Concrete Pavement Improvement Program

Project Name

5/24/2022

Date

Basis of Change Directive:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Error / Omission | <input type="checkbox"/> Differing Site Conditions |
| <input type="checkbox"/> Owner Request | <input type="checkbox"/> Field Resolution |
| <input type="checkbox"/> Value Engineering | <input type="checkbox"/> Other |

Cost Basis:

- | |
|--------------------------------------|
| <input type="checkbox"/> Unit Price |
| <input type="checkbox"/> Fixed Price |
| <input type="checkbox"/> Other |

Contract Price:

Amount: \$ 740.00

- | | |
|---|---|
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Equal Exchange |
| <input type="checkbox"/> Deduct | <input type="checkbox"/> No Change |

Contract Time:

Days: _____

<input type="checkbox"/> Add	<input type="checkbox"/> Equal Exchange
<input type="checkbox"/> Deduct	<input type="checkbox"/> No Change

Description: ☒ See Attachment

Errors in the Location Maps were identified on Main Street. The revisions resulted in an increase in quantities and several changes in quantity designations. The resultant increase in the contract price is equal to \$740.00. This will be confirmed in a change order with final quantities at the end of the project.

Note: This Change Directive identifies satisfaction of all compensation and time adjustments related to the Changes to the Work. A Change Order must be completed for full authorization of changes in price and time.

Recommended By:

Anna Bergmark
Anna Bergmark, P.E.
City Engineer

5-24-22
Date

Approved By:

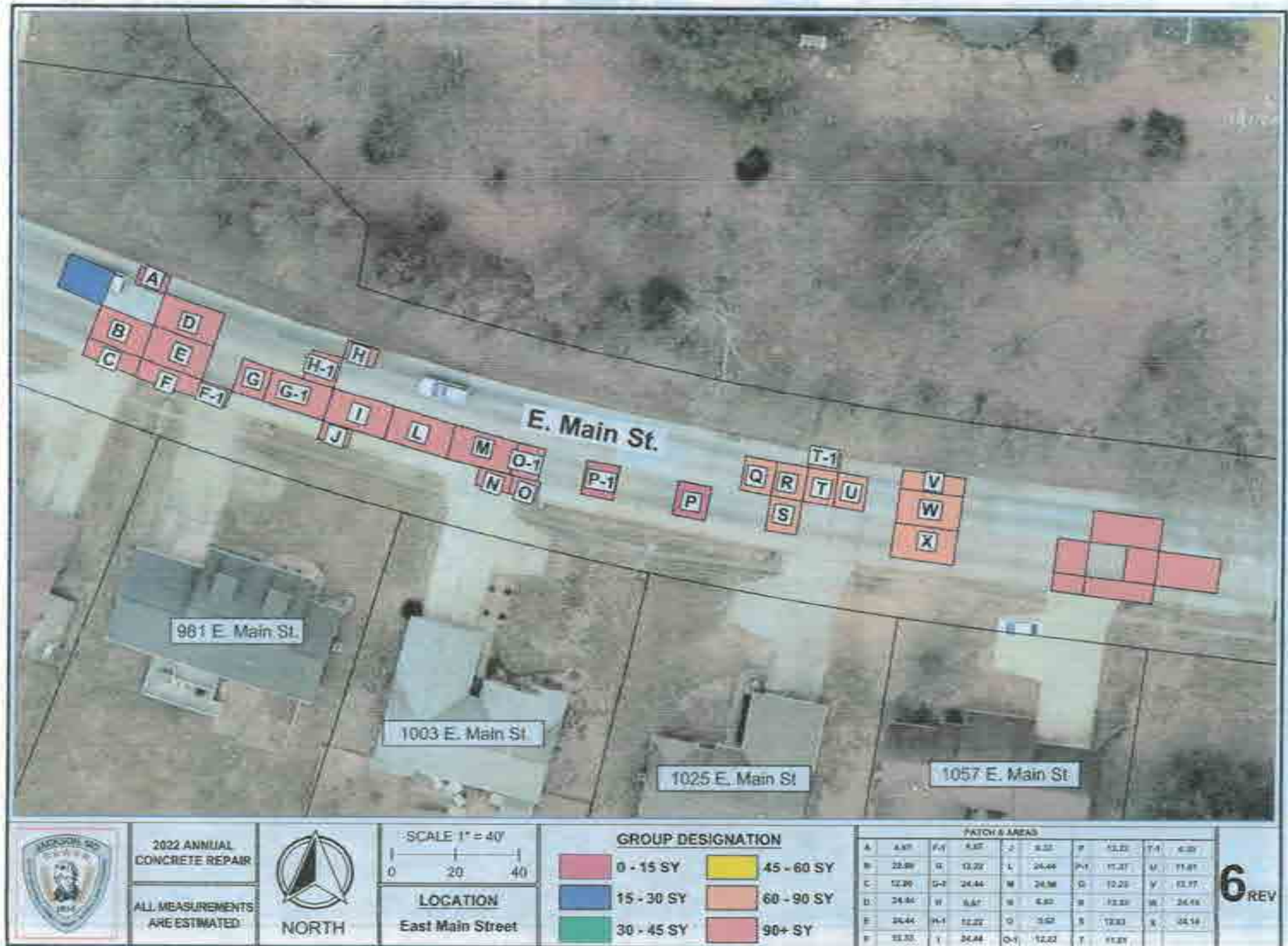
Kent Peetz
Kent Peetz, P.E.
Public Works Director

5-25-22
Date

Accepted By:

D. J. McMillan
Contractor Auth. Representative

5/25/22
Date



Updated Total Based on New Quantities

2022 Concrete Pavement Program

BASE PROPOSAL

ITEM	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE
101	Conc. Panels (0-15 SY) (Pink)	127	SY	\$140.00	\$17,780.00
102	Conc. Panels (15-30 SY) (Blue)	318	SY	\$120.00	\$38,160.00
103	Conc. Panels (30-45 SY) (Green)	80	SY	\$100.00	\$8,000.00
104	Conc. Panels (45-60 SY) (Yellow)	256	SY	\$80.00	\$20,480.00
105	Conc. Panels (60-90 SY) (Orange)	275	SY	\$75.00	\$20,625.00
106	Conc. Panels (90+ SY) (Red)	1,667	SY	\$70.00	\$116,690.00
107	Conc. ADA Ramps	4	Ea	\$3,250.00	\$13,000.00
108	Conc. ADA Sklewalk (As Needed)	233	SY	\$75.00	-----
109	Conc. Curb & Gutter (As Needed)	0	LF	\$40.00	-----
110	Add. Subgrade Material (As Needed)	0	CY	\$45.00	-----

Base Bid Total

\$234,735.00

ALTERNATE 1 - MULBERRY STREET

ITEM	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE
201	Conc. Panels (15-30 SY) (Blue)	37	SY	\$120.00	\$4,440.00
202	Conc. Panels (45-60 SY) (Yellow)	55	SY	\$80.00	\$4,400.00
203	Conc. Panels (60-90 SY) (Orange)	153	SY	\$75.00	\$11,475.00
204	Conc. Panels (90+ SY) (Red)	330	SY	\$70.00	\$23,100.00
205	Conc. Curb & Gutter (As Needed)	0	LF	\$40.00	-----
206	Add. Subgrade Material (As Needed)	0	CY	\$45.00	-----

Alt 1 Total

\$43,415.00

ALTERNATE 2 - BRANDOM STREET

ITEM	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE
301	Conc. Panels (0-15 SY) (Pink)	5	SY	\$140.00	\$700.00
302	Conc. Panels (90+ SY) (Red)	374	SY	\$70.00	\$26,180.00
303	Conc. Curb & Gutter (As Needed)	0	LF	\$40.00	-----
304	Add. Subgrade Material (As Needed)	0	CY	\$45.00	-----

Alt 2 Total

\$26,880.00

Total:

\$305,030.00



City of Jackson

CHANGE DIRECTIVE

Fronabarger Concreters, Inc.

