



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

**Tuesday, February 22, 2022 at 6:00 PM**  
**Board Chambers, City Hall, 101 Court St.**

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**AGENDA**

**CALL TO ORDER**

**INTRODUCTION OF GUESTS/VISITORS**

**ADOPTION OF AGENDA**

1. Motion adopting the Regular Meeting Agenda.

**PUBLIC HEARINGS**

2. Hearing to consider the voluntary annexation of 2.65 acres of property at 720 South Old Orchard Road, as submitted by Independence Self Storage, LLC.
3. Hearing to consider a Special Use Permit for an existing daycare under new ownership in an R-4 (General Residential) District at 1327 East Main Street, as submitted by Tot Spot Academy and Preschool, LLC.

**APPROVAL OF MINUTES**

4. Motion approving the Minutes of the Regular Meeting of February 7, 2022.

**FINANCIAL AFFAIRS**

5. Motion approving the City Collector's Report.
6. Motion approving the City Clerk's & Treasurer's Reports.

**ACTION ITEMS**

**Power, Light, and Water Committee**

7. Bill proposing an Ordinance approving a Memorandum of Understanding with the Bill C. and Shelley L. Zellmer Trust for an electric line relocation at 2024 Watson Drive in Bent Creek Spring Lake Addition.
8. Bill proposing an Ordinance approving a Memorandum of Understanding with the Michelle Doughten Trust for an electric line relocation at 1690 Woodland East in Woodland Oaks Subdivision.
9. Bill proposing an Ordinance approving a Memorandum of Understanding with Travis M. and Kristin D. Perr for an electric line relocation at 1730 Woodland East in Woodland Oaks Subdivision.

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

10. Motion approving the Mayor's appointment of Joe Bob Baker, Tony Koeller, Harry Dryer, Janet Sanders, and Rodney Bollinger to the 2022 Comprehensive Plan Update Steering Committee.
11. Motion setting a public hearing for Monday, March 21, 2022, at 6:00 p.m., to consider the rezoning of 2.65 acres of property at 720 South Old Orchard Road from R-1 (Single-Family Residential) District to C-2 (General Commercial) District, as submitted by Independence Self Storage, LLC.
12. Motion setting a public hearing for Monday, March 21, 2022, at 6:00 p.m., to consider a Special Use Permit for a bakery as a home occupation in an R-2 (Single-Family Residential) District at 828 Eagle Drive, as submitted by Darrell and Mandy Hatfield.
- [13.](#) Bill proposing an Ordinance approving a Special Use Permit for an existing daycare under new ownership in an R-4 (General Residential) District at 1327 East Main Street, as submitted by Tot Spot Academy and Preschool, LLC.

## **NON-AGENDA CITIZEN INPUT**

### **INFORMATION ITEMS**

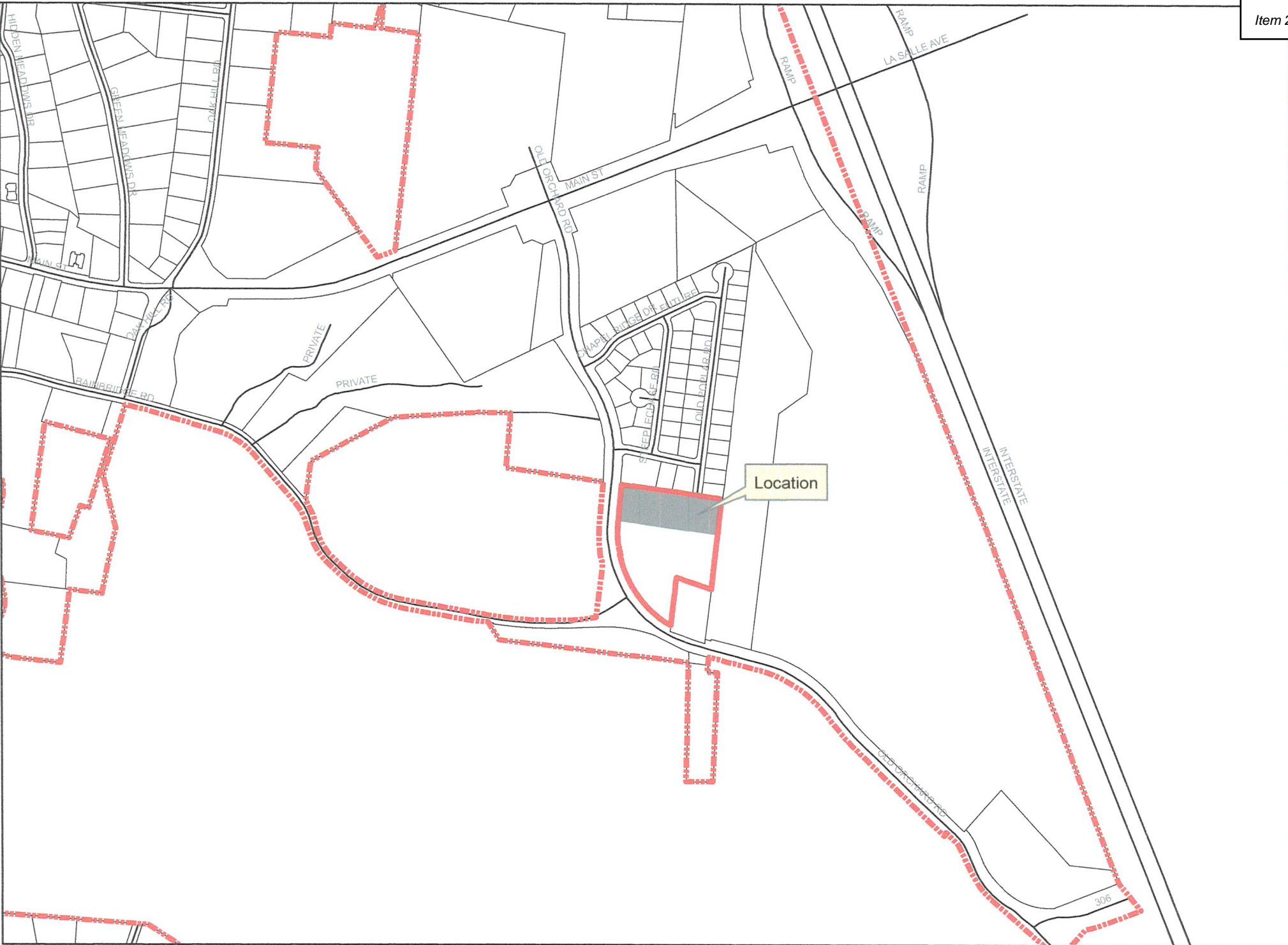
14. Report by Mayor
15. Reports by Board Members
16. Report by City Attorney
17. Report by City Administrator
18. Discussion of future agenda items

