



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, May 06, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

AGENDA

CALL TO ORDER

INTRODUCTION OF GUESTS/VISITORS

ADOPTION OF AGENDA

1. Motion adopting the Regular Meeting Agenda.

PUBLIC HEARINGS

2. Public hearing to consider the rezoning of 26.2 acres of property located on Cane Creek Road from R-1 (Single-Family Residential) District to I-2 (Heavy Industrial) District, as submitted by Trussworks Realty Missouri, LLC.

APPROVAL OF MINUTES

3. Motion approving the Minutes of the Regular Meeting of April 15, 2024.

FINANCIAL AFFAIRS

4. Motion approving payment of the semimonthly bills.

ACTION ITEMS

Power, Light, and Water Committee

5. Motion approving the Mayor's appointment of Wade Bartels to the Zoning Board of Adjustment, filling an unexpired term ending 2025.
6. Motion approving Change Order No. 2, to Robinson Industrial, Heavy and Commercial Contracting, Inc. dba RIHC Contracting, of Perryville, Missouri, relative to the Jackson Water Plant Improvements – Phase 2, Project 2D.
7. Bill proposing an Ordinance approving the voluntary annexation of 26.2 acres of property located on Cane Creek Road, as submitted by Trussworks Realty Missouri, LLC.
8. Bill proposing an Ordinance approving the rezoning of 26.2 acres of property located on Cane Creek Road from R-1 (Single-Family Residential) District to I-2 (Heavy Industrial) District, as submitted by Trussworks Realty Missouri, LLC.

Street, Sewer, and Cemetery Committee

9. Motion approving an addendum to the contractual agreement with Mark Sander Construction Company, Inc., of Benton, Missouri, relative to a time extension for the Civic Center Pavilion Project.
10. Motion authorizing the reallocation of \$35,000.00 in City Park Funds from the Pavilion No. 2 Replacement Project to salaries for the purpose of adding a new Park Maintenance position, and authorizing the allocation of \$35,000.00 of American Rescue Plan Act Funds to the Pavilion No. 2 Replacement Project in the City Park.
11. Motion accepting the bid of Putz Construction, LLC, of Millersville, Missouri, in the amount of \$253,899.27, relative to the 2024 Concrete Pavement Improvement Program.
12. Bill proposing an Ordinance authorizing a contractual agreement with Putz Construction, LLC, relative to the 2024 Concrete Pavement Improvement Program.
13. Bill proposing an Ordinance authorizing a contractual agreement with KimHEC, LLC, of St. Louis, Missouri, relative to providing engineering services under a Master Agreement for Professional Engineering/Architectural Services.
14. Motion approving Task Order Authorization No. 24-02, in the amount of \$12,100.00, to KimHEC, LLC, of St. Louis, Missouri, relative to providing engineering services under the NPDES Permit Renewal Project.

NON-AGENDA CITIZEN INPUT

INFORMATION ITEMS

15. Report by Mayor
16. Reports by Board Members
17. Report by City Attorney
18. Report by City Administrator
19. Discussion of future agenda items

EXECUTIVE SESSION

Motion to have executive session. Authority is Section 610.021(2), Revised Statutes of Missouri, as amended, relative to leasing, purchase, or sale of real estate; Sections 610.021(3) and Section 610.021(13), RSMo., relative to personnel; and Section 610.021(12), relative to contracts.

ADJOURN

Posted on 05/03/2024 at 4:00 PM.

NOTICE OF A PUBLIC HEARING

CITY OF JACKSON, MISSOURI

Notice is hereby given that the Mayor and the Board of Aldermen of the City of Jackson, Missouri, will hold a Public Hearing on Monday, May 6, 2024 at 6:00 P.M., at the Board of Aldermen Chambers, City Hall, 101 Court Street, Jackson, Missouri. The purpose of the hearing will be to consider the rezoning of 26.2 acres located on Cane Creek Road from R-1 (Single-Family Residential) District to I-2 (Heavy Industrial) District, as submitted by Trussworks Realty Missouri, LLC.

All interested persons are encouraged to attend this hearing, to present their statements and comments regarding this proposed Rezoning. Opinions and comments may be submitted in writing provided that the writing is signed and states the person's address and the writing is delivered to the City Clerk prior to the commencement of the Public Hearing. Contact information: phone number (573) 243-3568 x 2020, fax number (573) 204-8292, and email address abirk@jacksonmo.org.

CITY OF JACKSON

Angela Birk
City Clerk/Treasurer

April 17, 2024



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, April 15, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES

The Board of Aldermen met in the Regular Session with Mayor Dwain L. Hahs in the chair and the following Board Members present: Joe Bob Baker, Mike Seabaugh, Paul Sander, Katy Liley, David Hitt, Shana Williams, David Reiminger, 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.

Motion to Adopt the Agenda)

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

Public Hearing to Consider the Rezoning)
Of Lot 2 of Cook Subdivision at 1931)
West Jackson Boulevard, as submitted)
By Ronald David Cook)

Now comes forth a public hearing to consider the rezoning of Lot 2 of Cook Subdivision at 1931 West Jackson Boulevard from I-1 (Light Industrial) District to C-2 (General Commercial) District, as submitted by Ronald David Cook.

Now comes forth Building and Planning Manager Larry Miller to state that the Planning & Zoning Commission voted to recommend approval of the rezoning. It is requested that the City Clerk admit the case material, all exhibit files, and other support information into the record so it may be incorporated as part of the proposed ordinance. Larry also provided a neutral letter from Straightway Farm Service.

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

No one speaks at the public hearing.

The Public Hearing is now closed by Mayor Hahs.

Public Hearing to Consider the Voluntary)
Annexation of 26.2 acres of property)
Located on Cane Creek Road, as)
submitted by Trussworks Realty)
Missouri, LLC)

Now comes forth a public hearing to consider the voluntary annexation of 26.2 acres of property on Cane Creek Road, as submitted by Trussworks Realty Missouri, LLC.

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

Now comes forth Brian Gerou, of 341 Hickory Creek Lane and the Jackson Chamber of Commerce, to speak in favor of the proposed rezoning.

The Public Hearing is now closed by Mayor Hahs.



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, April 15, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES

Motion to Approve the Minutes of the)
April 1, 2024, Regular Board Meeting)

Motion made by Alderwoman Liley, seconded by Alderman Hitt, to approve the minutes of the preceding Regular Board Meeting of Monday, April 1, 2024. Ayes-8; Nays-0; Absent-0.

Motion to Approve Bills of April, 2024)

Now is presented the Semimonthly Bills Report, in the various funds for the month of April, 2024. Motion made by Alderman Hitt, seconded by Alderwoman Young, to approve the Semimonthly Bills in the various funds for April, 2024. Ayes-8; Nays-0; Absent-0.


Motion to Approve the City Collector's)
Electric, Water & Sewer, Taxes &)
Licenses, and Refuse Report for)
March, 2024)

Motion made by Alderwoman Young, seconded by Alderman Seabaugh, to approve the City Collector's Electric, Water & Sewer, Taxes & Licenses, and Refuse Report for March, 2024. Ayes-8; Nays-0; Absent-0.



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
 Monday, April 15, 2024 at 6:00 PM
 Board Chambers, City Hall, 101 Court St.

MINUTES

CITY COLLECTOR'S REPORT FOR MARCH 2024						
DESCRIPTION	ELECTRIC FUND	WATER FUND	WASTEWATER FUND	LANDFILL FUND	GEN. REV. FUND	TOTAL
Trash Stickers	-	-	-	1,777.00	-	1,777.00
UTILITY COLLECTIONS	1,324,281.19	279,617.99	218,924.15	67,954.28	150.00	1,890,927.61
Adjustments - Penalties	-	-	-	-	-	-
Adjustments - Taxes	-	-	-	-	-	-
Adjustments - Service Fees	-	-	-	-	-	-
NET UTILITY COLLECTIONS	1,324,281.19	279,617.99	218,924.15	67,954.28	150.00	1,890,927.61
Business/Contractor Licenses	-	-	-	-	2,405.00	2,405.00
Event Fees/Misc. Charges	-	-	-	-	-	-
NON-UTILITY COLLECTIONS	-	-	-	-	2,405.00	2,405.00
Misc. Adjustments	-	-	-	-	-	-
Interest on Collector's bank account	-	-	-	-	-	1,164.69
Cash in bank	-	-	-	-	-	1,894,497.30
Missouri Sales Tax payment	(36,477.05)	(7,709.33)	-	-	-	(44,186.38)
TO CITY TREASURER					\$	1,850,310.92
Respectfully Submitted,						
						
City Collector						



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, April 15, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES

Motion to Approve the March, 2024)
City Clerk's and Treasurer's Reports)

Motion made by Alderman Seabaugh, seconded by Alderwoman Williams, to approve the City Clerk's and Treasurer's Reports for March, 2024. The City Clerk's Report is as follows: Electric Receipts – \$979.61; Water Receipts – \$470.00; Wastewater Receipts – \$0.00; General Revenue Receipts – \$43,218.86; Landfill Receipts – \$889.83; Cemetery Receipts – \$4,575.00; Park Receipts – \$3,130.00; Park Foundation Receipts – \$6,500.00; Recreational Development Receipts – \$47,975.00; Stormwater Maintenance Receipts – \$49.00; Trust & Agency Receipts – \$0.00; Health Insurance - \$1,274.38; Transportation Sales Tax Receipts – \$1,282.50 and Recreation Sales Tax Receipts – \$12,756.63. The Water & Light Deposit balance as of March 1, 2024 – \$279,249.58; Deposits - \$14,398.99; Refunds - \$15,295.23; balance as of March 31, 2024 – \$278,353.34. Ayes-8; Nays-0; Absent-0.



CITY OF JACKSON
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MINUTES

CITY TREASURER'S REPORT FOR MARCH, 2024								
FUND	FUND BALANCES 03-01-2024	RECEIPTS	TRANSFER OF FUNDS	DISBURSEMENT S	FUND BALANCES 03-31-2024	INVESTMENTS	CASH BALANCE 03-31-2024	
ELECTRIC FUNDS								
Operation & Maintenance	-	1,330,326.94	(303,557.63)	1,026,769.31	-	-	-	
Electric Surplus Fund	3,933,704.16	-	(223,768.39)	169.95	3,709,765.82	1,868,590.55	1,841,175.27	
Electric Capital Projects Fund	4,043,132.69	-	-	69,150.00	3,973,982.69	3,950,000.00	23,982.69	
WATER & SEWER FUNDS								
Water Operation & Maint.	-	316,373.76	(217,057.29)	99,316.47	-	-	-	
Water & Sewer Revenue Bond Fu	342,076.28	-	180,195.32	-	522,271.60	25,000.00	497,271.60	
Water & Sewer Deprec. Res. Fun	30,000.00	-	-	-	30,000.00	30,000.00	-	
Water & Sewer Bond Reserve Fun	50,000.00	-	-	-	50,000.00	50,000.00	-	
Water & Sewer Contingent Fund	30,000.00	-	-	-	30,000.00	30,000.00	-	
Water & Sewer Surplus Fund	9,892,783.12	-	175,884.40	27,061.33	10,041,606.19	9,537,906.79	503,699.40	
Water Replacement Fund	763,560.66	-	3,510.08	-	767,070.74	725,000.00	42,070.74	
Wastewater Operation & Maint.	-	219,319.53	(163,196.73)	56,122.80	-	-	-	
Wastewater Replacement Fund	1,069,035.44	-	-	4,715.00	1,064,320.44	1,046,819.67	17,500.77	
W & S Construction Fund	3,917,879.50	-	-	-	3,917,879.50	200,000.00	3,717,879.50	
General Revenue Fund	2,017,578.43	148,388.14	477,282.97	622,801.57	2,020,447.97	1,700,000.00	320,447.97	
Landfill Fund	616,530.48	70,843.15	(9,303.31)	47,438.65	630,631.67	525,000.00	105,631.67	
Cemetery Fund	1,071,577.61	13,735.89	(5,984.10)	14,922.73	1,064,406.67	870,000.00	194,406.67	
City Park Fund	246,303.54	18,432.17	(6,409.24)	34,473.45	223,853.02	-	223,853.02	
Public Park Foundation Fund	263,281.98	6,834.44	-	-	270,116.42	140,000.00	130,116.42	
Recreational Development F	22,026.52	47,975.00	-	14,011.47	55,990.05	-	55,990.05	
Band Fund	-	8,938.08	-	2,513.78	6,424.30	-	6,424.30	
ARPA Fund	2,130,424.68	63,260.71	-	2,550.85	2,191,134.54	2,125,000.00	66,134.54	
Road Use Tax Fund	1,201,394.23	61,995.47	(19,166.66)	-	1,244,223.04	684,000.00	560,223.04	
Stormwater Maintenance Fur	293,404.66	49.00	-	-	293,453.66	266,000.00	27,453.66	
Trust and Agency Fund	945,376.42	4,026.70	15,960.27	20,301.70	945,061.69	930,000.00	15,061.69	
Health Insurance Fund	1,152,422.80	18,825.38	155,403.28	89,276.01	1,237,375.45	800,000.00	437,375.45	
Inmate Security Fund	16,740.12	79.00	-	-	16,819.12	-	16,819.12	
Equitable Sharing Fund	3,617.07	-	-	-	3,617.07	-	3,617.07	
Transportation Sales Tax Fu	892,471.75	124,942.74	-	181.70	1,017,232.79	300,000.00	717,232.79	
Transportation Capital Projec	224,183.10	-	-	-	224,183.10	-	224,183.10	
Sales Tax Fund	3,003,070.49	263,126.99	(550,000.00)	14,973.75	2,701,223.73	2,391,925.91	309,297.82	
Recreation Sales Tax Fund	342,400.97	75,916.99	(926.47)	27,327.33	390,062.16	50,000.00	340,062.16	
Public Safety Sales Tax Fun	249,930.91	123,629.45	(372,560.36)	-	1,000.00	-	1,000.00	
Fire Protection Sales Tax Fu	127,807.10	61,830.04	(186,304.14)	-	3,333.00	-	3,333.00	
Capital Projects Construction	1,964,477.77	-	1,050,000.00	84.98	3,014,392.79	1,850,000.00	1,164,392.79	
Economic Dev. Reserve Func	886,598.78	-	-	-	886,598.78	850,000.00	36,598.78	
CDBG Grant Fund	115,907.00	-	-	193.13	115,713.87	-	115,713.87	
I-55 Corridor Special Alloc. F	2,317.69	-	-	-	2,317.69	-	2,317.69	
TOTALS	41,862,015.95	2,978,849.57	-	2,174,355.96	42,666,509.56	30,945,242.92	11,721,266.64	
Respectfully Submitted,							Cash on Hand	1,475.00
<i>Angela Birk</i>							General Account	9,865,863.65
Angela Birk, City Clerk/Treasurer							Collectors Account	1,850,310.92
							Equitable Sharing Fund	3,617.07
							TOTAL	11,721,266.64



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, April 15, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES

Motion to Accept the Certified Election)
Results for the April 2, 2024 Municipal)
Election, as Certified by Cape Girardeau)
County Election Authority Kara Clark)
Summers)

Motion made by Alderman Reiminger, seconded by Alderman Seabaugh, to accept the certified election results for the April 2, 2024 Municipal Election, as certified by Cape Girardeau County Election Authority Kara Clark Summers. Ayes-8; Nays-0; Absent-0.