Name of Contractor

2

Change Directive No.

3290 State Highway E

Contractor Address

Oak Ridge, MO 63769

City/State/Zip

2022 Concrete Pavement Improvement Program

Project Name

6/14/2022

Date

Basis of Change Directive:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Error / Omission | <input type="checkbox"/> Differing Site Conditions |
| <input checked="" type="checkbox"/> Owner Request | <input type="checkbox"/> Field Resolution |
| <input type="checkbox"/> Value Engineering | <input type="checkbox"/> Other |

Cost Basis:

- | |
|--------------------------------------|
| <input type="checkbox"/> Unit Price |
| <input type="checkbox"/> Fixed Price |
| <input type="checkbox"/> Other |

Contract Price:

Amount: \$ 11,850.00

- | | |
|---|---|
| <input checked="" type="checkbox"/> Add | <input type="checkbox"/> Equal Exchange |
| <input type="checkbox"/> Deduct | <input type="checkbox"/> No Change |

Contract Time:

Days: _____

- | | |
|---------------------------------|---|
| <input type="checkbox"/> Add | <input type="checkbox"/> Equal Exchange |
| <input type="checkbox"/> Deduct | <input type="checkbox"/> No Change |

Description: ☒ See Attachment

Errors in the Location Maps were identified on Brandom Street. The revisions resulted in an increase in quantities. The resultant increase in the contract price is equal to \$5,250.00. An additional task of routing and sealing Rolling Fields Drive was added at the owners request. The cost for this is \$6,600.00 (3400 linear feet) This will be confirmed in a change order with final quantities at the end of the project.

Note: This Change Directive identifies satisfaction of all compensation and time adjustments related to the Changes to the Work. A Change Order must be completed for full authorization of changes in price and time.

Recommended By:

Anna Bergmark
Anna Bergmark, P.E.
City Engineer

6/14/22
Date

Approved By:

Kent Peetz
Kent Peetz, P.E.
Public Works Director

6/14/22
Date

Accepted By:

D. S. McCall
Contractor Auth. Representative

6/30/22
Date



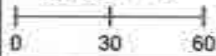
2022 ANNUAL
CONCRETE REPAIR

ALL MEASUREMENTS
ARE ESTIMATED



NORTH

SCALE 1" = 60'



LOCATION
Rolling Fields

PATCH & AREAS

A	G	M	S
B	H	N	T
C	I	O	U
D	J	P	V
E	K	Q	W
F	L	R	X

Additional Panels Added

SHEET	STREET	PANEL	Length	Width	AREA	COMBINED AREA	Group DESIGNATION
			w	l	(SY)		
2	W. Main St	Add On	9.50	10.00	10.56	10.56	C
5	E. Main St	Add On 1	10.00	11.00	12.22	12.22	B
6	E. Main St	Add On 1	18.00	11.00	22.00	22.00	F
7	E. Main St	Add On 2	11.00	11.00	13.44	13.44	F

Additional Quantities

2022 Concrete Pavement Program

BASE PROPOSAL

ITEM	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE
101	Conc. Panels (0-15 SY) (Pink - Group A)	0.0	SY	\$140.00	\$0.00
102	Conc. Panels (15-30 SY) (Blue - Group B)	12.2	SY	\$120.00	\$1,466.40
103	Conc. Panels (30-45 SY) (Green - Group C)	10.6	SY	\$100.00	\$1,056.00
104	Conc. Panels (45-60 SY) (Yellow - Group D)	0.0	SY	\$80.00	\$0.00
105	Conc. Panels (60-90 SY) (Orange - Group E)	0.0	SY	\$75.00	\$0.00
106	Conc. Panels (90+ SY) (Red - Group F)	35.4	SY	\$70.00	\$2,480.80
Total					\$5,003.20



PUBLIC WORKS MEMORANDUM

City of Jackson

TO: Mayor and Board of Aldermen

CC: Jim Roach, City Administrator

FROM: Anna Bergmark, City Engineer

DATE: September 14, 2022

RE: Hubble Creek Recreation Trail, Phase 3 Task Order Request

Attached to this memo is a proposal from Smith and Company Engineers for professional services for the design of the Hubble Creek Recreational Trail, Phase 3.

Phase 3 is the next priority section of trail in the City's Recreational Trail Plan (also attached). With the recent award of the Transportation Alternative Program (TAP) Grant for the East Main Street Sidewalk, Staff is recommending that the ARPA funds originally earmarked for the East Main Street Sidewalk now be used for the final design of the Hubble Creek Recreation Trail, Phase 3.

Staff intends to apply for grants as opportunities become available. Having the final design will provide a more competitive application for this grant.

901 Vine Street
P.O. Box 72
Poplar Bluff, MO 63902
Phone 573.785.9621
Fax 573.785.2651



September 14, 2022

City of Jackson, Missouri
Anna Bergmark, P.E.
City Engineer
101 Court St.
Jackson, MO 63755

Re: **Civil and Surveying Services**
Hubble Creek Trail – Phase III

Dear Ms. Bergmark,

Smith & Co. is pleased to provide the following proposal for Professional Services for the proposed Hubble Creek Trail – Phase III Final Design. The project will include, at a minimum, an approximately 1.4-mile ADA compliant 10-foot-wide concrete trail, a pedestrian bridge over Hubble Creek and trail lighting. The detailed scope of services to be provided is listed below.

SCOPE OF SERVICES

A. SURVEY –the Engineer will:

1. Conduct topographic, property and utility surveys sufficient to develop plans for the project; field data will sufficient to produce one-foot contours and spot elevations.
2. Elevations tied to appropriate Vertical Datum and establish project control points.
3. Topographic Survey to include location of visible utilities and markings provided from 1-800 DIG RITE (Missouri One Call) along with any available utility maps provided to the surveyor. Location of subsurface private utility lines on private property is not part of the 1-800 DIG RITE or Smith & Co's scope. If private lines are to be located, then these should be marked by others prior to commencement of survey.

B. EASEMENTS - the Engineer will:

1. Determine temporary and permanent easement requirements, prepare easement plans, and assist the City of Jackson in acquiring the deeds needed for the project (if required); condemnation and mediation proceedings are excluded from this scope.
2. Prepare boundary surveys and prepare all plats and legal descriptions for the purpose of obtaining temporary and permanent easements for the project, right-of-way negotiation services are not included in the scope of this project.