### **EXECUTIVE SESSION**

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

### **ADJOURN**

Posted on 02/18/2022 at 04:00 PM.



720 S. Old Orchard Rd.  
Location Map

# BOUNDARY SURVEY FOR INDEPENDENCE SELF STORAGE

Part of U.S.P.S. No. 324, Township 31 North,  
Range 13 East of the Fifth Principal Meridian  
Cape Girardeau County, Missouri.



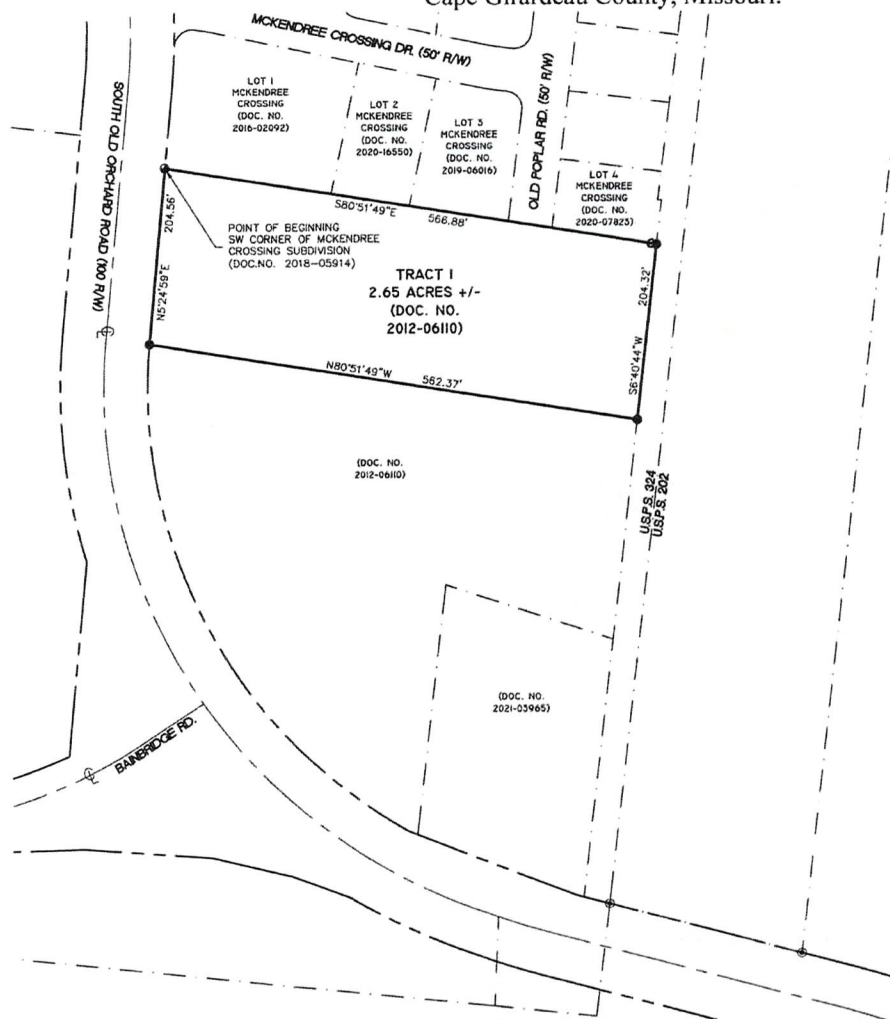
## REFERENCES

1. DOCUMENT NO. 2012-06110 (SUBJECT)
2. DOCUMENT NO. 2016-02092
3. DOCUMENT NO. 2020-16550
4. DOCUMENT NO. 2019-06016
5. DOCUMENT NO. 2020-07823
6. MCKENDREE CROSSING SUBDIVISION, DOCUMENT NO. 2018-05914
7. PREVIOUS SURVEYS DATED 02-02-2010, 02-07-2011, & 12-03-2013