Motion to accept the bid of Penzel)
Construction Company, Inc., of Jackson,)
Missouri, relative to the Building Addition)
& Renovation of Jackson Fire Station)
No. 1 Project)

Motion made by Alderman Reiminger, seconded by Alderwoman Williams, to accept the bid of Penzel Construction Company, Inc., in the amount of \$3,618,700.00, relative to the Building Addition & Renovation of Jackson Fire Station No. 1 Project. Ayes-8; Nays-0; Absent-0.

Ordinance No. 24-35 Re: To Authorize a)
Contractual Agreement with Penzel)
Construction Company, Inc., relative to)
The Building Addition & Renovation of)
Jackson Fire Station No. 1 Project)

The matter of authorizing a contractual agreement with Penzel Construction Company Inc., relative to the Building Addition & Renovation of Jackson Fire Station No. 1 Project, came on for consideration. Alderman Reiminger introduced Bill No. 24-35, 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 PENZEL CONSTRUCTION COMPANY, INC. OF JACKSON, MISSOURI RELATIVE TO THE BUILDING ADDITION & RENOVATION OF JACKSON FIRE STATION NO. 1 PROJECT; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

On a motion by Alderman Reiminger, seconded by Alderman Sander, Bill No. 24-35 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. 24-35 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 24-35 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderwoman Young-aye; Alderman Sander-aye; Alderman Seabaugh-aye; Alderwoman Williams-aye; Alderman Hitt-aye; Alderwoman Liley-aye; Alderman Baker-aye; and Alderman Reiminger-aye.

BILL NO. 24-35

ORDINANCE NO. 24-35

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND PENZEL CONSTRUCTION COMPANY, INC. OF JACKSON, MISSOURI RELATIVE TO THE BUILDING ADDITION &



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING

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MINUTES

RENOVATION OF JACKSON FIRE STATION NO. 1 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 Penzel Construction Company, Inc. 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 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: April 15, 2024.

SECOND READING: April 15, 2024.

PASSED AND APPROVED this 15th day of April, 2024, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

(SEAL)

CITY OF JACKSON, MISSOURI

By: Dwain L. Hahs (signed)



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
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MINUTES

ATTEST: Mayor

Angela Birk (signed)
City Clerk

Motion to authorize the internal transfer)
Of funds from the City of Jackson's)
Sales Tax Fund to the Capital Projects)
Fund, relative to the Building Addition &)
Renovation of Jackson Fire Station No.1)
Project)

Motion made by Alderman Reiminger, seconded by Alderman Seabaugh, to authorize the internal transfer of \$618,700.00 from the City of Jackson's Sales Tax Fund to the Capital Projects Fund, relative to the Building Addition & Renovation of Jackson Fire Station No. 1 Project. Ayes-8; Nays-0; Absent-0.

Ordinance No. 24-36 Re: To Authorize)
An Agreement with selected employees)
Of the Jackson Fire Rescue Department)
and to authorize the City staff to execute)
Separate Agreements as necessary)

The matter of authorizing an Agreement with selected employees of the Jackson Fire Rescue Department, relative to the need for temporary full-time firefighters, and authorizing City staff to execute separate agreements as necessary, came on for consideration. Alderman Reiminger introduced Bill No. 24-36, being for an ordinance entitled as follows:

AN ORDINANCE AUTHORIZING THE CITY STAFF OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE AN AGREEMENT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND SELECTED EMPLOYEES OF JACKSON FIRE RESCUE DEPARTMENT, RELATIVE TO THE NEED FOR TEMPORARY FULL-TIME FIREFIGHTERS, AND AUTHORIZING THE CITY STAFF TO EXECUTE SEPARATE AGREEMENTS AS NECESSARY.

On a motion made by Alderman Reiminger, seconded by Alderwoman Williams, Bill No. 24-36 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 Alderwoman Williams, Bill No. 24-36 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 24-36 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Hitt-aye; Alderwoman Young-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderwoman Williams-aye; Alderman Sander-aye; Alderwoman Liley-aye; and Alderman Baker-aye.

BILL NO. 24-36

ORDINANCE NO. 24-36

AN ORDINANCE AUTHORIZING THE CITY STAFF OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE AN AGREEMENT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND SELECTED EMPLOYEES OF JACKSON FIRE RESCUE DEPARTMENT, RELATIVE TO THE NEED FOR TEMPORARY FULL-TIME FIREFIGHTERS, AND AUTHORIZING THE CITY STAFF TO EXECUTE SEPARATE AGREEMENTS AS NECESSARY.



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
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MINUTES

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

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

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

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the agreement marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and Selected Employees of Jackson Fire Rescue Department 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 agreement.

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

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

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

FIRST READING: April 15, 2024.

SECOND READING: April 15, 2024.

PASSED AND APPROVED this 15th day of April, 2024, 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:

Angela Birk (signed)
 City Clerk



CITY OF JACKSON
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MINUTES

Ordinance No. 24-37 Re: To Approve)
The voluntary annexation of 12 acres of)
Property located in Stroder’s Industrial)
Park Subdivision, as submitted by)
Trussworks Realty Missouri, LLC)

The matter of approving the voluntary annexation of 12 acres of property located in Stroder’s Industrial Park Subdivision, as submitted by Trussworks Realty Missouri, LLC, came on for consideration. Alderman Reiminger introduced Bill No. 24-37, being for an ordinance entitled as follows:

AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY LIMITS OF THE CITY OF JACKSON, MISSOURI, UNDER THE PROVISIONS OF SECTION 71.012, RSMO.

On a motion made by Alderman Reiminger, seconded by Alderman Sander, Bill No. 24-37 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. 24-37 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 24-37 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Baker-aye; Alderman Hitt-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderwoman Williams-aye; Alderman Sander-aye; Alderwoman Young-aye; and Alderwoman Liley-abstain.

BILL NO. 24-37

ORDINANCE NO. 24-37

AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY LIMITS OF THE CITY OF JACKSON, MISSOURI, UNDER THE PROVISIONS OF SECTION 71.012, RSMO.

WHEREAS, on the 14th day of February, 2024, a verified petition signed by all owners of the real estate hereinafter described, to-wit: Trussworks Realty Missouri, LLC, requesting annexation of said territory into the City of Jackson, Missouri, was filed with the City Clerk and the Board of Aldermen; and,

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Jackson, Missouri; and,

WHEREAS, a public hearing concerning said matter was held at the City Hall in the City of Jackson, Missouri, at the hour of 6:00 p.m. on the 18th day of March, 2024, and,

WHEREAS, notice of said public hearing was given by publication of notice thereof, on the 28th day of February, 2024, in the Cash Book Journal, a weekly newspaper of general circulation in the County of Cape Girardeau, State of Missouri; and,



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WHEREAS, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and,

WHEREAS, no written objection to the proposed annexation was filed with the Board of Aldermen of the City of Jackson, Missouri, within 14 days after the date of the public hearing; and,

WHEREAS, the Board of Aldermen of the City of Jackson, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the City; and,

WHEREAS, the City of Jackson, Missouri, is able to furnish normal municipal services to said area within a reasonable time after annexation.

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

Section 1. Pursuant to the provisions of Section 71.012, RSMo, the following described real estate is hereby annexed into the City of Jackson, Missouri:

ALL OF THAT PART OF FRACTIONAL SECTION 1, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, BEING IN PART WITHIN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, AND PART WITHIN THE COUNTY OF CAPE GIRARDEAU, AND ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at the most easterly corner of Lot 1 of the Jackson North Industrial Park Subdivision, Phase 1, said plat being recorded in Document 2014-02837, South 64°46'04" East, 476.81 feet, to the most easterly corner of Liberty Energy (Midstates) Corp tract, as conveyed in Document 2013-01838; thence leaving said easterly corner and along the west right of way line of U.S. Highway 61, along the arc of a non-tangent curve concave to the northwest having a radius of 3085.22 feet, a distance of 360.84 feet (the chord across said arc bears South 36°58'15" West, 360.64 feet); thence along an offset in said west right of way, North 49°40'43" West, 10.00 feet; thence continuing along said west right of way, along the arc of a curve to the right having a radius of 3075.22 feet, a distance of 217.46 feet (the chord across said arc bears South 42°20'50" West, 217.42 feet); thence South 44°22'23" West, 525.25 feet to a point on the most easterly corner of lot 73 of Terrace Park Estates, said plat being recorded in Document 2006-06668, thence North 48°46'04" West, 520.15 feet; thence North 45°39'09" East, 972.22 feet; thence South 64°46'04" East, 3.22 feet to the place of beginning and containing 12.00 acres, more or less, and being subject to any easements of record.



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Section 2. The boundaries of the City of Jackson, Missouri, are hereby altered so as to encompass the above-described tract of land lying adjacent and contiguous to the present corporate limits of said City of Jackson, Missouri.

Section 3. The City Clerk of the City of Jackson, Missouri, is hereby ordered to cause three certified copies of this ordinance to be filed with the County Clerk of Cape Girardeau County, Missouri.

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

FIRST READING: April 15, 2024.

SECOND READING: April 15, 2024.

PASSED AND APPROVED this 15th day of April, 2024, by a vote of 7 ayes, 0 nays, 1 abstention and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Angela Birk (signed)
City Clerk

Ordinance No. 24-38 Re: Approve)
The rezoning of Stroder's Industrial)
Park Subdivision, as submitted by)
Trussworks Realty Missouri, LLC)

The matter of approving the rezoning of Stroder's Industrial Park Subdivision from R-1 (Single-Family Residential) and R-2 (Single-Family Residential) Districts to C-2 (General Commercial) District, as submitted by Trussworks Realty Missouri, LLC, came on for consideration. Alderman Reiminger introduced Bill No. 24-38, being for an ordinance entitled as follows:

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

On a motion made by Alderman Reiminger, seconded by Alderman Seabaugh, Bill No. 24-38 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 Seabaugh, Bill No. 24-38 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



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passed and the Bill was then duly numbered Ordinance No. 24-38 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Reiminger-aye; Alderwoman Liley-abstain; Alderwoman Williams-aye; Alderman Baker-aye; Alderman Seabaugh-aye; Alderman Sander-aye; Alderwoman Young-aye; and Alderman Hitt-aye.

BILL NO. 24-38

ORDINANCE NO. 24-38

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

WHEREAS, Trussworks Realty Missouri, LLC, owner of a certain tract of land herein referred to, has heretofore submitted to the City Planning and Zoning Commission for its consideration the rezoning of certain territories located in the City of Jackson, Missouri, said properties being described as parcels numbered as 143080014001010000 and 099003600007000000 within the city limits as set out in Exhibit A which is attached hereto and incorporated herein as if fully set forth; and,

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

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

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

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

Section 1. That the Zoning Ordinance and the accompanying "Official Zoning District Map" of the City of Jackson, Missouri, are hereby amended insofar as they relate to the property described on Exhibit A which is attached hereto and incorporated herein as if fully set forth; that said property is hereby rezoned from R-1 and R-2 Single-Family Residential District to C-2 General Commercial District.



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

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

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

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

FIRST READING: April 15, 2024.

SECOND READING: April 15, 2024.

PASSED AND APPROVED this 15th day of April, 2024, by a vote of 7 ayes, 0 nays, 1 abstention and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Angela Birk (signed)
City Clerk

Motion to authorize the internal transfer)
Of funds from the City of Jackson's)
American Rescue Plan Act Funds to the)
Community Outreach Board, relative to)
Providing support for community events)
In 2024)

Motion made by Alderwoman Liley, seconded by Alderman Baker, to authorize the internal transfer of \$12,500.00 from the City of Jackson's American Rescue Plan Act Funds to the Community Outreach Board, relative to providing support for community events in 2024. Ayes-8; Nays-0; Absent-0.