C. GEOTECHNICAL - the Engineer will:

1. Drill a total of three (3) geotechnical borings for pedestrian bridge design. Two (2) borings are planned to extend to 20 feet and one (1) boring to 35 feet. All borings will extend to specific depths, or auger encounter with bedrock, whichever is shallower. Drilling and sampling methods will be as generally outlined below.
 - a. Subsurface borings will be drilled using 4.5 O.D. continuous flight augers;
 - b. Soil samples will be collected at 2.5-to-5-foot centers during drilling;
 - c. Soil sample types will include split spoon samples collected in advance of the augers;
 - d. No rock coring will be preformed;
 - e. Groundwater levels will be measured during drilling and upon completion of drilling;
 - f. Borings will be backfilled with a hole plug and available auger cuttings.
2. Seal and transport soil samples to Smith & Company's Laboratory for analysis and testing. The specific number and types of laboratory tests to be performed will be influenced by the subsurface conditions encountered in the field and the quality of samples. The exact scope of laboratory testing will not be determined until the filed investigation is complete. Laboratory testing will include:
 - a. Atterberg Limits (ASTM D4318);
 - b. Grain Size Analysis (ASTM D6913);
 - c. Moisture Content (ASTM D2216); and
 - d. Pocket Penetrometer Strength.
3. The collected field and laboratory data will be analyzed, and a formal Geotechnical Engineering Report will be prepared. An electronic (.pdf) copy of the Report will be submitted for review. The Report will include a Site Location Plan, Boring Locations, typed Boring Logs showing the results of the field and laboratory testing, and Geotechnical Engineering Recommendations for foundation design, construction planning and site development.

D. PRELIMINARY DESIGN PHASE (30% Completion) – the Engineer will:

1. Prepare a preliminary layout of the proposed Hubble Creek Trail – Phase III; utilizing existing aerial photos, City of Jackson GIS Data, Public Lidar Data and conducting several site visits.
2. Prepare preliminary estimates for the utilization of applying for a Recreational Trail Program (RTP) Grant.

E. FINAL DESIGN - the Engineer will:

1. Preform Environmental review of the project based on the preliminary layout.
2. Perform environmental review of the project. This includes obtaining US ARMY Corps. of Engineers 404 Permit for the construction of the pedestrian bridge over Hubble Creek.
3. Ensure compliance with historic preservation requirements through coordination with the Missouri Department of Natural Resources.
4. Arrange to have the site examined by a qualified archaeologist on a subcontract basis. Price is included in final design fee.
5. Coordinate with the Missouri Department of Transportation and obtain any necessary construction permits to be able to complete the construction of the trail project within the Highway 72 corridor and MODOT Right-of-Way.

6. Prepare design and loading information for the new pedestrian bridge to cross Hubble Creek. Style and cosmetic appearance of pedestrian bridge to be determined by the City of Jackson.
7. Prepare detailed hydraulic analysis of the areas within the existing floodplain will be completed to ensure that there is no-rise to the 100-year floodplain as it pertains to the construction of the new pedestrian bridge and the 10-foot-wide trail. A no-rise certificate will be issued to the City of Jackson once the detailed analysis has been completed.
8. Prepare electrical design for the lighting layout along the proposed trail. Design will include meeting with City staff to determine transformer pad locations, conduit sizing, type of typical light pole and fixtures and any other necessary design items the city may require.
9. Prepare detailed engineering plans of the typical 10-foot trail section along a 1.4-mile section of Hubble Creek from West Jackson Blvd. to the City of Jackson Soccer Park (2275 S. Farmington).
10. Prepare detailed construction plans, cost estimate, specifications, and related documents as necessary for the purpose of soliciting bids for constructing the project.
11. Provide the City of Jackson with two sets of 60%, 90% and 100% completed plans, specifications, and cost estimate for the purpose of obtaining construction authorization and review.
12. Upon receipt of construction authorization from the City of Jackson, provide an adequate number of plans, specifications, and bid documents to the City.
13. Provide the City of Jackson with a list of qualified area bidders and assist the City in advertising for bids.
14. Assist the City in evaluating bids and making a recommendation of award to the City of Jackson.

Survey Fee.....\$13,500.00

Easement Preparation Fee.....\$3,500.00

Geotechnical Fee.....\$5,500.00

Preliminary Design Fee.....\$4,700.00

Final Design Fee.....\$73,800.00

Total Fee.....\$101,000.00

TIME OF PERFORMANCE

We currently have the staff available to begin field work on this project within 7 to 12 business days of having the Notice to Proceed. The Engineering will begin upon delivery of the approved topographic survey and anticipate the following timelines for design completion. Timeline does not include time needed to obtain owner or agency approvals. We can look to accelerate some of these if required to meet certain milestones with the owner.

Preliminary Plans and Estimate..... 4 weeks (Concurrent with Survey)
Survey.....4 weeks
Final Design and Specifications (60%) 8 weeks

Anna Bergmark, P.E.
Re: Hubble Creek Trail – Phase III

September 14, 2022

Page 4

Final Design and Specifications (90%) 8 weeks (after 60% approval)
Final Design and Specifications (100%) 4 weeks (after 90% approval)
Construction Admin.....As Required

ITEMS NOT PROVIDED UNDER THIS PROPOSAL

- 1. Any off-site utility extensions or improvements.
- 2. ALTA Survey
- 3. Construction As-Builts or Record Drawings
- 4. Civil Punch List. These services can be provided upon request as Construction Administration.
- 5. Landscape Plans
- 6. Material Testing
- 7. Permit and/or submittal fees, if required

We appreciate the opportunity to assist you with this project and future projects. If you have any questions, please contact me at 573-785-9621. Your signature below will become our Notice to Proceed.

Sincerely,

SMITH & CO.
ENGINEERS



Dominic Thompson, PE
Project Manager



William J Cobb, PE
Engineering Manager

SCHEDULE OF FEES AND CHARGES – CALENDAR YEAR 2022

This schedule describes the basis for compensation for services performed during the calendar year 2022. This Schedule of Fees and Charges will be adjusted annually on January 1 to reflect merit and economic salary increases and the expected general and overhead costs for the new year.

PERSONNEL CHARGES

The charge for all time required in the performance of the Scope of Services, including office, field and travel time, will be at the following Unit Priced Hourly Rates for the labor classifications indicated. Appearance as expert witnesses at court trials, arbitration hearings, mediation and depositions will be charged at rates per separate proposal.

Labor Classification	Hourly Rates (\$)	Labor Classification	Hourly Rates (\$)
President/CEO	\$225	Professional Land Surveyor	\$110
Chief Operating Officer	\$175	Party Chief*	\$80
Marketing Director	\$165	Administrative Assistant 4*	\$75
Department Manager	\$150	Administrative Assistant 3*	\$65
Sr. Design Review Engineer	\$150	Administrative Assistant 2*	\$55
Sr. Project Manager	\$125	Administrative Assistant 1*	\$45
Project Manager	\$100		
Design Engineer 2	\$100		
Design Engineer 1	\$85		
Sr. Designer*	\$85		
Designer*	\$70		
Sr. Technician*	\$85		
Technician 2*	\$70		
Technician 1*	\$55		

Overtime (hours worked in excess of 40 hours per week) by professional personnel will be charged at the rates listed above. Overtime by other personnel identified with an asterisk "*" will be charged at 1.5 times the rates listed above and 2.0 times the rates listed above for holidays.

EQUIPMENT CHARGES

Item	Charge
Geoprobe 7822DT Track-Mounted Drill Rig	\$500.00 per day (plus Drill Crew rates)
CME 750 Buggy-Mounted Drill Rig	\$500.00 per day (plus Drill Crew rates)
Drill Support Truck	\$1.00/mile
12-Yard Dump Truck	\$3.00/mile
Backhoe	\$350.00 per day
GPS/Robotic Survey Equipment	\$200.00 per day
Nuclear Density Meter	\$50.00 per day

Equipment and trucking charges do not include operator rates. If Prevailing Wage laws apply, additional charges will be incurred.