ACCURACY STANDARD: TYPE RURAL

## LEGEND

1. 1/2" IRON ROD (SET)
2. 5/8" IRON ROD W/ALUM CAP (SET)
3. IRON ROD W/CAP (FOUND)
4. IRON ROD (FOUND)
5. IRON PIPE
6. STONE
7. COTTON PICKER SPINDLE
8. CHISEL CROSS
9. AXLE
10. ALUMINUM MONUMENT
11. RIGHT-OF-WAY MARKER
12. (M) MEASURED
13. (R) RECORDED



## TRACT I - DESCRIPTION

THAT PART OF U.S.P.S. NO. 324, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF MCKENDREE CROSSING SUBDIVISION, AS RECORDED IN DOCUMENT NO. 2018-05914 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI; THENCE SOUTH 80°51'49" EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION, 566.88 FEET; THENCE LEAVING SAID SOUTH LINE, SOUTH 06°40'44" WEST 204.32 FEET; THENCE NORTH 80°51'49" WEST 562.37 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SOUTH OLD ORCHARD ROAD; THENCE NORTH 05°24'59" EAST ALONG SAID EAST RIGHT OF WAY LINE, 204.56 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 2.65 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, AND LICENSES AFFECTING THE SAME, EITHER WRITTEN OR IMPLIED.

THIS SURVEY CREATES A NEW PARCEL FROM A TRACT DESCRIBED IN DOC. NO. 2012-06110 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI.

STATE OF MISSOURI  
COUNTY OF CAPE GIRARDEAU

FILED FOR RECORD THIS 16<sup>TH</sup> DAY OF July, 2021 AND DULY

RECORDED IN DOCUMENT NUMBER 2021-09601

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



THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS MADE EFFECTIVE JUNE 30, 2017. IN WITNESS WHEREOF, I HAVE SET MY SEAL AND SIGNATURE THIS 9TH DAY OF JULY 2021.

RODNEY W. AMOS, MO-PLS 2007000072  
113 WEST MAIN STREET  
JACKSON, MISSOURI 63755



**STRICKLAND  
ENGINEERING**

113 WEST MAIN STREET  
JACKSON, MISSOURI 63755  
TEL: 573-243-4080  
FAX: 573-243-2191

CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING

**BOUNDARY SURVEY FOR  
INDEPENDENCE SELF STORAGE  
SOUTH OLD ORCHARD RD  
JACKSON, MO**

SCALE	1"=100'
DATE	07-09-2021
DRAWN BY	RA
CHECKED BY	DR
PROJECT #	21-153



1327 E. Main St.  
Location Map







**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**  
**Monday, February 7, 2022 at 6:00 PM**  
**Board Chambers, City Hall, 101 Court St.**

**MINUTES**

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

Mayor Dwain L. Hahs to Recognize the )  
 Retirement of Shane West Anderson )

Now comes forth Mayor Dwain L. Hahs to recognize Shane West Anderson on his retirement from the City of Jackson and to present to Shane a plaque for his years of service to the City of Jackson from 1998-2022.

Parks & Recreation Director Jason Lipe )  
 to Recognize New Employees )

Now comes forth Parks & Recreation Director Jason Lipe to introduce two new employees-Civic Center Manager Chris Eastridge and Recreation Supervisor Spencer Sander.

Motion to Adopt the Agenda )

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

Motion to Approve the Minutes of the )  
 January 18, 2022, Regular Board )  
 Meeting )

Motion made by Alderman Cunningham, seconded by Alderman Hitt, to approve the minutes of the preceding Regular Board Meeting of Tuesday, January 18, 2022. Ayes-8; Nays-0; Absent-0.

Motion to Approve Bills of January, 2022)

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

Motion to Amend the 2021 City of )  
 Jackson Annual Budget, relative to )  
 Funds Exceeding their 2021 )  
 Appropriations )

Motion made by Alderman Reiminger, seconded by Alderwoman Liley, to amend the 2021 City of Jackson Annual Budget, relative to funds exceeding their 2021 appropriations. Ayes-8; Nays-0; Absent-0.

Motion to Approve Task Order )  
 Authorization No. 22-01 to Strickland )



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**MINUTES**

Engineering, Inc. of Jackson, Missouri, )  
 for providing Inspection Services under )  
 the Water System Facility Plan )  
 Implementation Project – Phase 2, )  
 Project 2C )

Motion made by Alderman Reiminger, seconded by Alderman Kimbel, to approve Task Order Authorization No. 22-01, in the amounts of \$60.00 per hour for a Resident Inspector and \$110.00 per hour for an Engineer IV, to Strickland Engineering, Inc. of Jackson, Missouri, for providing inspection services under the Water System Facility Plan Implementation Project – Phase 2, Project 2C. Ayes-8; Nays-0; Absent-0.