Motion to set a public hearing for)
Monday, May 6, 2024, to consider the)
Rezoning of 26.2 acres of property)
Located on Cane Creek Road, as)



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Submitted by Trussworks Realty)
Missouri, LLC)

Motion made by Alderwoman Liley, seconded by Alderman Hitt, to set a public hearing for Monday, May 6, 2024, at 6:00 p.m., to consider the rezoning of 26.2 acres of property located on Cane Creek Road from R-1 (Single-Family Residential) District to I-2 (Heavy Industrial) District, as submitted by Trussworks Realty Missouri, LLC. Ayes-8; Nays-0; Absent-0.

Resolution No. 2024-04: A Resolution)
to approve a request to attach a)
Revolutionary War Patriots marker at the)
Entrance of the Old City Cemetery by the)
John Guild Chapter of the Daughters of)
The American Revolution)

RESOLUTION NO. 2024-04

RESOLUTION

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:



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1. The City of Jackson, Missouri, does hereby grant to the John Guild Chapter of the Daughters of the American Revolution the authority to attach a sign to the western wall of the entrance of the Old City Cemetery.

2. The sign shall be made of bronze as a 24"x24" plaque version.

3. This Resolution shall be in full force and effect from and after its passage by the Board of Aldermen.

PASSED BY THE BOARD OF ALDERMEN. This 15th day of April, 2024.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Angela Birk (signed)
City Clerk

Motion made by Alderwoman Liley, seconded by Alderwoman Young, to approve a request to attach a Revolutionary War Patriots marker at the entrance of the Old City Cemetery by the John Guild Chapter of the Daughters of the American Revolution. Ayes-8; Nays-0; Absent-0.

Ordinance No. 24-39 Re: To Amend the)
"Parking Prohibited Schedule")
– Schedule IX, by Adding a Designation)
On North High Street (Highway 61))

The matter of amending the "Parking Prohibited Schedule" – Schedule IX, by adding a designation on North High Street (Highway 61), came on for consideration. Alderwoman Liley introduced Bill No. 24-39, being for an ordinance entitled as follows:

AN ORDINANCE AMENDING THE "PARKING PROHIBITED SCHEDULE, SCHEDULE IX," PASSED AND APPROVED THE 18TH DAY OF NOVEMBER, 1985, BY ADDING THERETO NEW NO PARKING DESIGNATIONS.

On a motion made by Alderwoman Liley, seconded by Alderman Baker, Bill No. 24-39 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. 24-39 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 24-39 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Seabaugh-aye; Alderwoman Liley-aye; Alderman Reiminger-aye; Alderwoman Williams-aye; Alderman Sander-aye; Alderwoman Young-aye; and Alderman Hitt-aye.

BILL NO. 24-39

ORDINANCE NO. 24-39

AN ORDINANCE AMENDING THE "PARKING PROHIBITED SCHEDULE, SCHEDULE IX," PASSED AND APPROVED THE 18TH DAY OF NOVEMBER, 1985, BY ADDING THERETO NEW NO PARKING DESIGNATIONS.



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

Section 1. The "Parking Prohibited Schedule, Schedule IX," passed and approved on the 18th day of November, 1985, is hereby amended by adding thereto the following new no parking designations:

HIGH STREET (NORTH) (HWY. 61): On the east side of North High Street, between Washington Street and Mary Street.

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 "Parking Prohibited Schedule, Schedule IX," and the City Clerk of the City of Jackson, Missouri, is directed to replace said schedule in accordance herewith.

Section 3. The City Administrator of the City of Jackson, Missouri, is hereby directed to cause "No Parking Here to Corner" signs, or other appropriate signage, to be placed at the locations set forth hereinabove.

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: April 15, 2024.

SECOND READING: April 15, 2024.

PASSED AND APPROVED this 15th day of April, 2024, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

(SEAL)

ATTEST:

CITY OF JACKSON, MISSOURI

By: Dwain L. Hahs (signed)
Mayor



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Angela Birk (signed)
City Clerk

Ordinance No. 24-40 Re: To Approve a)
Memorandum of Understanding with the)
Reorganized School District R-II of Cape)
Girardeau County, relative to the)
Jackson Middle School Crosswalk and)
Sidewalk Improvement Project)

The matter of approving a Memorandum of Understanding with the Reorganized School District R-II of Cape Girardeau County, relative to the Jackson Middle School Crosswalk and Sidewalk Improvement Project, came on for consideration. Alderwoman Liley introduced Bill No. 24-40, being for an ordinance entitled as follows:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND REORGANIZED SCHOOL DISTRICT R-II OF CAPE GIRARDEAU COUNTY, RELATIVE TO THE JACKSON MIDDLE SCHOOL CROSSWALK AND SIDEWALK IMPROVEMENT PROJECT; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

On a motion made by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 24-40 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. 24-40 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 24-40 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderwoman Williams-aye; Alderman Sander-aye; Alderman Reiminger-aye; Alderman Hitt-aye; Alderman Baker-aye; Alderman Seabaugh-aye; Alderwoman Young-aye; and Alderwoman Liley-aye.

BILL NO. 24-40

ORDINANCE NO. 24-40

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 REORGANIZED SCHOOL DISTRICT R-II OF CAPE GIRARDEAU COUNTY, RELATIVE TO THE JACKSON MIDDLE SCHOOL CROSSWALK AND SIDEWALK IMPROVEMENT 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 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:



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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 Reorganized School District R-II of Cape Girardeau County. 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: April 15, 2024.

SECOND READING: April 15, 2024.

PASSED AND APPROVED this 15th day of April, 2024, 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:

Angela Birk (signed)
City Clerk

Ordinance No. 24-41 Re: To Approve the)
Rezoning Of Lot 2 of Cook Subdivision at)
1931 West Jackson Boulevard, as)
Submitted By Ronald David Cook)

The matter of approving the rezoning of Lot 2 of Cook Subdivision at 1931 West Jackson Boulevard from I-1 (Light Industrial) District to C-2 (General Commercial) District, as submitted



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by Ronald David Cook, came on for consideration. Alderwoman Liley introduced Bill No. 24-41, being for an ordinance entitled as follows:

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

On a motion made by Alderwoman Liley, seconded by Alderwoman Young, Bill No. 24-41 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. 24-41 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 24-41 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Sander-aye; Alderman Seabaugh-aye; Alderman Reiminger-aye; Alderman Hitt-aye; Alderman Baker-aye; Alderwoman Williams-aye; Alderwoman Young-aye; and Alderwoman Liley-aye.

BILL NO. 24-41

ORDINANCE NO. 24-41

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

WHEREAS, Ronald David Cook, owner of a certain tract of land herein referred to, has heretofore submitted to the City Planning and Zoning Commission for its consideration the rezoning of certain territories located in the City of Jackson, Missouri, said property being described as Lot 2 of the Cook Subdivision at 1931 West Jackson Boulevard within the city limits as set out in Exhibit A which is attached hereto and incorporated herein as if fully set forth; and,

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

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

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



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

Section 1. That the Zoning Ordinance and the accompanying "Official Zoning District Map" of the City of Jackson, Missouri, are hereby amended insofar as they relate to the property described on Exhibit A which is attached hereto and incorporated herein as if fully set forth; that said property is hereby rezoned from I-1 Light Industrial to C-2 General Commercial District.

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

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

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

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

FIRST READING: April 15, 2024.

SECOND READING: April 15, 2024.

PASSED AND APPROVED this 15th day of April, 2024, 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:

Angela Birk (signed)
City Clerk

Mayor Hahs presents Plaques to Paul)
Sander and Joe Bob Baker)



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Now comes forth Mayor Hahs to present to Alderman Paul Sander and Alderman Joe Bob Baker plaques in recognition of their years of service to the citizens of the City of Jackson, Paul Sander as Alderman from 1986-1993 and 2018-2024 and as Mayor from 1993 – 2007 and Joe Bob Baker as Alderman from 1999 - 2024. Members of the Board of Aldermen thank Paul Sander and Joe Bob Baker for their service to the City of Jackson.

Motion to Adjourn the Meeting, *Sine Die*)

Motion made by Alderman Baker, seconded by Alderwoman Liley, to adjourn *sine die* at 6:35 P.M. Ayes-8; Nays-0; Absent-0.

ATTEST:

Mayor

City Clerk



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MINUTES – NEW BOARD

Oath of Office to Newly Elected Officials)

Now is presented the Oath of Office to, Ward 1 Alderman – Eric Fraley, Ward 2 Alderman – David Reiminger, Ward 3 Alderman – Micheal Seabaugh, and Ward 4 Alderman – Steven L. Stroder by City Clerk/Treasurer Angela Birk. The Board Members are sworn into office. The oaths are received and commissions are ordered by Mayor Dwain L. Hahs to be issued to each of the elected officials.

The Board of Aldermen met in the New Board Session with Mayor Dwain L. Hahs in the chair and the following Board Members present: Eric Fraley, David Reiminger, Katy Liley, David Hitt, Steven L. Stroder, Mike Seabaugh, Shana Williams, Wanda Young. Present-8; Absent-0.

Motion to Approve the Mayor’s)
Appointments to Various Committees,)
Boards, and Positions)

Power, Light, & Water Committee
David Reiminger – Chairman, President of the Board
Mike Seabaugh
Steve Stroder
Shana Williams

Street, Sewer, & Cemetery Committee
Katy Liley – Chairwoman
Eric Fraley
David Hitt
Wanda Young

Planning & Zoning Board
1. **Russ Wiley** 2028
2. **Angelia Thomas** 2028
3. Anthony Koeller 2027
4. Michelle Weber 2027
5. Tina Weber 2026
6. Bill Fadler 2026
7. **Travis Niswonger** 2026
8. Harry Dryer 2025
9. Heather Harrison 2025
Eric Fraley Alderman Assigned
Steve Stroder Alderman Assigned
Mike Seabaugh Alderman Assigned
Larry Miller Building & Planning Manager

Park Board
1. **Cathy Reiminger** 2027
2. **Cherie Harris** 2027
3. **David Seabaugh** 2027
4. Michelle Flath 2026
5. Luke Dry 2026
6. Mandi Gard 2026
7. Whitney Tate 2025
8. Darin Pettit 2025
9. Robert Lichtenegger 2025
Katy Liley Alderwoman Assigned
Shana Williams Alderwoman Assigned



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, April 15, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES – NEW BOARD

Jason Lipe Parks & Rec Director

Historic Preservation Commission

- 1. **Marybeth Niederkorn** 2027
 - 2. Louis Long 2026
 - 3. T. Wayne Lewis 2026
 - 4. Terri Tomlin 2025
 - 5. Sara Appel 2025
- Alternate, 2027
 Jeff Long Alternate, 2025
 David Reiminger Liaison Member
 Larry Miller Building & Planning Manager

Community Outreach Board

- 1. **Alynda Smithey** 2027
 - 2. **Andrea Talley** 2027
 - 3. 2027
 - 4. 2027
 - 5. 2027
 - 6. Marco Otten 2026
 - 7. Ted Clark 2026
 - 8. Ron Cook 2026
 - 9. Sandy Penzel 2026
 - 10. Laura Dumey 2026
 - 11. Leigha Kopf 2025
 - 12. Cindy Lichtenegger 2025
 - 13. 2025
 - 14. 2025
 - 15. 2025
- Wanda Young Alderwoman Assigned
 David Hitt Alderman Assigned
 Jason Mouser Fire Chief
 James Humphreys Police Chief
 Jason Lipe Parks & Rec. Director

Zoning Board of Adjustment

- 1. Kenneth White 2029
 - 2. Brent Wills 2028
 - 3. Jason Liley 2027
 - 4. Kevin Schaper 2026
 - 5. Howard Hemmann 2025
- Wade Bartels** Alternate, 2029
 Alternate, 2028
 Lynette Moore Alternate, 2027
 Larry Miller Building & Planning Manager

Now comes forth, Dwain L. Hahs, to appoint the Chairman and members to the Power, Light, and Water Committee and the Chairwoman and members to the Street, Sewer, and Cemetery Committee and David Reiminger as the President of the Board of Aldermen and the members to the various boards, committees, and positions.

Motion to Approve the Mayor's)
 Appointment of Members to Various)
 Boards, Committees, and Positions)



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, April 15, 2024 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES – NEW BOARD

Motion by Alderman Reiminger, seconded by Alderman Seabaugh, to approve the Mayor’s appointments of the Chairman and members to the Power, Light, and Water Committee and the Chairwoman and members to the Street, Sewer, and Cemetery Committee; David Reiminger as the President of the Board of Aldermen; the members to the various boards, committees, and positions, as recommended on the Mayor’s Committee Appointments list. Ayes-8; Nays-0; Absent-0.

Request for Closed Session)

Closed session is requested for one item of personnel in accordance with Section 610.021(3) RSMo and Section 610.021(13) RSMo.

Motion to Recess the Meeting to Study)
Session)

On a motion by Alderman Hitt, seconded by Alderwoman Liley, to recess the meeting at 6:42 P.M., to convene to the Study Session. Ayes-8; Nays-0; Absent-0.

.....

Returned to Open Session at 6:55 P.M., from Study Session.