LABORATORY TESTING SERVICES

The charges for material testing performed at the Smith & Company laboratory will be set forth in a separate schedule, available upon request.

OTHER CHARGES

The cost of subcontracted services and reimbursable will be charged at cost plus 15%. Mileage for field vehicles (pick-ups, vans, trucks, etc.) used on project assignments will be charged at the IRS rate which is currently \$0.585 per mile. The use of equipment or supplies not listed on the schedule above will be established on a case by case basis.

This fee schedule contains confidential business information and is not to be copied or distributed for any purpose other than the use intended in this contract or proposal.



PUBLIC WORKS MEMORANDUM

City of Jackson

TO: Mayor and Board of Aldermen

CC: Jim Roach, City Administrator

FROM: Anna Bergmark, City Engineer

DATE: September 14, 2022

RE: Soccer Park Phase 1 Drainage Improvements Project Bid Tabulations

Attached to this memo are the bid tabulations for the bid opening that occurred on September 13, 2022 for the Soccer Park Phase 1 Drainage Improvements project. I recommend that the project be awarded to Fronabarger Concreters, Inc. of Oak Ridge Missouri for the total bid price of \$62,437.50.

Soccer Park Phase 1 Drainage Improvements
 Bid Opening: September 13, 2022
 Opened BY: Anna Bergmark
 Witnessed By: Kent Peetz

ITEM	DESCRIPTION	EST. QTY.	UNITS	Engineer's Estimate		Fronabarger Concreters, Inc.		Lappe Cement Finishing, Inc		Kluesner Construction, Inc		Putz Construction, LLC		Mike Light Cement Finishing Inc.	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
101	Mobilization	1	Lump Sum	\$4,000.00	\$4,000.00	\$4,500.00	\$4,500.00	\$4,500.00	\$4,500.00	\$5,000.00	\$5,000.00	\$1,000.00	\$1,000.00	\$4,500.00	\$4,500.00
102	Demolition of existing walkway	2,870	SQ. FT.	\$1.75	\$5,022.50	\$1.25	\$3,587.50	\$2.07	\$5,940.90	\$1.50	\$4,305.00	\$2.00	\$5,740.00	\$2.00	\$5,740.00
103	Regrading Existing Swale	350	CY	\$17.00	\$5,950.00	\$32.00	\$11,200.00	\$59.00	\$20,650.00	\$30.50	\$10,675.00	\$40.00	\$14,000.00	\$20.00	\$7,000.00
104	Concrete Sidewalk (4 in. thick)	5,310	SQ. FT.	\$5.00	\$26,550.00	\$6.00	\$31,860.00	\$8.82	\$46,834.20	\$6.75	\$35,842.50	\$5.00	\$26,550.00	\$7.00	\$37,170.00
105	6' x 6' Wire Weld Mesh	5,310	SQ. FT.	\$0.50	\$2,655.00	\$0.75	\$3,982.50	\$0.78	\$4,141.80	\$0.60	\$3,186.00	\$1.50	\$7,965.00	\$1.00	\$5,310.00
106	Type 5 Aggregate (4 in. thick)	5,310	SQ. FT.	\$0.50	\$2,655.00	\$0.75	\$3,982.50	\$0.74	\$3,929.40	\$1.00	\$5,310.00	\$1.50	\$7,965.00	\$0.85	\$4,513.50
107	Seed and Mulch	0.95	Acres	\$6,000.00	\$5,700.00	\$3,500.00	\$3,325.00	\$4,950.00	\$4,702.50	\$9,210.00	\$8,749.50	\$6,000.00	\$5,700.00	\$10,000.00	\$9,500.00
Total					\$52,532.50	Total	\$62,437.50	Total	\$90,698.80	Total	\$73,068.00	Total	\$68,920.00	Total	\$73,733.50

BILL NO. 22-__

ORDINANCE NO. 22-__

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND *FRONABARGER CONCRETERS, INC. OF OAK RIDGE, MISSOURI*, RELATIVE TO THE *SOCCER PARK PHASE 1 DRAINAGE IMPROVEMENTS PROJECT*; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have been presented 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 **Fronabarger Concreters, Inc. of Oak Ridge, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said contract.

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

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

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion

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

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

FIRST READING: October 3, 2022.

SECOND READING: October 3, 2022.

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

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

BY: _____
Mayor

City Clerk



PARK DONATION & MEMORIAL FORM

Donor name or organization: JAOSA (Jackson Area Organized Soccer Association)

Address: 2275 S Farmington Road City: Jackson State: MO Zip: 63755

Phone (573) 275-4144 E-mail: tkoeller@appraisalark.com

Pre-approved donation list of new items: (please check appropriate item)

☐ Tree

☐ Picnic Table

☐ Metal Bench

☐ Planter

☐ Litter Receptacle

☐ Drinking Fountain

XX Other

Proposed location: Jackson Soccer Park (Field 12/13)

Description of request: This is a project to build a set of new soccer fields on the new property purchased by the city from the JDIC. It will consist of one large field that can be used for smaller fields (field 12) and an additional smaller field (13) beside it. Plans and specs to be provided or attached.

Estimated value of donation: \$154,000

Maintenance plan of donation: These fields will be maintained by JAOSA

Note: For major projects, the City reserves the right to require construction plans, specifications and other appropriate items.

Signature: *Anthony R. Koeller*

Anthony R Koeller - JAOSA President

Date: 08/31/2022

Return to:

Jason Lipe, Director

Parks & Recreation Department

381 E. Deerwood Dr.

Jackson, MO 63755



TURF RENOVATIONS, LLC

Quote

"Let Us Build Your Field of Dreams"

1921 CH 417
Portageville, MO 63873
573-225-8867 - Phone

DATE August 22, 2022

CUSTOMER:

JAOSA



METHOD	TERMS	DATE of Service
	TBD	TBA

QTY	ITEM	DESCRIPTION	UNIT PRICE	LINE TOTAL
100000	Field	Finish laser grade to entire field	\$ 0.12	\$ 12,000.00
12100	sod	North Bridge Bermuda - installed	\$ 5.00	\$ 60,500.00
6	sand	PGA Golf Grade Sand - 24 ton loads	\$ 800.00	\$ 4,800.00
6	sand	Top dress per load to new field	\$ 450.00	\$ 2,700.00
30	sand	Material for final grade	\$ 550.00	\$ 16,500.00
30	sand	Install sand to field during final grade	\$ 150.00	\$ 4,500.00
1	Field	Irrigation	\$ 30,000.00	\$ 30,000.00
100000	Field	Rough Grade	\$ 0.15	\$ 15,000.00
1	Field	Hydroseed storm water areas		\$ 5,000.00
1	Field	Swell to define water movement around field		\$ 3,000.00

SUBTOTAL	\$ 154,000.00
SHIPPING	
SALES TAX	
TOTAL	\$ 154,000.00

THANK YOU

Authorized by _____ Date _____

BILL NO. 22-__

ORDINANCE NO. 22-__

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 AREA OPTIMISTS SOCCER ASSOCIATION OF JACKSON, MISSOURI*, RELATIVE TO *FIELD IMPROVEMENTS AT THE SOCCER PARK*; 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 **Jackson Area Optimists Soccer Association of Jackson, 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 _ ayes, _ nays, _ abstentions and _ absent.