Motion to Approve Change Order No. 1 )  
 to Tom Beussink Excavating, Inc. of )  
 Jackson, Missouri, relative to the )  
 Grading and Site Preparation Project )  
 for the I-55 Electrical Substation )

Motion made by Alderman Reiminger, seconded by Alderman Sander, to approve Change Order No. 1 to Tom Beussink Excavating, Inc. of Jackson, Missouri, relative to the Grading and Site Preparation Project for the I-55 Electrical Substation. Ayes-8; Nays-0; Absent-0.

Motion to Accept the Proposal of )  
 Townsend Tree Service Company, LLC )  
 of Muncie, Indiana, relative to the Tree )  
 Trimming for Electrical Transmission )  
 and Distribution Line Clearances )  
 Program )

Motion made by Alderman Reiminger, seconded by Alderwoman Liley, to accept the proposal of Townsend Tree Service Company, LLC of Muncie, Indiana, for an additional term, relative to the Tree Trimming for Electrical Transmission and Distribution Line Clearances Program. Ayes-8; Nays-0; Absent-0.

Ordinance No. 22-05 Re: To Extend a )  
 Contractual Agreement with Townsend )  
 Tree Service Company, LLC of Muncie, )  
 Indiana, relative to the Tree Trimming )  
 for Electrical Transmission and )  
 Distribution Line Clearances Program )

The matter of extending a contractual agreement with Townsend Tree Service Company, LLC of Muncie, Indiana, for an additional term, relative to the Tree Trimming for Electrical Transmission and Distribution Line Clearances Program, came on for consideration. Alderman Reiminger introduced Bill No. 22-05, 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 TOWNSEND TREE SERVICE COMPANY, LLC OF MUNCIE, INDIANA, RELATIVE TO THE TREE TRIMMING FOR ELECTRICAL TRANSMISSION AND DISTRIBUTION LINE CLEARANCES PROGRAM; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**





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Motion made by Alderman Reiminger, seconded by Alderman Kimbel, Bill No. 22-05 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 Kimbel, Bill No. 22-05 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-05, and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Cunningham-aye; Alderwoman Young-aye; Alderman Reiminger-aye; Alderman Sander-aye; Alderman Hitt-aye; Alderman Baker-aye; Alderman Kimbel-aye; and Alderwoman Liley-aye.

**BILL NO. 22-05**

**ORDINANCE NO. 22-05**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND TOWNSEND TREE SERVICE COMPANY, LLC OF MUNCIE, INDIANA, RELATIVE TO THE TREE TRIMMING FOR ELECTRICAL TRANSMISSION AND DISTRIBUTION LINE CLEARANCES 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 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 **Townsend Tree Service Company, LLC of Muncie, Indiana**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said contract.

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

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

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



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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: February 7, 2022.

SECOND READING: February 7, 2022.

PASSED AND APPROVED this 7th day of February, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)  
Mayor

ATTEST:

Liza Walker (signed)  
City Clerk

Ordinance No. 22-06 Re: To Authorize a )  
 Contractual Agreement with Ronald Joe )  
 Leckie of Jackson, Missouri, relative to )  
 the Medical Director/Consultant for )  
 Jackson Fire Rescue )

The matter of authorizing a contractual agreement with Ronald Joe Leckie of Jackson, Missouri, relative to the Medical Director/Consultant for Jackson Fire Rescue, came on for consideration. Alderman Reiminger introduced Bill No. 22-06, 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 RONALD JOE LECKIE OF JACKSON, MISSOURI, RELATIVE TO THE MEDICAL DIRECTOR/CONSULTANT FOR JACKSON FIRE RESCUE; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

Motion made by Alderman Reiminger, seconded by Alderman Sander, Bill No. 22-06 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Reiminger, seconded by Alderman Sander, Bill No. 22-06 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-06, and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Baker-aye; Alderman Cunningham-aye; Alderman Sander-aye; Alderman Hitt-aye; Alderman Reiminger-aye; Alderwoman Young-aye; Alderman Kimbel-aye; and Alderwoman Liley-aye.

**BILL NO. 22-06**

**ORDINANCE NO. 22-06**



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**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**  
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**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND RONALD JOE LECKIE OF JACKSON, MISSOURI, RELATIVE TO THE MEDICAL DIRECTOR/CONSULTANT FOR JACKSON FIRE RESCUE; 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 **Ronald Joe Leckie 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: February 7, 2022.

SECOND READING: February 7, 2022.

PASSED AND APPROVED this 7th day of February, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.



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**MINUTES**

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)  
 Mayor

ATTEST:

Liza Walker (signed)  
 City Clerk

Ordinance No. 22-07 Re: To Approve a )  
 Memorandum of Understanding with )  
 Daniel H. Rau of Jackson, Missouri, for )  
 an Electric Line Relocation at 1962 )  
 Watson Drive in Bent Creek Spring )  
 Lake Addition )

The matter of approving a memorandum of understanding with Daniel H. Rau of Jackson, Missouri, for an electric line relocation at 1962 Watson Drive in Bent Creek Spring Lake Addition, came on for consideration. Alderman Reiminger introduced Bill No. 22-07, 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 DANIEL H. RAU OF JACKSON, MISSOURI, RELATIVE TO THE ELECTRIC LINE RELOCATION AT 1962 WATSON DRIVE IN BENT CREEK SPRING LAKE ADDITION; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

Motion made by Alderman Reiminger, seconded by Alderwoman Liley, Bill No. 22-07 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 Liley, Bill No. 22-07 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-07, and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Reiminger-aye; Alderman Cunningham-aye; Alderwoman Young-aye; Alderman Sander-aye; Alderman Hitt-aye; Alderman Baker-aye; Alderman Kimbel-aye; and Alderwoman Liley-aye.