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

Meeting concluded at 6:55 P.M. On a motion by Alderwoman Liley, seconded by Alderman Hitt, it is ordered that the Board now convene into closed session for one item of personnel in accordance with Section 610.021(3) RSMo and Section 610.021(13) RSMo and that the meeting will stand adjourned upon the adjournment of the closed session. On roll call: Alderwoman Young-aye. Alderman Seabaugh-aye; Alderman Fraley-aye; Alderman Stroder-aye; Alderwoman Liley-aye; Alderwoman Williams-aye; Alderman Reiminger-aye; and Alderman Hitt-aye. Ayes-8; Nays-0; Absent-0.

ATTEST:

Mayor

City Clerk

PUBLIC WORKS MEMORANDUM



City of Jackson

TO: Mayor and Board of Aldermen

FROM: Janet Sanders, Director of Public Works

DATE: May 1, 2024

RE: Change Order #2 – Water System Facility Plan Implementation Project, Phase 2, Project 2D (Water Treatment Plant)

Attached is Change Order #2 for the Water Treatment Plant Upgrade which is currently under construction by RIHC Contracting. This change order addresses a requested significant time extension and a modification to the control panel design which would result in a deduct in project cost.

Lisa Fennewald, our project manager from Horner & Shifrin will be present at the meeting to explain the need for the request and answer any questions.

CHANGE ORDER NO.: 02

Owner: City of Jackson, Missouri
 Engineer: Horner & Shifrin, Inc. Engineer's Project No.: 2103602
 Contractor: RIHC Contracting
 Project: Jackson Water Plan Improvements Project, Phase 2, Project 2D

Date Issued: May 01, 2024 Effective Date of Change Order: May 07 2024

The Contract is modified as follows upon execution of this Change Order No. 02 Revision 03

CO 02 REV 03**Description:**

The Contract Times must be extended to accommodate unforeseen project delays, summarized below, which are beyond the control of the Contractor. The Contractor has cooperated with the City and with the Engineer and has generally made a good faith effort to minimize the impact of these delays. Horner & Shifrin recommends that the City approve the Contract Time extension(s) as indicated on the Contractor's revised Construction Schedule, attached herewith.

- 1.) Contractor's field investigation found the construction of the existing WTP#2 roof was not compatible with the Engineer's details for the construction of the new Fluoride Room walls. The Contractor was instructed to suspend construction on this portion of the Work until revised construction details were developed, approved by the City, and distributed. Construction of these masonry walls is a critical path activity; therefore, other trade Work is delayed as well. The Contractor has submitted a request for a Contract Price INCREASE to construct the wall as modified in RFP_04_REV_00.
- 2.) The new Motor Control Center (MCC) equipment needed to support the new High Service Pump (HSP-03) installation in the existing WTP#01 was specified as a sole-source supply to ensure compatibility with existing equipment. The equipment OEM (Eaton) responded with excessive fabrication lead times during the shop drawing submittal phase of this project. The Contractor has proposed an alternative (see RFP_05_REV_00) to significantly reduce equipment lead time(s); however, the construction schedule must be still be extended, albeit to a lesser extent, to accommodate fabrication lead times of the alternative equipment. The Contractor's proposed solution results in a Contractor Price DEDUCT due to the City.

The total of the Contractor's Contract Price adjustment for the above-stated Work results in a total Contract Price DEDUCT and CREDIT back to the City. See TABLE 01, attached, for further detail.

Attachments:


- 1.) Table No. 01 – Description of Change Order No. 02 REV_03
- 2.) Contractor's Notice of Potential Delay and Reservation of Rights, dated 2/16/24 (pages 2 of 2)
- 3.) Contractor's Revised Construction Schedule, dated 04/30/2024 (pages 2 of 2)
- 4.) Contract Notice to Proceed, dated 03/14/2023 (pages 1 of 1)
- 5.) Request for Proposal No. 04 REV_00 (RFP_04_REV_00)
 - a. Contractor's Change Order Request #006 (COR_006)
- 6.) Request for Proposal No. 05 REV_00 (RFP_05_REV_00)
 - a. Contractor's Change Order Request #005 (COR_005)

Change in Contract Times
[State Contract Times as either a specific date or a number of days]

Change in Contract Price		Change in Contract Times	
Original Contract Price: \$ <u>1,269,000.00</u>		Original Contract Times: Substantial Completion: <u>February 18, 2024</u> Ready for final payment: <u>March 19, 2024</u>	
Increase from previously approved Change Orders No.01 \$ <u>\$46,830.00</u>		No Change [days] from previously approved Change Orders No.1 Substantial Completion: <u>0 days</u> Ready for final payment: <u>0 days</u>	
Contract Price prior to this Change Order: \$ <u>1,315,830.00</u>		Contract Times prior to this Change Order: Substantial Completion: <u>February 18, 2024</u> Ready for final payment: <u>March 19, 2024</u>	
Decrease this Change Order: \$ <u>-(43,724.09)</u>		Increase [days] this Change Order: Substantial Completion: <u>277 days</u> Ready for final payment: <u>277 days</u>	
Contract Price incorporating this Change Order: \$ <u>1,272,105.91</u>		Contract Times with all approved Change Orders: Substantial Completion: <u>November 21, 2024</u> Ready for final payment: <u>December 21, 2024</u>	

Recommended by Engineer (if required)

Authorized by Owner


By: 
 Lisa Fennewald, P.E.

Title: Senior Project Manager, H&S

Date: May 01, 2024

Accepted by Contactor

Mayor, City of Jackson

By: 

Title: President - Robinson Companies, Inc.

Date: 5/3/24

Table No. 1 - Description of Change Order No. 02 REV 03

**Jackson Water Plant Improvements, Phase 2, Project 2D
City of Jackson, Missouri**

Item No.	Description	Attached Reference Exhibit	Lump Sum Price	Increase (Decrease) in Contract Price	Increase (Decrease) in Contract Time	Explanation/Comments
1	Alternative supply of WTP#01 new HSP-03 Eaton MCC panel and Eaton drive due to excessive equipment fabrication lead times quoted by Contractor's original supplier, Municipal Equipment Company (MEC).	RFP_05 (REV_00) COR_005	(\$48,483.94)	(\$48,483.94)	277 Days	<p>Alternative supply of WTP#01 new HSP-03 Eaton MCC panel and Eaton drive due to excessive equipment fabrication lead times quoted by Contractor's original supplier, Municipal Equipment Company (MEC). Prime Contractor has proposed expanding the current sub-contract agreement with the electrical sub-contract, KT Power & Assoc., to include provision and installation of the MCC equipment under the electrical sub-contractor's Scope to reduce delivery lead times of equipment.</p> <p>The City will furnish one (1) new spare Eaton VFD DG1-3425-FN-C21C to the Contractor for installation within the new HSP-03 MCC section in order to avoid delays from equipment lead times. The Contractor will purchase one (1) new like-kind Eaton VFD DG1-3425-FN-C21C to furnish loose to City prior to end of construction. Lead time on the replacement Eaton VFD is currently estimated at 28 weeks following submittal approval. Contractor will surrender new replacement VFD to City immediately upon receipt.</p>
2	Modify connction of new fluoride room interior walls to existing roof/ceiling of WTP#02. Install drop ceiling in Flouride room.	RFP_04 (REV_00) COR_006	\$4,759.85	\$4,759.85		<p>Contractor observed construction of existing WTP#02 roof/ceiling differs from that shown on the record drawings furnished by the City for design. The field-documented construction of the existing WTP#02 roof precludes anchoring of the new Fluoride room interior walls to the existing roof. The Fluoride room design was modified via RFP_04_REV_00 to utilize a new interior ceiling to eliminate the need to anchor the new interior walls to the existing roof system. This modification delayed construction progress as the Contractor was instructed not to proceed with the block wall construction until Engineer had finalized and distributed new construction details.</p>
TOTAL [Increase, (Decrease)]				(\$43,724.09)	277 Days	

BILL NO. 24-__

ORDINANCE NO. 24-__

AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY LIMITS OF THE CITY OF JACKSON, MISSOURI, UNDER THE PROVISIONS OF SECTION 71.012, RSMO.

WHEREAS, on the 4th day of March, 2024, a verified petition signed by all owners of the real estate hereinafter described, to-wit: Trussworks Realty Missouri, LLC, requesting annexation of said territory into the City of Jackson, Missouri, was filed with the City Clerk and the Board of Aldermen; and,

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Jackson, Missouri; and,

WHEREAS, a public hearing concerning said matter was held at the City Hall in the City of Jackson, Missouri, at the hour of 6:00 p.m. on the 15th day of April, 2024, and,

WHEREAS, notice of said public hearing was given by publication of notice thereof, on the 27th day of March, 2024, in the Cash Book Journal, a weekly newspaper of general circulation in the County of Cape Girardeau, State of Missouri; and,

WHEREAS, at said public hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and,

WHEREAS, no written objection to the proposed annexation was filed with the Board of Aldermen of the City of Jackson, Missouri, within 14 days after the date of the public hearing; and,

WHEREAS, the Board of Aldermen of the City of Jackson, Missouri, does find and determine that said annexation is reasonable and necessary to the proper development of the City; and,

WHEREAS, the City of Jackson, Missouri, is able to furnish normal municipal services to said area within a reasonable time after annexation.

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

Section 1. Pursuant to the provisions of Section 71.012, RSMo, the following described real estate is hereby annexed into the City of Jackson, Missouri:

ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at the most westerly corner of Lot 1 of the Jackson North Industrial Park Subdivision, Phase 1, said plat being recorded in Document 2014-02837, thence with the west line of said Lot 1, North 08°43'56" East, 409.22 feet; thence North 76°08'59" West, 918.53 feet to a point on the East line of United States Private Survey Number 807, said point being also on the east line of Cold Creek Subdivision, said Cold Creek Subdivision being recorded in Document 2009-00785; thence with the east line of said Survey Number 807 and the east line of said Cold Creek Subdivision, South 06°13'56" West, 1047.66 feet to the Southeast corner of said Cold Creek Subdivision, said point being also on the North line of Terrace Park Estates, a subdivision recorded in Plat Book 23, at Page 37; thence with the north line of said Terrace Park Estates, South 64°20'21" East, 271.61 feet, thence continue with the north line of said Terrace Park Estates, South 48°46'04" East, 470.19 feet; thence North 45°39'09" East, 972.22 feet, to a point on the South line of Lot 1 of said Jackson North Industrial Park Subdivision; thence with the south line of said Lot 1, North 64°46'04" West, 387.18 feet to the place of beginning and containing 26.18 acres, more or less, and being subject to any easements of record.

Section 2. The boundaries of the City of Jackson, Missouri, are hereby altered so as to encompass the above-described tract of land lying adjacent and contiguous to the present corporate limits of said City of Jackson, Missouri.

Section 3. The City Clerk of the City of Jackson, Missouri, is hereby ordered to cause three certified copies of this ordinance to be filed with the County Clerk of Cape Girardeau County, Missouri.

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

FIRST READING: May 6, 2024.

SECOND READING: May 6, 2024.

PASSED AND APPROVED this 6th day of May, 2024, by a vote of _____ ayes, _____ nays, _____ abstentions and _____ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

BY: _____
Mayor

ATTEST:

City Clerk



CITY OF JACKSON, MISSOURI
VOLUNTARY ANNEXATION APPLICATION

EXHIBIT A
Item 7.

DATE OF APPLICATION: 3-4-2024

PROPERTY LOCATION (address):

Other description of location if not addressed: 26.2 Acres on Cane Creek Road
(pt Tax ID#09-900-36-00-007.00-0000)

PROPERTY OWNERS (all legal property owners listed on deed)

Names & Mailing Addresses: Trussworks Realty Missouri, LLC
2270 Greensferry Rd.
Jackson, MO 63755

CONTACT PERSON HANDLING APPLICATION

Contact's Mailing Address: Chris Koehler, Koehler Engineering
194 Coker Ln., Cape Girardeau, MO 63701
Contact's Phone: 573-335-3026 Email: ckoehler@koehlerengineering.com

CURRENT USE OF PROPERTY: Vacant / Agricultural

IS A REZONING APPLICATION TO BE FILED? YES [X] NO []

PROPOSED ZONING: (circle)

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

IS A SPECIAL USE PERMIT APPLICATION TO BE FILED? YES [] NO [X]

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

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

- a. All boundary dimensions.
b. All adjoining streets, alleys and easements.
c. All present improvements.
d. All proposed improvements.
e. All adjoining property lines and references to all owners listed in Section C.
f. 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 Doc. 2023-09671, 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).

[Handwritten Signature]

STATE OF MISSOURI)
COUNTY OF Cape Girardeau) ss.

On this 4th day of MARCH, 2024, before me personally appeared _____, 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.

[Handwritten Signature]
_____, Notary Public

State Of Missouri
County of Cape Girardeau
My term expires: 10/25/27



DESCRIPTION OF TRUSSWORKS SITE FOR ANNEXATION

ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at the most westerly corner of Lot 1 of the Jackson North Industrial Park Subdivision, Phase 1, said plat being recorded in Document 2014-02837, thence with the west line of said Lot 1, North 08°43'56" East, 409.22 feet; thence North 76°08'59" West, 918.53 feet to a point on the East line of United States Private Survey Number 807, said point being also on the east line of Cold Creek Subdivision, said Cold Creek Subdivision being recorded in Document 2009-00785; thence with the east line of said Survey Number 807 and the east line of said Cold Creek Subdivision, South 06°13'56" West, 1047.66 feet to the Southeast corner of said Cold Creek Subdivision, said point being also on the North line of Terrace Park Estates, a subdivision recorded in Plat Book 23, at Page 37; thence with the north line of said Terrace Park Estates, South 64°20'21" East, 271.61 feet, thence continue with the north line of said Terrace Park Estates, South 48°46'04" East, 470.19 feet; thence North 45°39'09" East, 972.22 feet, to a point on the South line of Lot 1 of said Jackson North Industrial Park Subdivision; thence with the south line of said Lot 1, North 64°46'04" West, 387.18 feet to the place of beginning and containing 26.18 acres, more or less, and being subject to any easements of record.