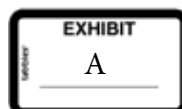
CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

BY: _____
Mayor

City Clerk



MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this _____ day of _____, 2022, by and between *CITY OF JACKSON, MISSOURI, a Municipal Corporation*, hereinafter referred to as "City," and *JAOSA, INC., a Missouri Nonprofit Corporation*, hereinafter referred to as "JAOSA," WITNESSETH:

WHEREAS, the City operates a system of city parks that includes an area designated as a soccer park located on Cotton Meyer Drive in the City; and

WHEREAS, JAOSA desires to construct new soccer fields (the "Project") at a location in the soccer park within the City; and

WHEREAS, the parties acknowledge that no City funds will be expended on the Project; and

WHEREAS, the parties have reached certain agreements and wish to memorialize the agreements 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. JAOSA has submitted a Park Donation & Memorial Form for the purpose of donating to the City newly constructed soccer fields with an estimated construction cost of \$154,000.00. The Park Donation & Memorial Form is attached hereto and incorporated herein as Exhibit A.

2. The area affected by this Memorandum of Understanding is the current soccer park on Cotton Meyer Drive which is located in the City and is part of the city park system.

3. JAOSA agrees that it is fully responsible for the design, construction, and all costs for the Project.

4. JAOSA agrees that any damage to other areas of the soccer park caused as a result of the Project will be returned to its original condition.

5. JAOSA shall submit all construction plans, site plans, specifications, and drainage plans to the Parks & Recreation Director for review and Building and Planning for approval prior to construction.

6. JAOSA shall hire only competent contractors to perform the work; require the contractor to obtain all permits and licenses; and ensure that all inspections of the contractors' work are performed for the proper completion of the project.

7. JAOSA shall require any contractor working on the Project to submit to the City a certificate of insurance with the following coverages and amounts:

(a) Comprehensive General Liability:

- | | | |
|-----|-----------------|------------------|
| (1) | Bodily Injury | |
| | \$1,000,000 | Each Occurrence |
| | \$2,000,000 | Annual Aggregate |
| (2) | Property Damage | |
| | \$300,000 | Each Occurrence |
| | \$500,000 | Annual Aggregate |

- (b) Personal Injury, with employment exclusion deleted:
\$1,000,000 Annual Aggregate

(c) Comprehensive Automobile Liability:

- | | | |
|-----|-----------------|-----------------|
| (1) | Bodily Injury | |
| | \$1,000,000 | Each Person |
| | \$2,000,000 | Each Accident |
| (2) | Property Damage | |
| | \$300,000 | Each Occurrence |

(d) Contractual Liability Insurance:

- | | | |
|-----|---|-------------------------------------|
| (1) | Bodily Injury
\$1,000,000 | Each Occurrence |
| (2) | Property Damage
\$500,000
\$1,000,000 | Each Occurrence
Annual Aggregate |

(e) Additional Insured Endorsement: An endorsement on the required form supplied by the City naming the City of Jackson as an additional insured

All coverage shall be on an "occurrence" basis and not "claims made" and shall list the City as a certificate holder.

8. Upon completion of the project by JAOSA, the City will be responsible for all future maintenance of the area in the manner that the City determines is appropriate.

9. JAOSA acknowledges that the use and benefit of the Project shall be for the public in general. JAOSA does not, nor do any of its members, obtain special rights or privileges to the area and the area shall be used by the public in such manner as the Park Board of the City determines is appropriate. The parties agree that there shall be no discrimination or limitations on the use of the area based on ethnicity, race, color, creed, or any other discriminatory basis.

10. No provision of this agreement shall constitute a waiver of the City's right to assert a defense based on sovereign immunity, official immunity, or any other immunity available under law.

11. All exhibits attached to the Contract are incorporated herein as if fully set forth.

12. To the fullest extent permitted by law, JAOSA agrees to indemnify, defend and hold harmless the City, its officers, agents, volunteers, lessees, invitees, and employees from and against all suits, claims, damages, losses, and expenses, including but not limited to attorneys'

fees, court costs, or alternative dispute resolution costs arising out of, or related to the project involving an injury to a person or persons, whether bodily injury or other personal injury (including death), or involving an injury or damage to property (including loss of use or diminution in value), but only to the extent that such suits, claims, damages, losses or expenses are caused by the negligence or other wrongdoing of JAOSA, its officers, agents, and volunteers, or anyone directly or indirectly employed or hired by JAOSA or anyone for whose acts JAOSA may be liable, regardless of whether caused in part by the negligence or wrongdoing of the City and any of its agents or employees.

13. This Memorandum of Understanding contains the entire agreement of the parties hereto with respect to the subject matter hereof and can be altered, amended, or modified only by written instrument executed by all such 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.

14. This Memorandum of Understanding shall be governed by and construed in accordance with the laws of the State of Missouri and the venue for any dispute between the parties shall be in the Circuit Court of Cape Girardeau County, Missouri.

15. 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.

16. Words of any gender used in this Memorandum of Understanding shall be construed to include any other gender, and words in the singular shall include the plural and vice versa, unless the context requires otherwise.

17. 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.

18. 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.

(LEFT INTENTIONALLY BLANK)

CITY:

CITY OF JACKSON, MISSOURI

By: _____
Dwain Hahs, Mayor

ATTEST:

Liza Walker, City Clerk

JAOSA, INC

By: Anthony R. Koeller
Anthony R. Koeller, President

MEMO



TO: Mayor Hahs & Members of the Board of Aldermen
FROM: Janet Sanders, Building & Planning Manager
DATE: September 29, 2022
SUBJECT: Memorandum of Understanding – Savers Farm
Subdivision Phases 8 & 9

Attached is the Memorandum of Understanding agreed to by Cape Land & Development. Since the last presentation at study session, the owner decided to develop fully public streets rather than privately maintained streets within a public right-of-way. The MOU wording has been changed to reflect that difference.

If you have questions prior to the meeting, please contact me at 243-2300 or jsanders@jacksonmo.org.

BILL NO. 22-__

ORDINANCE NO. 22-__

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 _ ayes, _ nays, _ abstentions and _ absent.

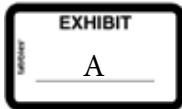
CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

BY: _____
Mayor

City Clerk



MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this _____ day of _____, 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.

CITY:

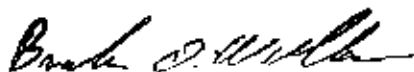
CITY OF JACKSON, MISSOURI

Dwain Haas, Mayor

ATTEST:

Liza Walker, City Clerk

CAPE LAND & DEVELOPMENT, LLC:



Brandon O. Williams
Sole Member

BILL NO. 22-__

ORDINANCE NO. 22-__

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 ELKS LODGE NO. 2652 B.P.O.E. OF JACKSON, MISSOURI*, RELATIVE TO *PROVIDING OVERFLOW PARKING NEAR THE CITY PARK*; 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 **Jackson Elks Lodge No. 2652 B.P.O.E. of Jackson, 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 _ ayes, _ nays, _ abstentions and _ absent.