**BILL NO. 22-07**

**ORDINANCE NO. 22-07**

**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 DANIEL H. RAU OF JACKSON, MISSOURI, RELATIVE TO THE ELECTRIC LINE RELOCATION AT 1962 WATSON DRIVE IN BENT CREEK SPRING LAKE ADDITION; 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



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

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

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the Memorandum of Understanding marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and **Daniel H. Rau of Jackson, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said Memorandum of Understanding.

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

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

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

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

FIRST READING: February 7, 2022.

SECOND READING: February 7, 2022.

PASSED AND APPROVED this 7th day of February, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)  
 Mayor

ATTEST:

Liza Walker (signed)  
 City Clerk



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

Monday, February 7, 2022 at 6:00 PM  
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**MINUTES**

Ordinance No. 22-08 Re: To Indicate     )  
 the City of Jackson's Intent to         )  
 Participate in the Show-Me Green       )  
 Sales Tax Holiday                             )

The matter of indicating the City of Jackson's intent to participate in the Show-Me Green Sales Tax Holiday, starting on April 19 and ending on April 25, 2022, came on for consideration. Alderman Reiminger introduced Bill No. 22-08, being for an ordinance entitled as follows:

**AN ORDINANCE ALLOWING THE "SHOW-ME GREEN SALES TAX HOLIDAY" TO APPLY TO THE LOCAL SALES TAXES OF THE CITY OF JACKSON, MISSOURI, BETWEEN APRIL 19 AND APRIL 25, 2022.**

Motion made by Alderman Reiminger, seconded by Alderman Kimbel, Bill No. 22-08 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 Kimbel, Bill No. 22-08 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-08, and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderwoman Liley-aye; Alderman Cunningham-aye; Alderman Reiminger-aye; Alderwoman Young-aye; Alderman Sander-aye; Alderman Baker-aye; Alderman Kimbel-aye; and Alderman Hitt-aye.

**BILL NO. 22-08**

**ORDINANCE NO. 22-08**

**AN ORDINANCE ALLOWING THE "SHOW-ME GREEN SALES TAX HOLIDAY" TO APPLY TO THE LOCAL SALES TAXES OF THE CITY OF JACKSON, MISSOURI, BETWEEN APRIL 19 AND APRIL 25, 2022.**

**WHEREAS**, Sec. 144.526, RSMo. allows the City of Jackson, Missouri, to participate in the "Show-Me Green Sales Tax Holiday"; and

**WHEREAS**, the Mayor and Board of Aldermen of the City of Jackson, Missouri, believe that participation in the "Show-Me Green Sales Tax Holiday" is in the best interests of the citizens of the City of Jackson, Missouri.

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

**Section 1.**

For purposes of this ordinance, the following terms shall mean:

(1) "*Appliance*," clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers; and

(2) "*Energy star certified*," any appliance approved by both the United States Environmental Protection Agency and the United States Department of Energy as eligible to display the energy star label, as amended from time to time.

**Section 2.**





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

By enacting this ordinance, the City of Jackson, Missouri, hereby elects to allow the Show-Me Green Sales Tax Holiday established by Sec. 144.526, RSMo. to apply to its local sales taxes so that there shall be exempted from local sales taxes all retail sales of any energy star certified new appliance, up to one thousand five hundred dollars per appliance, during a seven-day period beginning at 12:01 a.m. on April 19, 2022, and ending at midnight on April 25, 2022.

**Section 3.**

This ordinance shall not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. Such retailer shall offer a sales tax refund in lieu of the sales tax holiday.

**Section 4.**

The Clerk shall take any and all steps necessary to notify the Missouri Department of Revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday of the adoption of this ordinance and the election to allow the Show-Me Green Sales Tax Holiday to apply within the City of Jackson, Missouri.

**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 full force from and after its passage and approval.

FIRST READING: February 7, 2022.

SECOND READING: February 7, 2022.

PASSED AND APPROVED this 7th day of February, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)  
 Mayor

ATTEST:

Liza Walker (signed)  
 City Clerk

Ordinance No. 22-09 Re: To Authorize )  
 a Contractual Agreement with the )  
 Humane Society of Southeast Missouri )  
 of Cape Girardeau, Missouri, relative to )  
 Providing Services )



**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**  
**Monday, February 7, 2022 at 6:00 PM**  
**Board Chambers, City Hall, 101 Court St.**

**MINUTES**

The matter of authorizing a contractual agreement with the Humane Society of Southeast Missouri of Cape Girardeau, Missouri, relative to providing services, came on for consideration. Alderman Reiminger introduced Bill No. 22-09, 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 *HUMANE SOCIETY OF SOUTHEAST MISSOURI OF CAPE GIRARDEAU, MISSOURI*, RELATIVE TO *PROVIDING SERVICES*; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

Motion made by Alderman Reiminger, seconded by Alderman Sander, Bill No. 22-09 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Reiminger, seconded by Alderman Sander, Bill No. 22-09 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-09, and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Kimbel-aye; Alderman Cunningham-aye; Alderman Sander-aye; Alderman Hitt-aye; Alderman Reiminger-aye; Alderman Baker-aye; Alderwoman Young-aye; and Alderwoman Liley-aye.