RECORD PLAT FOR STRODER'S TRUSS MANUFACTURING SUBDIVISION

ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI.



DESCRIPTION OF TRUSSWORKS SITE FOR ANNEXATION

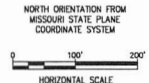
ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE MOST WESTERLY CORNER OF LOT 1 OF THE JACKSON NORTH INDUSTRIAL PARK SUBDIVISION, PHASE 1, SAID PLAT BEING RECORDED IN DOCUMENT 2014-02837; THENCE WITH THE WEST LINE OF SAID LOT 1, NORTH 64°42'56" EAST, 489.22 FEET; THENCE NORTH 76°08'59" WEST, 918.53 FEET TO A POINT ON THE EAST LINE OF UNITED STATES PRIVATE SURVEY NUMBER 807, SAID POINT BEING ALSO ON THE EAST LINE OF SAID CREEK SUBDIVISION, SAID COLD CREEK SUBDIVISION BEING RECORDED IN DOCUMENT 2009-00785; THENCE WITH THE EAST LINE OF SAID SURVEY NUMBER 807 AND THE EAST LINE OF SAID COLD CREEK SUBDIVISION, SOUTH 06°13'30" WEST, 1847.68 FEET TO THE SOUTH-EAST CORNER OF SAID COLD CREEK SUBDIVISION, SAID POINT BEING ALSO ON THE NORTH LINE OF TERRACE PARK ESTATES, A SUBDIVISION RECORDED IN PLAT BOOK 23, AT PAGE 33; THENCE WITH THE NORTH LINE OF SAID TERRACE PARK ESTATES, SOUTH 44°20'21" EAST, 271.81 FEET; THENCE CONTINUE WITH THE NORTH LINE OF SAID TERRACE PARK ESTATES, SOUTH 46°40'04" EAST, 475.19 FEET; THENCE NORTH 45°39'09" EAST, 872.22 FEET, TO A POINT ON THE SOUTH LINE OF LOT 1 OF SAID JACKSON NORTH INDUSTRIAL PARK SUBDIVISION; THENCE WITH THE SOUTH LINE OF SAID LOT 1, NORTH 44°49'04" WEST, 387.18 FEET TO THE PLACE OF BEGINNING AND CONTAINING 26.18 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS OF RECORD.

VICINITY MAP - N.T.S.



LEGEND	
	FOUND 12" IRON ROD
	SET 12" IRON ROD
	UTILITY POLE
	SUBDIVISION BOUNDARY LINE
	NEW LOT LINE
	EXTERNAL PROPERTY LINE
	RIGHT-OF-WAY LINE
	CENTERLINE
	CITY LIMITS LINE



KOEHLER
Professional Engineers & Land Surveyors
194 Coker Lane
Cape Girardeau, Missouri 63701
Ph: (573) 335-3626 Fax: (573) 335-9499
MO PLS Corp. Certificate #000262

DRAWN BY:	REV DATE:	DESCRIPTION:	REVAL:
SUSAN OGDEN			
TRAVIS STEPHENS			
SURVEY DATE:	OCTOBER 2023		
DRAWN DATE:	MARCH 13, 2024		
DRAWING NO.	3810		

THIS SURVEY OF A TRACT OF URBAN PROPERTY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF MISSOURI AS MADE EFFECTIVE JULY 31, 2020.

FOR CITY USE ONLY:

Date application/petition submitted filed with City staff: 3/4/2024

Date of resolution preparation by City Clerk: 3/13/2024

Date of action by Board of Aldermen to set public hearing: 3/18/2024

Date of publication in local newspaper of public hearing: 3/27/2024

Date of public hearing: 4/15/2024

Date of City Attorney preparation of ordinance: 4/10/2024

Date of Board of Aldermen action: 5/6/2024

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:

BILL NO. 24-___

ORDINANCE NO. 24-___

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

WHEREAS, Trussworks Realty Missouri, LLC, owner of a certain tract of land herein referred to, has heretofore submitted to the City Planning and Zoning Commission for its consideration the rezoning of certain territories located in the City of Jackson, Missouri, said properties being described as parcel number 0990036000070 within the city limits as set out in Exhibit A which is attached hereto and incorporated herein as if fully set forth; and,

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

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

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

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

Section 1. That the Zoning Ordinance and the accompanying "Official Zoning District Map" of the City of Jackson, Missouri, are hereby amended insofar as they relate to the property described on Exhibit A which is attached hereto and incorporated herein as if fully set forth; that said property is hereby rezoned from R-1 Single-Family Residential District to I-2 Heavy Industrial.

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

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

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

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

FIRST READING: May 6, 2024.

SECOND READING: May 6, 2024.

PASSED AND APPROVED this 6th day of May, 2024, by a vote of ___ ayes, ___ nays, ___ abstentions and ___ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

BY: _____
Mayor

ATTEST:

City Clerk

EXHIBIT
A



City of Jackson

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

The Planning & Zoning Commission of Jackson, Missouri, hereby notifies the Board of Aldermen, the applicant, and the public of its action taken on April 10, 2024, at a regular meeting in consideration of the following:

Consider a rezoning request for 26.2 acres of parcel #099003600007000000 from an R-1 Single-family residential district to an I-2 Heavy industrial district as submitted by Trussworks Realty Missouri, LLC.

Applicant: Trussworks Realty Missouri, LLC Steve Stroder, President
Filing Date of Application/Fee: March 3, 2024
Submission Date of Application to Commission: March 13, 2024
Public Hearing Date: April 10, 2024

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

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

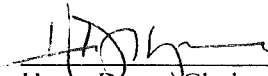
Following consideration of testimony, comments, exhibits, and file contents, the Planning & Zoning Commission duly deliberated the facts pertaining to the proposal and issued the following findings of fact and conclusions:

THE ABOVE APPLICATION IS:

- Approved**
- Disapproved**
- Approved with conditions specified below**

By a roll call of 8 ayes, 1 nays, 0 abstentions, and 0 absent this 10th day of April 2024.

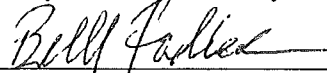
CITY OF JACKSON, MISSOURI



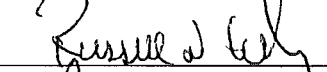
Harry Dryer, Chairman




Tony Koeller, Secretary



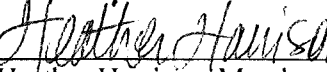
Bill Fadler, Member



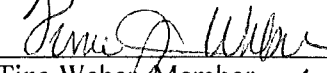
Russ Wiley, Member



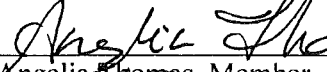
Eric F. Daley, Member



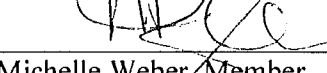
Heather Harrison, Member



Tina Weber, Member

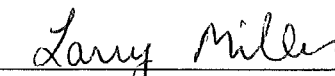


Angelia Thomas, Member



Michelle Weber, Member

ATTEST:



Larry Miller,
Building & Planning Manager



REZONING / SPECIAL USE PERMIT APPLICATION City of Jackson, Missouri

APPLICATION DATE: 3/4/2024

TYPE OF APPLICATION: Rezoning Special Use Permit

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

26.2 Acres on Cane Creek Road (pt Tax ID#09900360000700)

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

Property Owner Name(s): Trussworks Realty Missouri, LLC / Steve Stroder, President

Mailing Address: 2270 Greensferry Rd.

City, State ZIP: Jackson, MO 63755

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

Proposed Property Owner(s): Same

Mailing Address: _____

City, State, ZIP _____

CONTACT PERSON HANDLING APPLICATION:

Contact Name: Chris Koehler

Mailing Address: 194 Coker Ln.

City, State ZIP: Cape Girardeau, MO 63701

Contact's Phone: 573-335-3026

Email Address (if used): ckoehler@koehlerengineering.com

CURRENT ZONING: (check all that apply)

- | | |
|---|--|
| <input checked="" 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) |

CURRENT USE OF PROPERTY: Vacant / Agricultural

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 checked="" 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: Industrial Use

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

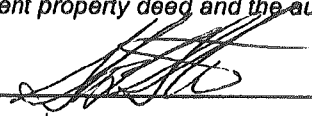
REASON FOR REQUEST: State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Jackson. Attach additional page(s) as needed.
Adding jobs and tax revenue for the City of Jackson

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

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

OWNER SIGNATURES:

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



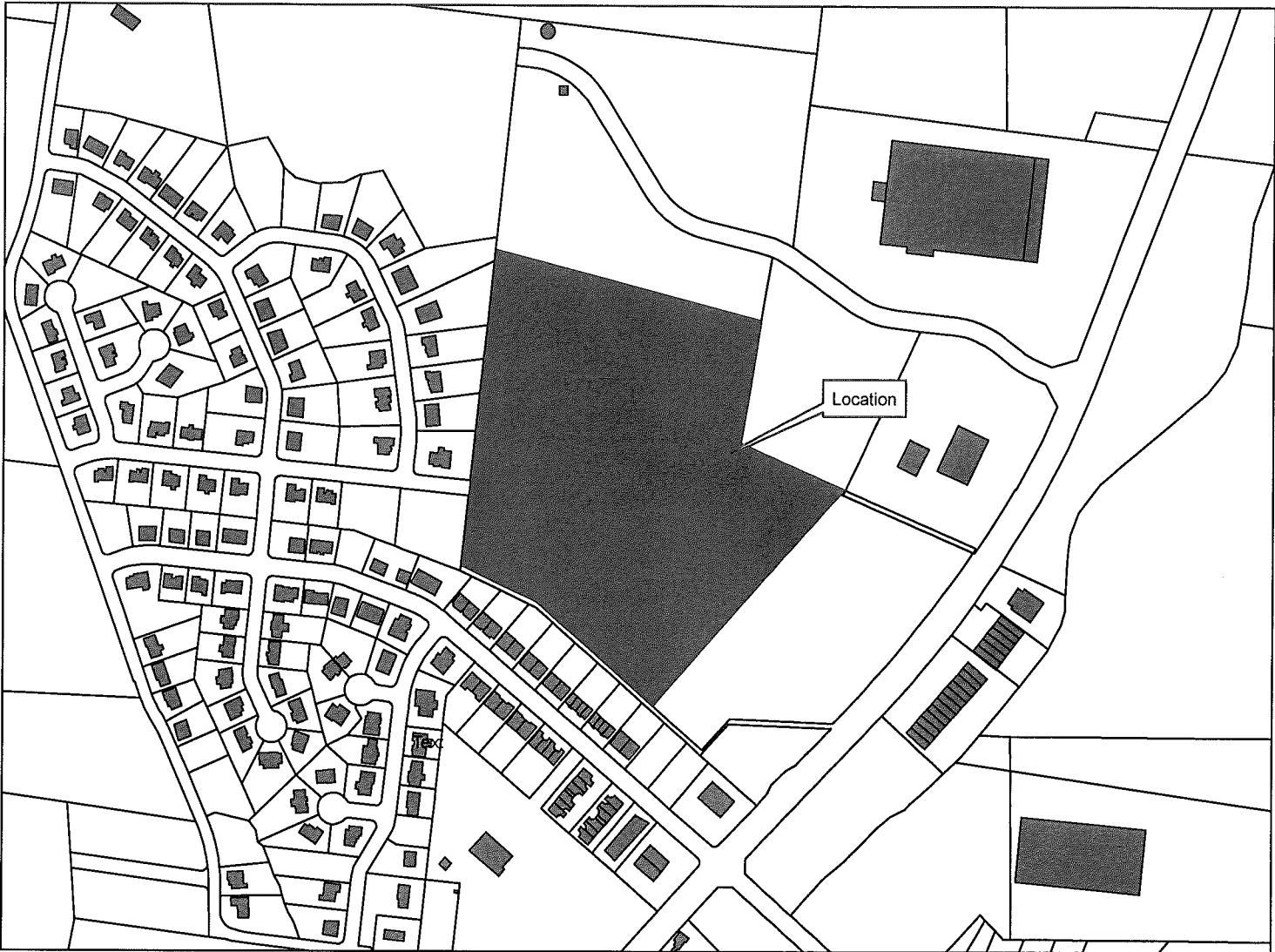
Steven L. Strader

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

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

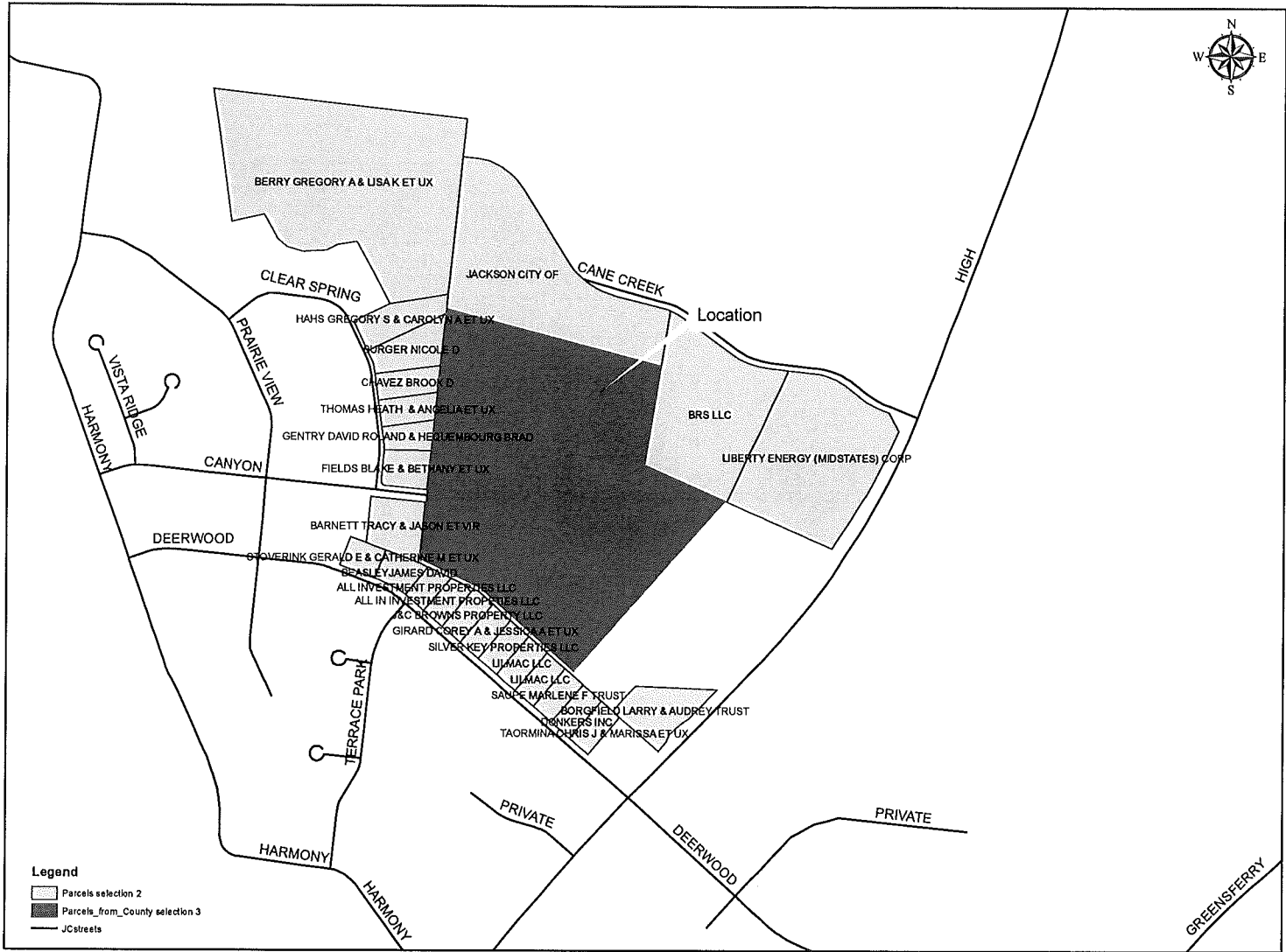
573-243-2300 ext.29 (ph)
573-243-3322 (fax)
permits@jacksonmo.org

APPLICATION FEE: \$200.00



Trussworks Proposed Industrial Lot
Location Map

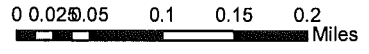
3/14/2024 / jls



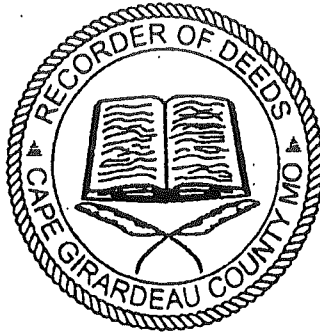
Legend
 ■ Parcels selection 2
 ■ Parcels_from_County selection 3
 — JCstreets

March 6, 2024

Owners



eRecorded
DOCUMENT #
2023-09671



ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
11/27/2023 10:42:35 AM
REC FEE: 30.00
PAGES: 3

WARRANTY DEED

This Warranty Deed made and entered into this 24th day of November, 2023, by and between **Larry D. Borgfield, Trustee of the Larry D. Borgfield and Audrey Borgfield Joint Revocable Trust Agreement dated June 6, 2017**, hereinafter referred to as **GRANTOR**, and **Trussworks Realty Missouri, LLC, a Texas Limited Liability Company**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEE**. The mailing address of the Grantee is:

2155 Greensferry rd. Jackson, MO 63755

WITNESSETH: The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid to the Grantor, the receipt of which is hereby acknowledged, does 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:

SEE EXHIBIT "A"

Larry D. Borgfield further states that he is the current acting trustee of the **Larry D. Borgfield and Audrey Borgfield Joint Revocable Trust Agreement dated June 6, 2017**, that said trust has not been amended or revoked, and that he has the authority, under of the terms of said trust, to convey the subject property.
Grantor further states Audrey Borgfield died on September 5, 2022.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said Grantee and unto its successors and assigns FOREVER, the said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by it or those under whom it claimed title; and that it 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 Grantor has hereunto set its hand the day and year first above written.

GRANTOR:
Larry D. Borgfield and Audrey Borgfield
Joint Revocable Trust Agreement dated June
6, 2017

BY: Larry D. Borgfield Trustee
Larry D. Borgfield, Trustee

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

On this 24th day of November, 2023, before me personally appeared **Larry D. Borgfield, Trustee of the Larry D. Borgfield and Audrey Borgfield Joint Revocable Trust Agreement dated June 6, 2017**, to me known to be the person described in and who executed the within Warranty Deed, and acknowledged to me that he executed the same as his free act and deed and in his capacity as Trustee and in behalf of the aforesaid Trust.

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:

2309020

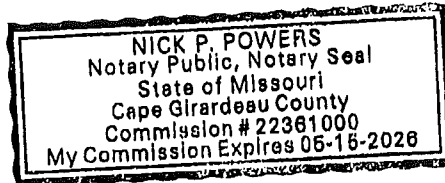


EXHIBIT "A"

ALL OF THAT PART OF FRACTIONAL SECTION 1, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, BEING IN PART WITHIN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, AND PART WITHIN THE COUNTY OF CAPE GIRARDEAU, AND ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at the most westerly corner of Lot 1 of the Jackson North Industrial Park Subdivision, Phase 1, said plat being recorded in Document 2014-02837, thence with the west line of said Lot 1, North 08°43'56" East, 409.22 feet; thence North 76°08'59" West, 918.53 feet to a point on the East line of United States Private Survey Number 807, said point being also on the east line of Cold Creek Subdivision, said Cold Creek Subdivision being recorded in Document 2009-00785; thence with the east line of said Survey Number 807 and the east line of said Cold Creek Subdivision, South 06°13'56" West, 1047.66 feet to the Southeast corner of said Cold Creek Subdivision, said point being also on the North line of Terrace Park Estates, a subdivision recorded in Plat Book 23, at Page 37; thence with the north line of said Terrace Park Estates, South 64°20'21" East, 271.61 feet, thence continue with the north line of said Terrace Park Estates, South 48°46'04" East, 990.34 feet to the most easterly corner of said Terrace Park Estates, said point being also on the west right of way line of North High Street / US Highway '61', thence with said west right of way line of said US Highway '61', North 44°22'23" East, 525.25 feet; thence continuing along said west right of way, along the arc of a curve to the left having a radius of 3075.22 feet, a distance of 217.46 feet; thence along an offset in said west right of way, South 49°40'43" East, 10.00 feet; thence continuing along said west right of way line of US Highway '61', along the arc of a non-tangent curve concave to the northwest having a radius of 3085.22 feet, a distance of 360.84 feet (the chord across said arc bears North 36°58'15" East, 360.64 feet), to a point at the most southerly corner of a tract now or formerly held in title by Liberty Energy (Midstates) Corp., as conveyed in Document 2013-01838; thence with the South line of said tract, North 64°46'04" West, 476.81 feet to the most westerly corner of said Liberty Energy (Midstates) Corp tract and the most southerly corner of said Lot 1 of said Jackson North Industrial Park Subdivision; thence with the south line of said Lot 1, North 64°46'04" West, 390.40 feet to the place of beginning and containing 38.18 acres, more or less

Description taken from Survey dated October 27, 2023 by Christopher L. Koehler, LS-2470, Koehler Engineering and Land Surveying, Inc.

2308020

ALL OF THAT PART OF FRACTIONAL SECTION 36, TOWNSHIP 32 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN, WITHIN THE COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN at the most westerly corner of Lot 1 of the Jackson North Industrial Park Subdivision, Phase 1, said plat being recorded in Document 2014-02837, thence with the west line of said Lot 1, North $08^{\circ}43'56''$ East, 409.22 feet; thence North $76^{\circ}08'59''$ West, 918.53 feet to a point on the East line of United States Private Survey Number 807, said point being also on the east line of Cold Creek Subdivision, said Cold Creek Subdivision being recorded in Document 2009-00785; thence with the east line of said Survey Number 807 and the east line of said Cold Creek Subdivision, South $06^{\circ}13'56''$ West, 1047.66 feet to the Southeast corner of said Cold Creek Subdivision, said point being also on the North line of Terrace Park Estates, a subdivision recorded in Plat Book 23, at Page 37; thence with the north line of said Terrace Park Estates, South $64^{\circ}20'21''$ East, 271.61 feet, thence continue with the north line of said Terrace Park Estates, South $48^{\circ}46'04''$ East, 470.19 feet; thence North $45^{\circ}39'09''$ East, 972.22 feet, to a point on the South line of Lot 1 of said Jackson North Industrial Park Subdivision; thence with the south line of said Lot 1, North $64^{\circ}46'04''$ West, 387.18 feet to the place of beginning and containing 26.18 acres, more or less, and being subject to any easements of record.

ADDENDUM TO CONTRACT AGREEMENT

THIS ADDENDUM, effective as of the date on which all parties hereto execute this Addendum, amends and supplements that Contract Agreement by and between **CITY OF JACKSON, MISSOURI** ("City") and **MARK SANDER CONSTRUCTION COMPANY, LLC** ("Company") with the effective date of December 18, 2023 (the "Contract").

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

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

COMPLETION DATE: The Company shall complete all work for the installation of the Civic Center Pavilion on or before June 15, 2024, unless otherwise agreed to in writing by both Company and City.

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

DATE: 4/30/24

City of Jackson, Missouri

Dwain Hahs, Mayor

ATTEST:

Angela Birk, City Clerk

DATE: _____

Mark Sander Construction Company, LLC

By: Mark Sander

Print: MARK R. SANDER

Title: President



City of Jackson

TO: Mayor and Board of Aldermen

FROM: Janet Sanders, Director of Public Works

DATE: April 9, 2024

RE: 2024 Concrete Pavement Improvement Program

Bids for the 2024 Concrete Pavement Improvement Program were opened on April 9, 2024. Five bids were received and the bid tabulation is attached.

We recommend accepting both the base bid and alternate of the low bidder, Putz Construction, LLC in the amount of \$253,899.27. Putz Construction constructed the new Mary Street bridge and the Hubble Ford bridge in the City Park and both were successful projects.

CITY OF JACKSON

2024 Concrete Pavement Improvement Program
 BID OPENING: April 9, 2024

TABULATION SHEET

CONTRACTOR	Base Bid	Alternate #1	Addendum Included	TOTAL BID	BID BOND Y/N
Fronberger Concrete Inc	\$ 251,436 ²⁵	\$ 9517 ⁹⁰	NIA	\$ 260,954 ¹⁵	Yes
Lappe Cement Finishes	\$ 334,412 ⁸⁷ \$ 324,402 ⁸⁷	\$ 14,325 ⁷³	NIA	\$ 348,738 ⁵⁰	Yes
Klugner Construction	\$ 291,620 ⁰⁹	\$ 12,533 ⁵⁵	NIA	\$ 304,153 ²³	Yes
Moore Loch Cement Finishes	\$ 256,690 ⁹⁵	\$ 10,248 ⁶⁸	NIA	\$ 266,939 ⁶³	Yes
Putz Construction LLC	\$ 244,405 ⁰¹	\$ 9493 ⁴⁶	NIA	\$ 253,899 ²⁷	Yes

Signed by opener: *Gerardo Sordana*

Signed by witness: *Danny Yager*

BILL NO. 24-__

ORDINANCE NO. 24-__

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND PUTZ CONSTRUCTION, LLC, OF MILLERSVILLE, MISSOURI, RELATIVE TO THE 2024 CONCRETE PAVEMENT IMPROVEMENT PROGRAM; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

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

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

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

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the contract attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and **Putz Construction, LLC, of Millersville, 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: May 6, 2024.

SECOND READING: May 6, 2024.

PASSED AND APPROVED this 6th day of May, 2024, by a vote of ___ ayes, ___ nays, ___ abstentions and ___ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

BY: _____
Mayor

ATTEST:

City Clerk

SECTION IV - CONTRACT AGREEMENT

THIS CONTRACT (the "Contract") is entered into this 6th day of May, 2024,

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

Putz Construction, LLC

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

2024 Concrete Pavement Improvement Program

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

WHEREAS, the City has selected the aforesaid Contractor for the Project and by Ordinance No. _____ has awarded the Contractor the Contract for the amounts named in the proposal/bid from the Contractor dated April 9, 2024, a copy of which is incorporated herein.