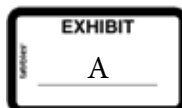
CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

BY: _____
Mayor

City Clerk



MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this _____ day of _____, 2022, by and between *CITY OF JACKSON, MISSOURI, a Municipal Corporation*, hereinafter referred to as "City," and *JACKSON ELKS LODGE NO. 2652 B.P.O.E., a Missouri Nonprofit Corporation*, hereinafter referred to as the "ELKS," WITNESSETH:

WHEREAS, the City operates a City Park in which a number of special events are held throughout the year; and

WHEREAS, the Elks own property directly across the street from the City Park; and

WHEREAS, the Elks property includes a surface parking lot that is identified on the overhead site photo attached hereto and made a part hereof as Exhibit A (The "Property").

WHEREAS, the City desires to obtain permission from the Elks to use the Property for overflow parking caused by attendance at special events in the City Park.

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 acknowledge, it is mutually covenanted and agreed as follows:

1. The Elks hereby grants to the City the right to use the Property on a non-exclusive basis for the purpose of overflow parking caused by special events in the City Park.
2. In return for the Elks grant of use of the Property, the City agrees to indemnify, defend and hold harmless the Elks, its officers, agents, volunteers, lessees, invitees, and employees from and against all suits, claims, damages, losses, and expenses, including but not limited to attorneys' fees, court costs, or alternative dispute resolution costs arising out of, or related to the City's use of the Property as overflow parking for special events held in the City

Park involving an injury to a person or persons, whether bodily injury or other personal injury (including death), or involving an injury or damage to property (including loss of use or diminution in value), but only to the extent that such suits, claims, damages, losses or expenses are caused by the negligence or other wrongdoing of the City, its officers, agents, and volunteers, or anyone directly or indirectly employed or hired by the City or anyone for whose acts the City may be liable. However, bodily injuries, personal injuries (including death), or injuries or damage to property that are caused by any existing dangerous conditions of the Property shall not be covered by this indemnification and is instead covered by insurance for the Elks.

3. Either party may terminate this agreement upon written notice to the other.

4. The parties agree and acknowledge that the Property will be utilized by the general public. During special events in the City Park, the Jackson Police Department will periodically patrol the Property for parking violations consisting of such items as blocking traffic improper parking and other positioning and parking ordinances as may be applicable. The Elks hereby grants the City the right to police the Property utilizing the ordinances of the City.

5. The Elks may, at any time it so desires, place reserve signs reserving various parking spaces on the Property for events at its lodge. Both parties acknowledge that the Elks may from time to time have events at its lodge for which it may need to reserve specific spaces, or if necessary, the entire Property.

6. No provision of this agreement shall require the City to repair, snowplow or otherwise maintain the Property or the concrete driveway.

7. No provision of this agreement shall constitute a waiver of the City's right to assert a defense based on sovereign immunity, official immunity, or any other immunity available under law.

8. All exhibits attached to the Contract are incorporated herein as if fully set forth.

9. This Memorandum of Understanding contains the entire agreement of the parties hereto with respect to the subject matter hereof and can be altered, amended, or modified only by written instrument executed by all such 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.

10. This Memorandum of Understanding shall be governed by and construed in accordance with the laws of the State of Missouri and the venue for any dispute between the parties shall be in the Circuit Court of Cape Girardeau County, Missouri.

11. 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.

12. Words of any gender used in this Memorandum of Understanding shall be construed to include any other gender, and words in the singular shall include the plural and vice versa, unless the context requires otherwise.

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.

CITY:

CITY OF JACKSON, MISSOURI

By: _____
Dwain Hahs, Mayor

ATTEST:

Liza Walker, City Clerk

JACKSON ELKS LODGE NO. 2652 B.P.O.E.

By: _____
Terry Young, President

9/16/22, 1:49 PM

Jackson Elks Lodge - Google Maps

EXHIBIT

A

Google Maps Jackson Elks Lodge



Imagery ©2022 Maxar Technologies, USDA/FPAC/GEQ, Map data ©2022 100 ft.

BILL NO. 22-__

ORDINANCE NO. 22-__

AN ORDINANCE APPROVING THE PROPOSED REZONING FOR 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 City Board and the Planning and Zoning Commission have considered a proposed rezoning and/or special use permit for property described as 1405 South Farmington Road, as set out in Exhibit A which is attached hereto and incorporated herein by reference; and,

WHEREAS, a public hearing was held on said rezoning and/or 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 towing business at 1405 South Farmington Road in a C-2 General Commercial District 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 Land Escapes, LLC, Applicant.

Section 2. That the property set forth in Exhibit A is hereby granted a special use permit for a towing business at 1405 South Farmington Road in a C-2 General Commercial District.

- 2 -

The aforesaid special use permit is subject to the following specific conditions:

1. Compliance with all ordinances of the City of Jackson, Missouri, except as specifically varied or waived by this special use permit.
2. No wrecked or inoperable vehicle is to remain on the property for a period to exceed 45 days, unless stored inside a completely enclosed building.
3. All wrecked vehicles must be visibly screened from all public streets and surrounding city property by a privacy fence or a dense evergreen hedge of sufficient height to form a visible screen.
4. No stripping or tearing down of vehicles is permitted on the property.
5. No portion of the property within the FEMA designated floodway can be used for storage of vehicles, parts, materials, debris, or other items, and no construction of fences, retaining walls, or other accessory uses can be constructed within the floodway without all required permits and a No-Rise Certificate from an engineer or surveyor.
6. The existing duplex on the property may remain a residential use or may be converted to office/residential use, conditional upon compliance with building & fire codes of the City of Jackson.
7. Any residential use of this property cannot be fenced into the same enclosure as the towing storage.
8. A 400' wooded and shrubbery buffer shall be maintained, extending from the northern property line.

Section 3. That included in Exhibit A are the formal findings and conclusions of the Board of Aldermen.

Section 4. 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 5. 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 6. 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 7. 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 8. 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 9. 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 _____ ayes, _____ nays, _____ abstentions, and _____ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

BY: _____
Mayor

ATTEST:

City Clerk



City of Jackson

EXHIBIT

A

CITY OF JACKSON, MISSOURI PLANNING & ZONING COMMISSION SPECIAL USE PERMIT REQUEST: 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 August 10, 2022, at a regular meeting in consideration of the following:

Special Use Permit for a towing business in a C-2 General Commercial District at 1405 South Farmington Road

Applicant: **Land Escapes, LLC**

Filing Date of Application/Fee: **July 11, 2022**

Submission Date of Application to Commission: **July 13, 2022**

Public Hearing Date: **August 10, 2022**

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

Administrative Staff Findings: Yes/No

1. Application provided all necessary information: Yes
2. Generally conforms with City Comprehensive Plan: Yes
3. Generally conforms with Major Street Plan: Yes

Planning & Zoning Commission Findings: Yes/No

1. Creates adverse effects on adjacent property: No
2. Creates adverse effects on traffic movement or safety: No
3. Creates adverse effects on fire safety: No
4. Creates adverse effects on public utilities: No
5. Creates adverse effects on general health and welfare: No

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:

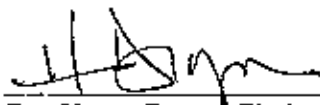
☐ Approved
☐ Disapproved
☒ Approved with conditions specified below

By a roll call of 8 ayes, 0 nays, 0 abstentions and 1 absent this 10th day of August, 2022.