**BILL NO. 22-09**

**ORDINANCE NO. 22-09**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND *HUMANE SOCIETY OF SOUTHEAST MISSOURI OF CAPE GIRARDEAU, MISSOURI*, RELATIVE TO *PROVIDING 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 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; and

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 **Humane Society of Southeast Missouri of Cape Girardeau, Missouri**. It is the belief of the Mayor and Board of Aldermen, that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said contract.



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

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: February 7, 2022.

SECOND READING: February 7, 2022.

PASSED AND APPROVED this 7th day of February, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)  
Mayor

ATTEST:

Liza Walker (signed)  
City Clerk

Motion to Approve the Mayor's )  
 Appointment of Eric Fraley to the )  
 Planning & Zoning Commission )

Motion made by Alderman Cunningham, seconded by Alderman Baker, to approve the Mayor's appointment of Eric Fraley to the Planning & Zoning Commission, filling an unexpired term ending May, 2022. Ayes-8; Nays-0; Absent-0.

Motion to Approve the Mayor's )  
 Appointment of Michelle Flath to the )  
 Park Board )

Motion made by Alderman Cunningham, seconded by Alderman Hitt, to approve the Mayor's appointment of Michelle Flath to the Park Board, filling an unexpired term ending May, 2023. Ayes-8; Nays-0; Absent-0.

Motion to Bring from the Table a Bill )  
 Proposing an Ordinance Approving a )  
 Special Use Permit for a Daycare at )



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

Monday, February 7, 2022 at 6:00 PM  
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**MINUTES**

804 East Main Street, as submitted by )  
 Little Buttercups, LLC )

Motion made by Alderman Cunningham, seconded by Alderwoman Young, to bring from the table a Bill proposing an Ordinance approving a Special Use Permit for a daycare in an R-4 (General Residential) District, at 804 East Main Street, as submitted by Little Buttercups, LLC. Ayes-8; Nays-0; Absent-0.

Bill No. 22-10 Failed Re: To Approve a )  
 Special Use Permit for a Daycare at )  
 804 East Main Street, as submitted by )  
 Little Buttercups, LLC )

The matter of approving a Special Use Permit for a daycare in an R-4 (General Residential) District, at 804 East Main Street, as submitted by Little Buttercups, LLC came on for consideration. Alderman Cunningham introduced Bill No. 22-10, being for an ordinance entitled as follows:

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

Motion made by Alderman Cunningham, seconded by Alderman Baker, Bill No. 22-10 was placed on its first reading and was read by title, considered and discussed and failed by unanimous vote. On a motion by Alderman Cunningham, seconded by Alderman Baker, Bill No. 22-10 was placed on its second reading and final passage and was read by title, considered discussed, and was duly failed. The Mayor thereupon declared said Bill duly failed, and the bill was signed by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Sander-nay; Alderman Kimbel-nay; Alderwoman Young-nay; Alderman Hitt-nay; Alderman Cunningham-nay; Alderwoman Liley-nay; Alderman Reiminger-nay; and Alderman Baker-nay.

**BILL NO. 22-10**

**ORDINANCE NO. FAILED**

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

WHEREAS, the City Board and the Planning and Zoning Commission have considered a proposed special use permit for property described as 804 East Main Street, as set out in Exhibit A which is attached hereto and incorporated herein by reference; and,

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



**CITY OF JACKSON**  
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**Board Chambers, City Hall, 101 Court St.**

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WHEREAS, a special use permit for a daycare in an R-4 General Residential District on a single lot located at 804 East Main Street recorded with the Cape Girardeau County Recorder of Deeds in Document #2017-11440 may be granted by virtue of Chapter 65 of the Code of Ordinances of the City of Jackson, Missouri; and,

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

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

Section 1. That an application for a special use permit, which said application is marked Exhibit A and attached hereto, is hereby approved, and a special use permit is hereby issued to Little Buttercups, LLC, Applicant.

Section 2. That the property set forth in Exhibit A is hereby granted a special use permit for a daycare in an R-4 General Residential District on a single lot located at 804 East Main Street recorded with the Cape Girardeau County Recorder of Deeds in Document #2017-11440.

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

1. Compliance with the 2015 International Building Code or 2015 International Existing Building Code and with the 2015 International Fire Code for change of occupancy use group from a single-family residential dwelling (Group R-3) to a daycare (Group E).
2. Off-street parking shall be provided which meets the following requirement of the zoning code: Sec 65-22(b)(22): "Nursery school: two (2) parking spaces, plus one (1) additional space for every five hundred (500) square feet of floor area."

Floor area is defined by the zoning code as the floor space within the inside line of walls and includes the total of all floors of a building. It does not include porches, garages, space in a basement or cellar, when such basement space is used for storage, or incidental uses, such as rest rooms, kitchens, and bar areas.