NOW, THEREFORE, the parties agree as follows:

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

\$ 253,899.27
(figures)

Two hundred fifty-three thousand eight hundred ninety-nine and twenty-seven cents
(words)

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

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

CITY:

City of Jackson, Missouri

Dwain Hahs, Mayor

ATTEST:

Angela Birk, City Clerk

Address:
101 Court Street
Jackson, Missouri 63755

CONTRACTOR:

Putz Construction LLC
Contractor Name

Michael Putz
Signature

Michael Putz
Printed Name

Owner
Title

ATTEST:

Roni Putz
Signature

Roni Putz
Printed Name

Office Manager
Title

Address:

9257 State Hwy 72
Millersville, MO 63766

SECTION II - BID FORM

1. Bid Recipient

Sealed bids will be received by the Office of the City Clerk until

10 A.M. Local Time on Tuesday, April 9, 2023,

at which time and place they will be publicly opened and read aloud. No bids will be accepted after this time, and no electronic or facsimile submittals will be accepted.

This Bid shall be submitted to:

The Office of the City Clerk
Attn: 2024 Concrete Pavement Improvement Program
City Hall – 101 Court Street
Jackson, Missouri 63755

The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Contract Documents to perform all Work specified or indicated in the Contract Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

2. Bidder's Acknowledgements

Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid Security. This Bid will remain subject to acceptance for sixty (60) days after the Bid opening, or for such longer period of time that the Bidder may agree to in writing upon request of Owner.

3. Bidder's Representations

In submitting this Bid, Bidder represents that:

- 1. Bidder has examined and carefully studied the Bid Documents, and any data and reference items identified in the Bid Documents, and hereby acknowledges the receipt of the following Addenda:

Addendum No.	Addendum, Date
_____	_____
_____	_____
_____	_____

- 2. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- 3. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

4. Bidder has carefully studied all reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
5. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bid Documents; and any Site-related reports and drawings identified in the Bid Documents, with respect to the effect of such information, observations, and documents on the cost, progress, and performance of the Work, the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, and Bidder's safety precautions and programs.
6. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price Bid and within the times required, and in accordance with the other terms and conditions of the Bid Documents.
7. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bid Documents.
8. Bidder has given Project Manager written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bid Documents, and confirms that the written resolution thereof by project Manager is acceptable to Bidder.
9. The Bid Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
10. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bid Documents.

4. **Bidder's Certification**

Bidder certifies that:

1. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
2. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
3. Bidder has not solicited or induced any individual or entity to refrain from Bid; and

4. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph:
- i. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the Bid process;
 - ii. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the Bid process to the detriment of Owner, (b) to establish Bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - iii. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
 - iv. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the Bid process or affect the execution of the Contract.

5. Basis of Bid

Bidder will complete the Work in accordance with the Contract Documents for the following price(s): Bidder acknowledges that each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item and that estimated quantities are not guaranteed and are solely for the purpose of comparison of Bids. Final payment for all unit price Bid items will be based on actual quantities determined as provided in the Contract Documents.

6. Time of Completion

Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment on or before the dates within the number of calendar days indicated in the Agreement. Bidder accepts the provision of the Agreement as to liquidated damages.

7. Bid Security

A Bid Security in the form of a bid bond, certified check, or cashier's check for an amount not less than five percent (5%) of the bid amount is required to be submitted with the bid. The company listed on the Bid Security must be the same as the company listed as "Bidder" in Section 9 of the Bid Form.

8. Attachments to this Bid


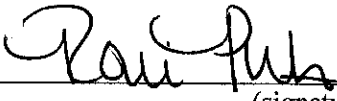
The following documents shall be submitted with, and made a condition of, this Bid:

- A. A Bid Security: a bid bond, certified check, or cashier's check for an amount not less than five percent (5%) of the bid amount. The company listed on the Bid Security must be the same as the company listed as "Bidder" in Section 9 of the Bid Form.

List of Proposed Major Subcontractors, if applicable.

9. **Bid Submittal**

Bidder: Putz Construction, LLC

By:  (signature) Attest:  (signature)

Michael Putz
(print)

Roni Putz
(print)

Owner
(title)

Office Manager
(title)

Note: If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.

Date of Bid Submittal: 4/9/2024

Address for giving notices:

9257 State Hwy 72

Millersville MO, 63766

Phone: 573-243-6164

Email: putzconstruction@putzcon.com

Contact: Michael Putz

Bidder's License No.: 6301

BID PROPOSAL

2024 Concrete Pavement Program

Submitted By:

Putz Construction, LLC

BASE PROPOSAL

ITEM	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE
101	Conc. Panels (0-15 SY) (Pink)	114.7	SY	\$138.00	\$15,828.60
101H	Conc. Panels High Early (0-15 SY) (Pink/Wht)	48.73	SY	\$142.00	\$6,919.66
102	Conc. Panels (15-30 SY) (Blue)	351.43	SY	\$108.00	\$37,954.44
102H	Conc. Panels High Early (15-30 SY) (Blue/Wht)	167.42	SY	\$120.00	\$20,090.40
103	Conc. Panels (30-45 SY) (Green)	272.16	SY	\$94.00	\$25,583.04
103H	Conc. Panels High Early (30-45 SY) (Green/Wht)	110.08	SY	\$110.00	\$12,108.80
104	Conc. Panels (45-60 SY) (Purple)	269.41	SY	\$78.50	\$21,148.69
104H	Conc. Panels High Early (45-60 SY) (Purple/Wht)	----	SY	\$100.00	
105	Conc. Panels (60-90 SY) (Orange)	213.42	SY	\$75.00	\$16,006.50
105A	Conc. Panels High Early (60-90 SY)(Orange/Wht)	227.84	SY	\$79.50	\$18,113.28
106	Conc. Panels (90+ SY) (Red)	1009.32	SY	\$70.00	\$70,652.40
106A	Conc. Panels High Early (90+ SY) (Red/Wht)	----	SY	\$95.00	
107	Conc. ADA Sidewalk (As Needed)	----	SY	\$125.00	-----
108	Conc. Curb & Gutter (As Needed)	----	LF	\$70.00	-----
109	Add. Subgrade Material (As Needed)	----	CY	\$60.00	-----

TOTAL BID PRICE:

\$244,405.81

(figures)

Two hundred forty-four thousand, four hundred five dollars and eighty-one cents
(words)

BID ALTERNATE 1

ITEM	DESCRIPTION	EST. QTY.	UNITS	UNIT PRICE	TOTAL PRICE
201	Conc. Panels (0-15 SY)(Pink)	12.22	SY	\$138.00	\$1,686.36
202	Conc. Panels (90+ SY) (Red)	111.53	SY	\$ 70.00	\$ 7,807.10

TOTAL BID PRICE:

\$ 9,493.46
(figures)

nine thousand, four hundred ninety-three dollars and forty-six
(words) Cents

10. List of Major Subcontractors

The names of major Subcontractors to be used for this Work shall be entered in the spaces provided below. Upon award of a contract, the named Subcontractors shall be used, without exception, other than as defined in these Bid Documents.

Any substitution of named Subcontractors shall be subject to concurrence of the Owner and shall be confirmed by Change Order. Failure to furnish all information requested in this listing may be cause for Bid rejection.

	Area of Work	Name of Subcontractor (state "None" if Bidder will complete work)
1.	N/A	N/A
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

(if applicable)



City of Jackson

TO: Mayor and Board of Aldermen

FROM: Janet Sanders, Director of Public Works

DATE: May 2, 2024

RE: Master Service Agreement and Task Order 24-02 for KimHEC, LLC

Attached you will find a Master Service Agreement and Task Order for KimHEC, LLC.

The City establishes Master Service Agreements with various engineering firms since engineering is hired on a qualification basis rather than a lowest-cost proposal basis. Then as project arises that fit the qualifications of a specific engineer, that project can be authorized as a Task Order if the engineer’s proposal and cost is acceptable.

In the past, the City had a Master Service Agreement with Kim Hovis Environmental Services. That company has reorganized as KimHEC, LLC, so a new Master Services Agreement is needed.

Task Order Authorization 24-02 is for the services involved in preparing our National Pollutant Discharge Elimination System (NPDES) Permit that authorizes operation of our Wastewater Treatment Plant. The permit must be obtained every five years and includes a fairly intensive application process. This process requires expertise to successfully navigate. The same engineering firm, under their former name, assisted the City in obtaining our last NPDES permit.

If you have questions on these two agenda items, please contact me at 573-243-2300 x 2031 or jsanders@jacksonmo.org

BILL NO. 24-__

ORDINANCE NO. 24-__

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MASTER AGREEMENT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND *KIMHEC, LLC OF ST. LOUIS, MISSOURI*, RELATIVE TO *PROFESSIONAL ENGINEERING/ARCHITECTURAL SERVICES*; 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 master agreement attached hereto and incorporated herein as if fully set forth; and

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

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

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the master agreement attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and **KimHEC, LLC, of St. Louis, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said master agreement.

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

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

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

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

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

FIRST READING: May 6, 2024.

SECOND READING: May 6, 2024.

PASSED AND APPROVED this 6th day of May, 2024, by a vote of ___ ayes, ___ nays, ___ abstentions and ___ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

BY: _____
Mayor

ATTEST:

City Clerk

**MASTER AGREEMENT FOR PROFESSIONAL
ENGINEERING/ARCHITECTURAL SERVICES**

THIS AGREEMENT is made and entered into this 6th day of May, 2024, by and between the *CITY OF JACKSON, MISSOURI, a municipal corporation* (the “City”) and *KIMHEC, LLC* (the “Engineer”).

WHEREAS, the City has determined that from time to time the City requires professional engineering and architectural services to assist its staff with studies, design and/or construction improvements, operations and maintenance, and the management of various engineering projects; and

WHEREAS, Engineer submitted appropriate qualifications for the provision of such services; and

WHEREAS, the City has agreed to accept Engineer’s qualifications.

NOW, THEREFORE, in consideration of the above premises and promises contained herein, and other good and valuable consideration, the adequacy and sufficiency which we hereby acknowledge, each party hereby agrees as follows:

SECTION A – Scope

1. Engineer shall serve as a professional engineering consultant to the City with regard to various assignments to which this Agreement shall apply, with said assignments to be individually authorized by the City on a task order basis. All services performed under the terms of this Agreement shall be performed under the direction of a professional engineer registered in

the State of Missouri and qualified in the particular field related to each specific assignment. The authorization of assignments (task orders) under this Agreement shall be accomplished as described in subsequent sections of this Agreement.

SECTION B – Authorization of Services

2. The services of the Engineer pertaining to any specific task order for which the City desires to obtain said services shall be initiated and performed by the Engineer only upon written Authorization, duly agreed to and properly executed by an authorized representative of both City and Engineer.

3. Projects where engineering fees are anticipated to exceed \$3,000.00 require the Engineer to submit a written scope of work, cost estimate, and project schedule to the City. A written notice to proceed from the City must be obtained by the Engineer prior to commencing with any work. The cost estimate is not to be exceeded without written approval from the City. For all projects anticipated to exceed \$3,000.00, task order authorizations shall be forwarded to the Mayor and Board of Aldermen for approval.

4. Engineer need not provide written cost estimates or schedules where the City requests informal engineering assistance or Engineer’s review, comment, attendance at meetings, and similar services if the costs are not anticipated to exceed \$3,000.00 per project. Such services are to be provided to the City on a time and materials basis according to the terms of this Agreement. Verbal requests for services can only be relied and acted upon by Engineer if issued by the City Administrator, Assistant City Administrator, or the Director of Public Works.

SECTION C – Compensation for Engineering Services

5. The attached schedule of rates (Exhibit A) is provided by Engineer and agreed upon by the City as the unit rates for labor on all services. If Engineer engages a subcontractor, the cost of subcontracted services and materials shall not be billed to the City in an amount in excess of Engineer’s rate schedule. Reimbursable expenses shall not be subject to markup and shall be invoiced at actual cost. All reimbursable expenses and their rates shall be listed in the rate schedule. The attached rate schedule can be modified only through a written addendum to this Agreement and changes are subject to the approval of the City Administrator. By approving the ordinance adopting this Agreement, the Board of Aldermen hereby delegates authority to approve addenda increasing the Engineer’s rates to the City Administrator.

6. Invoices for engineering services shall be submitted on a monthly basis. Separate invoices shall be submitted per project. Invoices must include the project name, task order number, and a brief description of the services provided during the billing period. Additionally, each invoice shall include a breakdown of personnel, hours worked, and materials used on the project. All invoices are to be sent to the attention of the Director of Public Works.

SECTION D – Miscellaneous Provisions

7. No portion of the work covered by this Agreement except as provided herein shall be sublet or transferred without written consent and approval of City Administrator, Assistant City Administrator, or Director of Public Works. The subletting of the work shall in no way relieve the Engineer of Engineer’s primary responsibility of the quality and performance of the work. The Engineer will give personal attention to the faithful prosecution of the work and will keep all aspects of the work under Engineer’s control.

8. Subcontracting shall not, under any circumstances, relieve the Engineer of liability or of any obligations under this Agreement. The Engineer must see that the work is being carried on in accordance with the requirements of Engineer as Engineer will be held strictly accountable for the work. A violation of this provision shall be good cause to terminate this Agreement.