SPECIAL CONDITIONS:

1. No wrecked or inoperable vehicle is to remain on the property for a period to exceed 45 days, unless stored inside a completely enclosed building.
2. All wrecked vehicles must be visibly screened from all public streets and surrounding city property by a privacy fence or a dense evergreen hedge of sufficient height to form a visible screen.
3. No stripping or tearing down of vehicles is permitted on the property.
4. No portion of the property within the FEMA designated floodway can be used for storage of vehicles, parts, materials, debris, or other items, and no construction of fences, retaining walls, or other accessory uses can be constructed within the floodway without all required permits and a No-Rise Certificate from an engineer or surveyor.
5. The existing duplex on the property may remain a residential use or may be converted to office / residential use, conditional upon compliance with building & fire codes of the City of Jackson.
6. Any residential use of this property cannot be fenced into the same enclosure as the towing storage.
7. A 400' wooded and shrubbery buffer shall be maintained, extending from the northern property line.

CITY OF JACKSON, MISSOURI



By: Harry Dryer, Chairman
Planning & Zoning Commission

ATTEST:

By: 
Janet Sanders, Building & Planning Manager



Rezoning/Special Use Permit Application

Date: 07/11/2022

Applicant / Current Owner

Applicant Name: Land Escapes, LLC
 Address: 998 N High St
 City, State, Zip: Jackson, MO 63755
 Phone: 573-225-4653
 Email:

Owner Name: David Kinder
 Address: 6219 Bridlewood Ln
 City, State, Zip: Brentwood, TN 37027
 Phone:
 Email:

Proposed Owner / General Project Information

Owner Name: Patrick Morgan
 Address: 998 N High St
 City, State, Zip: Jackson, Mo 63755
 Phone: 573-225-4653
 Email:

Site Address: 1405 South Farmington Rd
 City, State, Zip: Jackson, MO 63755
 Current Use: Vacant
 Current Zoning: C-2 General Commercial
 Proposed Zoning: C-2 General Commercial

Project Description: Towing business

Annexation

Rezoning App?: No
 Special Use App?: No

Current Use:
 Legal:

Rezoning / Special Use / Variance Information

Request Reason: Towing Business
 Current Use: Vacant
 Proposed Use: Towing Business

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

Subdivision Information / Current Zoning

Subdivision Type: Final Plat
 Current Use:
 Proposed Use:
 Subdivision Name:
 Engineer Company:
 Contact:
 Mailing Address:
 City, State, Zip:
 Phone:
 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: New towing lot
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

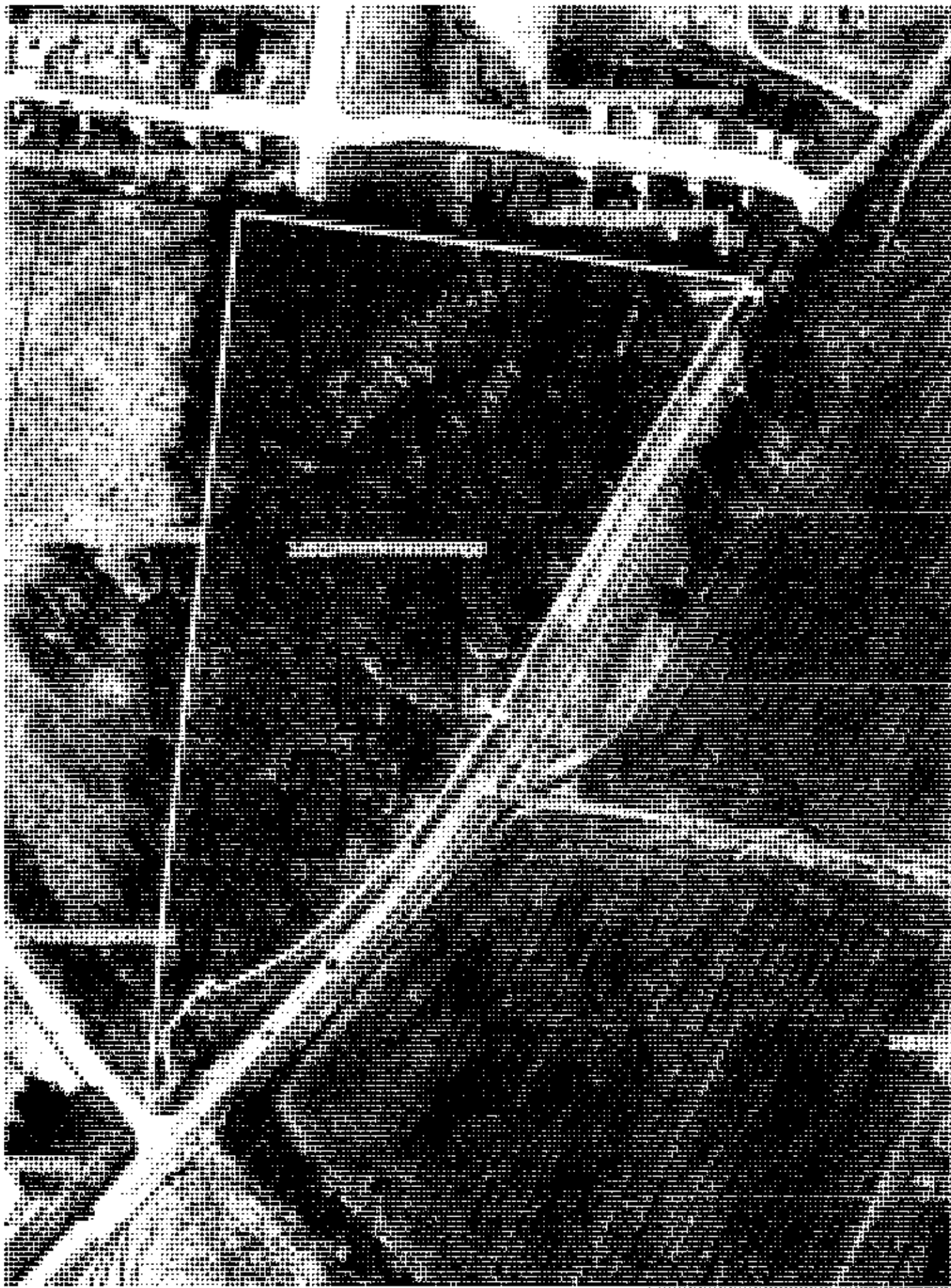
I do hereby certify that the information contained herein is true and correct.