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

3. Alterations or additions to the building, electric system, plumbing system, or mechanical system which require permits, also require signed and sealed plans prepared by an architect or engineer licensed in the State of Missouri.

4. Compliance with ADA requirements.

5. No children under age 2 ½ will be kept unless the building is modified to comply with all building and fire code requirements for Group I (Institutional) use as specified in the International Building Code or International Existing Building Code and the International Fire Code edition in force at the time of alteration.

6. Compliance with all ordinances of the City of Jackson, Missouri, except as specifically varied or waived by this special use permit.

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

Section 4. That the City Clerk of the City of Jackson, Missouri, shall and is hereby directed to indicate on the "Official Zoning District Map" of the City of Jackson, Missouri, the above special use permit and the date of issuance thereof and to certify same and to keep said map on file in the office of the City Clerk and a copy displayed in City Hall, City of Jackson, Missouri; and that said City Clerk is further directed to indicate on said "Official Zoning District Map" the existence of special conditions on the use of the aforesaid property.

Section 5. Violation of the special conditions listed above shall result in revocation of the special use permit and/or prosecution and/or fine under the zoning ordinances.

Section 6. This special use permit is issued to the applicant and shall not be assigned or otherwise transferred by said applicant. This special use permit runs with the applicant and not the land.

Section 7. If construction is required for the special use granted hereunder, this special use permit shall expire in the event construction does not commence within six months of the date of issuance of this special use permit and is not completed within two years of the issuance of this permit.





**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**  
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Section 8. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

FIRST READING: February 7, 2022.

SECOND READING: February 7, 2022.

FAILED AND DENIED this 7th day of February, 2022, by a vote of 0 ayes, 8 nays, 0 abstentions, and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)  
Mayor

ATTEST:

Liza Walker (signed)  
City Clerk

Ordinance No. 22-10 Re: To Approve     )  
the Annexation of 4.0 Acres of Property     )  
at 2336 South Old Orchard Road, as     )  
submitted by KB413, LLC     )

The matter of approving the annexation of 4.0 acres of property at 2336 South Old Orchard Road, as submitted by KB413, LLC, came on for consideration. Alderman Cunningham introduced Bill No. 22-11, 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.**

Motion made by Alderman Cunningham, seconded by Alderman Hitt, Bill No. 22-11 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 Cunningham, seconded by Alderman Hitt, Bill No. 22-11 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-10, and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderwoman Young-aye; Alderman Kimbel-aye; Alderman Sander-aye; Alderman Hitt-aye; Alderman Cunningham-aye; Alderwoman Liley-aye; Alderman Reiminger-aye; and Alderman Baker-aye.

**BILL NO. 22-11**

**ORDINANCE NO. 22-10**

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



**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**  
**Monday, February 7, 2022 at 6:00 PM**  
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**MINUTES**

WHEREAS, on the 20th day of December, 2021, a verified petition signed by all owners of the real estate hereinafter described, to-wit: KB413, 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 January 18, 2022, and,

WHEREAS, notice of said public hearing was given by publication of notice thereof, on the 5th day of January, 2022, 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:

That part of U.S.P.S. No. 788 and that part of U.S.P.S. No. 202, all in Township 31 North, Range 13 East of the Fifth Principal Meridian, Cape Girardeau County, Missouri, being more particularly described as follows:

Commence at the Southwest corner of Fractional Section 9, Township 31 North, Range 13 East of the Fifth Principal Meridian, thence North 83°32'12" West along the North line of said U.S.P.S. No. 788, 132.00 feet; thence leaving said North line,



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South 18°38'48" West 248.00 feet to a point on the South right of way line of an overhead road to Interstate 55 for the point of beginning.

Thence from the point of beginning, North 68°42'48" East along said South right of way line, 78.06 feet to a point on the West right of way line of Interstate Route 55; thence leaving said North right of way line, South 21°17'12" East along said East right of way line, 498.80 feet; thence leaving said West right of way line, South 68°12'18" West 222.13 feet to a point on the Northern right of way line of South Old Orchard Road; thence North 48°23'12" West along said Northern right of way line, 522.39 feet to the intersection of said Northern right of way line and said South right of way line of said overhead road to Interstate 55; thence leaving said Northern right of way line, and along said South right of way line the following courses, North 42°11'48" East 112.68 feet; thence North 79°35'40" East 73.19 feet; thence North 69°09'31" East 97.40 feet; thence North 68°42'48" East 111.94 feet to the point of beginning.

The herein described tract contains 4.00 acres, more or less, and is subject to all easements, rights of way, restrictions, and licenses affecting the same, either written or implied.

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: February 7, 2022.

SECOND READING: February 7, 2022.

PASSED AND APPROVED this 7th day of February, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)  
Mayor

ATTEST:

Liza Walker (signed)  
City Clerk

Ordinance No. 22-11 Re: To Approve )  
the Rezoning of 4.0 Acres of Property )  
at 2336 South Old Orchard Road, as )  
submitted by KB413, LLC )



## CITY OF JACKSON

### MAYOR & BOARD OF ALDERMEN REGULAR MEETING

Monday, February 7, 2022 at 6:00 PM

Board Chambers, City Hall, 101 Court St.