9. All plans, specifications, and other documents shall be endorsed by the Engineer and shall reflect the name and seal of the professional engineer endorsing the work. However, it is agreed that work performed for City user rate studies may be done by or in conjunction with financial and rate professionals and may not require a professional engineer registered in the State of Missouri.

10. The Engineer shall maintain all records, survey notes, design documents, cost and accounting records, construction records, and other records pertaining to this project for a period not less than five years following final payment. Even upon the expiration of said five-year term, Engineer shall not destroy any of the above-listed records without first giving the Director of Public Works thirty days' notice in writing. The Public Works Director shall then, at the City's option, take possession of such records on the City's behalf and at no additional cost to the City. If the City has not exercised its option to take custody of the file after thirty days, Engineer may then destroy the records. Engineer's records of City's projects shall be made available for inspection by authorized representatives of the City.

11. Drawings, details, specifications, engineering calculations, designs, and other data prepared under this Agreement shall be delivered to and become the property of the City upon termination or completion of work at no additional cost to the City. All such information

produced under this Agreement shall be available for use by the City without restriction or limitation on its use, provided that in doing so the City complies with the laws of the State of Missouri. It is agreed that any such reuse by City will be at City's sole risk and without liability or legal exposure to Engineer and that the City shall indemnify and hold harmless Engineer from all claims, damages, losses, and expenses, including attorneys' fees, arising out of, or resulting therefrom. Engineer shall maintain its intellectual property rights in its drawings, details, specifications, engineering calculations, and designs utilized in the performance of services under this Agreement. However, nothing herein shall be construed to limit the use of drawings, details, specifications, engineering calculations, designs, and other data prepared under this Agreement by the City.

12. The City may terminate the Agreement at any time by giving written notice. If the Agreement is terminated because the project is abandoned or postponed by the City, the Engineer will be paid for actual expenses incurred up to the time of termination. If the Agreement is terminated due to services that the City, in its judgment, deems unsatisfactory, or if the Engineer fails to prosecute the work with due diligence, the City may procure completion of the work in the manner as it considers to be in the best interest of the City. The Engineer will be responsible for any additional cost in excess of the rate schedule and any other damages the City may sustain by reason of the termination of this Agreement due to unsatisfactory performance.

13. In the event that Engineer does not receive from the City at least one task order authorization during a period of three years, both the City and Engineer agree that this Agreement shall be terminated by the City due to inactivity. Thereafter, the parties may enter into a new Master Agreement for Professional Engineering/Architectural Services at the discretion of the parties. However, regardless of any frequency of work performed by the

Engineer, the City may update, amend, alter, or terminate the Agreement; or otherwise issue addendum to the Agreement at any time by giving written notice.

14. Work performed under this Agreement must be satisfactory to the City. The City shall have the final say in determining such questions. If after the City determines that work performed under this Agreement is unsatisfactory and if the parties are unable to resolve a remedy of the issue, then the City may seek such redress and remedy as are available under the terms of this Agreement or otherwise at law.

15. The Engineer agrees to keep information and materials provided by the City, or prepared by the Engineer in performance of this Agreement, confidential except to the extent disclosure is reasonably necessary to carry out and provide engineering services.

16. Except for paragraph 11 above, to the fullest extent permitted by law, Engineer agrees to indemnify, defend, and hold harmless the City, its officers, agents, volunteers, 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 any such suit, claim, damage, loss, or expense 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 were caused by the negligence or other wrongdoing of Engineer or of any supplier or subcontractor, or their agents or employees, directly or indirectly, regardless of whether caused in part by the negligence or wrongdoing of City or any of its agents or employees.

17. Engineer shall purchase and maintain the following insurance, at Engineer's expense:

- Professional Liability Insurance with a minimum limit of \$1,000,000 each occurrence / \$2,000,000 general aggregate written on an occurrence basis.
- Commercial General Liability Insurance with a minimum limit of \$1,000,000 each occurrence / \$2,000,000 general aggregate written on an occurrence basis.
- Comprehensive Business Automobile Liability Insurance for all owned, non-owned, and hired automobiles and other vehicles used by Engineer with a combined single limit of \$1,000,000 minimum.
- Worker's Compensation Insurance within statutory limits required by any applicable federal or state law and Employers Liability Insurance with minimum limit of \$1,000,000 per accident.
- Additional Insured Endorsement. An endorsement on the required form supplied by the City naming the City of Jackson as an additional insured.

18. Engineer shall make City an additional insured on the general liability of insurance that Engineer is required to maintain under the Agreement documents. Similarly, Engineer shall require insurance with the same coverage and limits from its subcontractors and suppliers and their insurance policies shall be endorsed to name the same additional insureds as required of Engineer. Each additional insured endorsement shall expressly afford coverage to the additional insureds not only arising out of the named insured's operations or work but also

arising out of the named insured's completed operations. All completed operations coverages shall be maintained by Engineer and its subcontractors or suppliers for five years following the completion of the work. Any coverage available to City as a named insured shall be secondary so that the coverage to the City as an additional insured on the policies maintained by Engineer and subcontractors is primary. City reserves the right to selectively trigger any one or more insurance policies that afford City coverage, whether as a named insured or as an additional insured. Engineer agrees that City shall be provided at least sixty days advance written notice of any cancellation or rescission of any policy that Engineer or any of its subcontractors or suppliers is required to maintain under the Agreement documents. Prior to commencing work, Engineer shall provide City certificates of insurance evidencing the required coverages. City's receipt or review of any certificate of insurance reflecting that Engineer or one of its subcontractors or suppliers has failed or may have failed to comply with any insurance requirement of the Agreement documents shall not constitute a waiver of any of City's insurance rights under the Agreement documents, with all such rights being fully and completely reserved by the City.

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

20. The Engineer shall comply with all federal, state, and municipal laws, regulations, and ordinances, including, but not limited to, environmental and labor statutes and regulations.

21. Engineer agrees that during the life of this Agreement it will not discriminate against any employee, applicant for employment, or subcontractor because of race, religion, and

national origin. A similar nondiscrimination provision will be included in all subcontracts entered into in the performance of this Agreement. Violation of this provision shall be good cause for the City to terminate this Agreement, and any payment due or subsequently accruing to the Engineer under this Agreement may be subject for forfeiture in the event of multiple violations of this paragraph.

22. The Engineer understands that this Agreement is non-exclusive and that the City is contracting with multiple engineers in order to best provide for its citizens' need for professional engineering services. By executing this Agreement, the Engineer waives any and all complaints it might otherwise have against the City as to the particular Engineer assigned individual tasks or projects. The assignment of projects through task orders authorized under this Agreement shall be in the City's sole discretion and no party to this Agreement shall be entitled to any minimum frequency or dollar amount of task orders.

23. This Agreement shall bind the parties hereto, their successors, and assigns.

24. This Agreement and attached addendum (if any) constitute the entire Agreement between the parties and supersede any prior representations, offers, negotiations, or understandings between the parties with respect to the subject matter of this Agreement.

25. This Agreement shall be taken and deemed to have been fully executed and made by the parties in and governed by the laws of the State of Missouri for all purposes and intents. The venue for any dispute between the parties shall be in the Circuit Court of Cape Girardeau County, Missouri.

[Remainder of page intentionally left blank. Signatures appear on following page.]

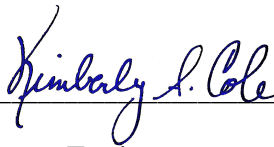
CITY OF JACKSON, MISSOURI

By: _____

Dwain L. Hahs, Mayor

ATTEST:

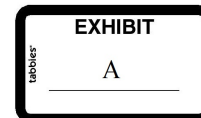
Angela Birk, City Clerk/Treasurer



Engineer

ATTEST:

Last updated 4-19-2024



KIMHEC RATE SCHEDULE	
Note: KimHEC may update rates annually, typically in January. Rate notifications will be made via email communication.	Effective January 1, 2024
Principal Hourly Rate	\$225
Director Hourly Rate	\$200
Engineer or Senior Scientist Hourly Rate	\$175
Junior Engineer, Scientist, or Field Specialist Hourly Rate	\$135
Administrative or Intern Hourly Rate	\$90
Travel Time	Travel time is billed at the corresponding hourly rate per the schedule above
Travel Mileage	Mileage is reimbursed at the corresponding current IRS mileage rate
Other Travel Expenses	Hotels and flights will be billed at the actual expense incurred; receipts available upon request



26 April 2024

Ms. Janet Sanders
Public Works Director
City of Jackson
101 Court Street
Jackson, Missouri 63755

SUBJECT: Proposal for Professional Services for NPDES Permit Renewal and Sample Plan for a Part I Local Limit Analysis

Dear Ms. Janet Sanders:

KimHEC is pleased to present this proposal for an agreement with the City of Jackson to provide services related to the NPDES Permit renewal for the City of Jackson. This scope of work includes the proposed tasks for the NPDES permit renewal and sample plan development including data management to support in both of these tasks.

1.0 BACKGROUND AND OBJECTIVE

The City of Jackson’s state-issued NPDES operating permit (MO-0022853) expires on December 31, 2024 with a permit renewal due 180 days prior to the expiration (on July 4, 2024). The permit renewal process includes completion of the appropriate permit renewal forms required by the Missouri Department of Natural Resources (MDNR).

In addition, since the City of Jackson has a pretreatment program, a Part I local limit analysis will be a permit requirement once the new NPDES permit is issued. In order to perform this analysis, data is required related to the wastewater treatment plant loading and removal of pollutants including background/uncontrolled data in the collection system. In order to be prepared for this permit condition, this scope of work includes development of a sample plan which accounts for any data currently being collected and recommends additional pollutants, locations, and monitoring frequencies for the interim period until a new permit is issued by MDNR.

-  314.276.9575
-  Kim.Cole@KimHEC.com
-  KimHEC.com
-  5326 Southwest Avenue | St. Louis, Missouri 63139

2.0 SCOPE OF SERVICES

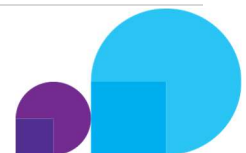
KimHEC will perform the following scope of services to meet the project objectives:

Task Item	Scope Component	Description
Task 1	NPDES Permit Application: Forms	Complete NPDES permit application forms including data summary and process summary
Task 2	NPDES Permit Application: MDNR Communications	MDNR communications related to permit renewal application process.
Task 3	Data Management	Historical data and set up for on-going data collection
Task 4	Sample Plan Summary	Evaluate existing data; confirm POCs. Documentation of recommended monitoring locations, frequencies, and parameters
Task 5	Laboratory Communication	Develop COCs and coordinate with lab to confirm project setup
Task 6	Project Management	Budget for email communication, time and task tracking, overall project management.

3.0 SCHEDULE

The following tasks and deliverables have been identified including estimated deliverable dates which may change depending on availability of information and coordination with the City.

Task Item	Scope Component	Deliverable	Deliverable Date
Task 1	NPDES Permit Application: Forms	NPDES Permit Renewal Application	6/15/2024
Task 2	NPDES Permit Application: MDNR Communications	Electronic records of communication	12/31/2024
Task 3	Data Management	Data summary and Excel deliverable	7/31/2024
Task 4	Sample Plan Summary	Sample Plan PDF	8/31/2024
Task 5	Laboratory Communication	COCs matching sample plan	8/31/2024
Task 6	Project Management	NA	6/30/2025



4.0 ESTIMATED COST AND TERMS

This work is being proposed as a time and materials basis; the estimated fee is included as an attachment. Monthly invoices will be submitted including a description of the work and the associated time; the scope items will not be broken down and tracked task unless specifically requested by the Client.

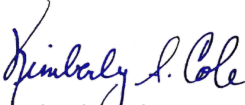
5.0 EXCLUSIONS

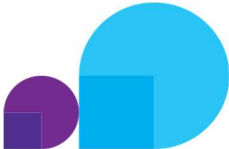
This project assumes that the City of Jackson is responsible for laboratory analysis including sample collection; the scope and fee estimate do not include KimHEC time to collect samples or fees to perform the analysis. KimHEC assumes that the City of Jackson will provide the necessary data and information needed to complete the Work. The project schedule and deliverables are contingent on coordination with the City staff.

6.0 CLOSING

Thank you for this opportunity to work with the City of Jackson. Please do not hesitate to contact us if you have any questions.

Sincerely,


Kimberly Cole, P.E.
Principal





Attachment 1. Fee Estimate

Task Item	Scope Component	Description	Deliverable Date	Deliverable	Est. Fee
Task 1	NPDES Permit Application: Forms	Complete NPDES permit application forms including data summary and process summary	6/15/2024	NPDES Permit Renewal Application	\$5,125
Task 2	NPDES Permit Application: MDNR Communications	MDNR communications related to permit renewal application process.	12/31/2024	Electronic records of communication	\$700
Task 3	Data Management	Historical data and set up for on-going data collection	7/31/2024	Data summary and Excel deliverable	\$3,500
Task 4	Sample Plan Summary	Evaluate existing data; confirm POCs. Documentation of recommended monitoring locations, frequencies, and parameters	8/31/2024	Sample Plan PDF	\$1,850
Task 5	Laboratory Communication	Develop COCs and coordinate with lab to confirm project setup	8/31/2024	COCs matching sample plan	\$350
Task 6	Project Management	Budget for email communication, time and task tracking, overall project management.	6/30/2025	NA	\$575
Project Estimate					\$12,100

-  314.276.9575
-  Kim.Cole@KimHEC.com
-  KimHEC.com
-  5326 Southwest Avenue | St. Louis, Missouri 63139