Patrick Morgan

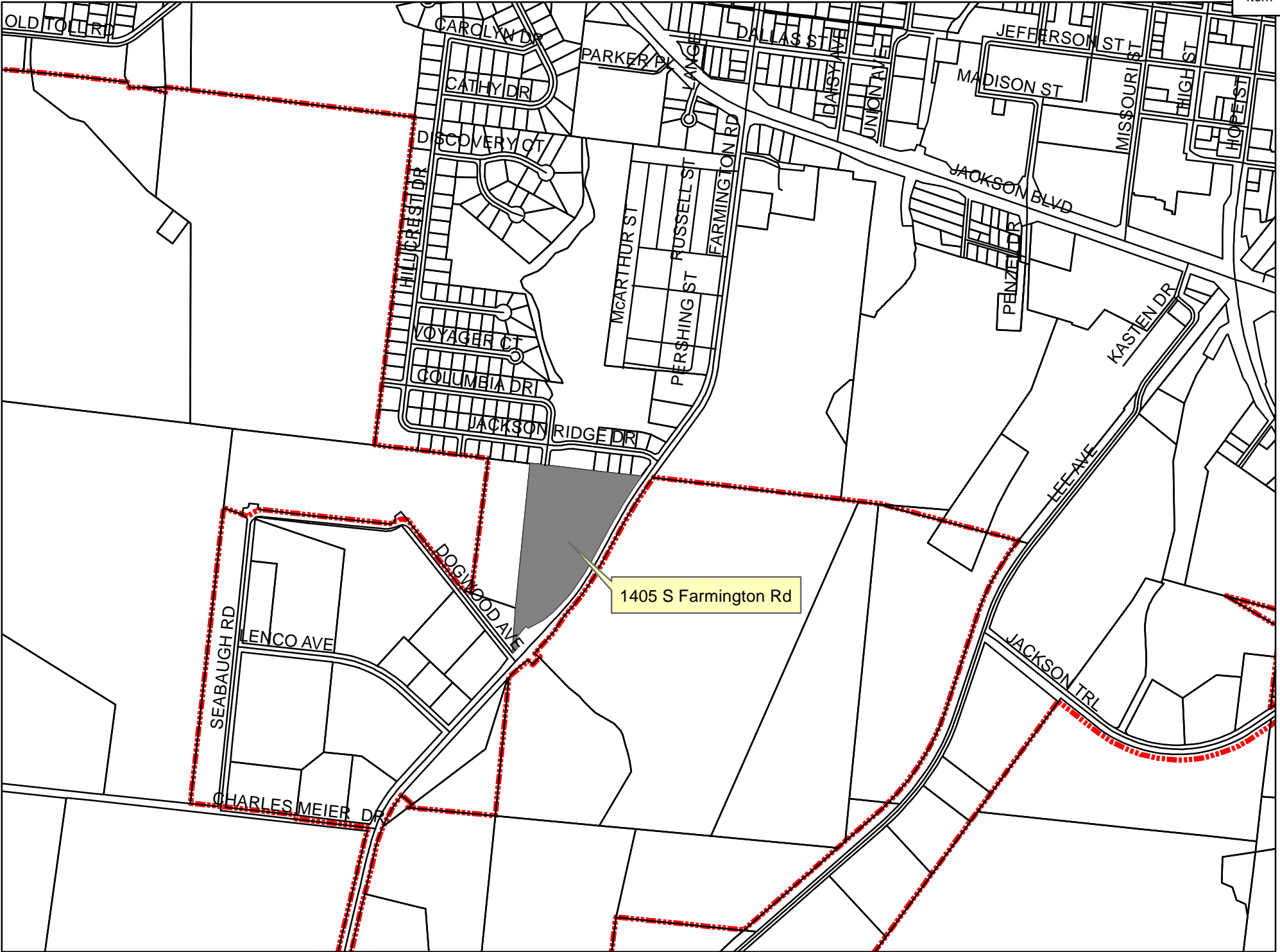
Name

07/11/2022

Date



1305 S. Faraday St.



1405 S Farmington Rd



1405 South Farmington Road
Location Map



1405 South Farmington Road
Location Map

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE PROPOSED REZONING FOR 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 City Board and the Planning and Zoning Commission have considered a proposed rezoning and/or special use permit for property described as 957 West Independence Street, as set out in Exhibit A which is attached hereto and incorporated herein by reference; and,

WHEREAS, a public hearing was waived on said rezoning and/or 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 shipping containers as long-term storage at 957 West Independence Street in a C-2 General Commercial District 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, 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 Brennon Todt, Applicant.

Section 2. That the property set forth in Exhibit A is hereby granted a special use permit for shipping containers as long-term storage at 957 West Independence Street in a C-2 General Commercial District.

The aforesaid special use permit is subject to the following specific conditions:

1. Compliance with all ordinances of the City of Jackson, Missouri, except as specifically varied or waived by this special use permit.
2. Shipping container location may change within the property over time as construction progresses.
3. Shipping containers may not be located in the floodplain/floodway.
4. Shipping containers must meet all setback requirements of other buildings as specified in the Special Use Permit granted by Ordinance No. 22-68.
5. Shipping containers shall be limited to four (4) containers at one time.
6. Shipping containers may be used only for storage and not for habitation of persons or animals.
7. This special use permit will expire five (5) years from date of issuance.

Section 3. That included in the Exhibit A are the formal findings and conclusions of the Board of Aldermen.

Section 4. 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 5. 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 6. 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 7. 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 8. 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 9. 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 _____, 2022, by a vote of _____ ayes, _____ nays, _____ abstentions, and _____ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

BY: _____
Mayor

ATTEST:

City Clerk



City of Jackson

EXHIBIT

A

CITY OF JACKSON, MISSOURI PLANNING & ZONING COMMISSION SPECIAL USE PERMIT REQUEST: 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 August 10, 2022, at a regular meeting in consideration of the following:

Special Use Permit for shipping containers as long-term storage in a C-2 General Commercial District at 957 West Independence Street

Applicant: **Brennon Todt**

Filing Date of Application/Fee: **July 18, 2022**

Submission Date of Application to Commission: **August 10, 2022**

Public Hearing Date: **Waived**

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

Administrative Staff Findings: Yes/No

1. Application provided all necessary information: Yes
2. Generally conforms with City Comprehensive Plan: Yes
3. Generally conforms with Major Street Plan: Yes

Planning & Zoning Commission Findings: Yes/No

1. Creates adverse effects on adjacent property: No
2. Creates adverse effects on traffic movement or safety: No
3. Creates adverse effects on fire safety: No
4. Creates adverse effects on public utilities: No
5. Creates adverse effects on general health and welfare: No

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:

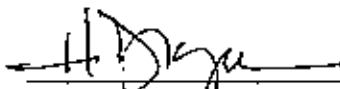
☐ Approved
☐ Disapproved
☒ Approved with conditions specified below

By a roll call of 8 ayes, 0 nays, 0 abstentions and 1 absent this 10th day of August, 2022.

SPECIAL CONDITIONS:

1. Shipping container locations may change within the property over time as construction progresses.
2. Shipping containers may not be located in the floodplain/floodway.
3. Shipping containers must meet all setback requirements of other buildings as specified in the Special Use Permit granted by Ordinance No. 22-68.
4. Shipping containers shall be limited to four (4) containers at one time.
5. Shipping containers may be used only for storage and not for habitation of persons or animals.

CITY OF JACKSON, MISSOURI


 By: Harry Dryer, Chairman
 Planning & Zoning Commission

ATTEST:

By: 
 Janet Sanders, Building & Planning Manager

REZONING / SPECIAL USE PERMIT APPLICATION
City of Jackson, Missouri

Item 20.

APPLICATION DATE: 7/22/22

TYPE OF APPLICATION: ☐ Rezoning ☒ Special Use Permit

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

957 W Independence St Jackson MO 63755

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

Property Owner Name(s): Brennon Todt

Mailing Address: 2905 Valley Creek Rd

City, State ZIP: Cape Girardeau MO 63701

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: Brennon Todt

Mailing Address: 2905 Valley Creek Rd

City, State ZIP: Cape Girardeau MO 63701

Contact's Phone: 573-382-9636

Email Address (if used): brennon.doran@gmail.com

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)

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 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: Allowance of Storage Containers on site

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.

Storage of construction and maintenance equipment. Allow for clean and organized site improvements,

and add an additional layer of security.

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.

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

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

573-243-2300 ext.29 (ph)
573-243-3322 (fax)
jsanders@jacksonmo.org

APPLICATION FEE: \$200.00





957 W. Independence St.
Location Map