### MINUTES

The matter of approving the rezoning of 4.0 acres of property located at 2336 South Old Orchard Road, from R-1 (Single-Family Residential) District to C-2 (General Commercial) District, as submitted by KB413, LLC, came on for consideration. Alderman Cunningham introduced Bill No. 22-12, 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 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.**

Motion made by Alderman Cunningham, seconded by Alderwoman Young, Bill No. 22-12 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 Cunningham, seconded by Alderwoman Young, Bill No. 22-12 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-11, and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Hitt-aye; Alderwoman Liley-aye; Alderman Reiminger-aye Alderwoman Young-aye; Alderman Kimbel-aye; Alderman Sander-aye; Alderman Cunningham-aye;; and Alderman Baker-aye.

#### BILL NO. 22-12

#### ORDINANCE NO. 22-11

**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 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, KB413, 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 all of 2336 South Old Orchard Road 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,



**CITY OF JACKSON**  
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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 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: February 7, 2022.

SECOND READING: February 7, 2022.

PASSED AND APPROVED this 7th day of February, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)  
 Mayor

ATTEST:

Liza Walker (signed)  
 City Clerk



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

Monday, February 7, 2022 at 6:00 PM  
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**MINUTES**

Ordinance No. 22-12 Re: To Approve )  
 an Annexation Agreement with )  
 Independence Self Storage, LLC )  
 relative to the Voluntary Annexation of )  
 the property at 720 South Old Orchard )  
 Road )

The matter of approving an annexation agreement with Independence Self Storage, LLC, relative to the voluntary annexation of the property at 720 South Old Orchard Road, came on for consideration. Alderman Cunningham introduced Bill No. 22-13, being for an ordinance entitled as follows:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE AN ANNEXATION AGREEMENT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND *INDEPENDENCE SELF STORAGE OF JACKSON, MISSOURI*, RELATIVE TO THE VOLUNTARY ANNEXATION OF 720 SOUTH OLD ORCHARD ROAD; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

Motion made by Alderman Cunningham, seconded by Alderman Baker, Bill No. 22-13 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 Cunningham, seconded by Alderman Baker, Bill No. 22-13 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-12, and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Cunningham-aye; Alderman Kimbel-aye; Alderwoman Young-aye; Alderman Sander-aye; Alderman Hitt-aye; Alderwoman Liley-aye; Alderman Reiminger-aye; and Alderman Baker-aye.

**BILL NO. 22-13**

**ORDINANCE NO. 22-12**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE AN ANNEXATION AGREEMENT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND *INDEPENDENCE SELF STORAGE OF JACKSON, MISSOURI*, RELATIVE TO THE VOLUNTARY ANNEXATION OF 720 SOUTH OLD ORCHARD ROAD; 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





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forth between the City of Jackson, a municipal corporation, and **Independence Self Storage 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: February 7, 2022.

SECOND READING: February 7, 2022.

PASSED AND APPROVED this 7th day of February, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)  
Mayor

ATTEST:

Liza Walker (signed)  
City Clerk

City Administrator James Roach )  
requests Closed Session )

Now comes forth City Administrator James Roach to request to proceed into closed session for one item of real estate.

Motion to Recess the Meeting to Study )  
Session )

On a motion by Alderman Baker, seconded by Alderman Kimbel, to recess the meeting at 6:33 P.M., to convene to the Study Session. Ayes-8; Nays-0; Absent-0.



**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN REGULAR MEETING**  
**Monday, February 7, 2022 at 6:00 PM**  
**Board Chambers, City Hall, 101 Court St.**

**MINUTES**

.....

Returned to Open Session at 7:23 P.M., from Study Session.

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

Meeting concluded at 7:23 P.M., on a motion by Alderman Baker, seconded by Alderwoman Liley, to proceed into closed session for one item of real estate, and that the meeting will stand adjourned upon the adjournment of the closed session. On roll call: Alderman Baker-aye; Alderman Hitt-aye; Alderman Reiminger-aye; Alderwoman Young-aye; Alderman Sander-aye; Alderman Cunningham-aye; Alderwoman Liley-aye; and Alderman Kimbel-aye. Ayes-8; Nays-0; Absent-0.

**ATTEST:**

\_\_\_\_\_  
**Mayor**

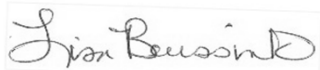
\_\_\_\_\_  
**City Clerk**

## COLLECTOR'S REPORT

## JANUARY COLLECTIONS 2022

UTILITY SERVICE	ELECTRIC/SECURITY LIGHT (EL/SL)	WATER/PRIMACY (WA/PF)	SEWER (SE)	LANDFILL (TR)	GENERAL REVENUE	TOTALS
<b>COLLECTIONS</b>						
SERVICE CHARGES	1,159,052.37	217,350.79	188,164.50	55,776.69		1,620,344.35
LATE FEES	7,163.97	1,560.84	1,320.68	355.58		10,401.07
SALES TAX	35,861.70	6,525.85				42,387.55
RECONNECT FEES	100.00					100.00
RETURNED TRANSACTION FEES	90.00					90.00
CUSTOMER RELOCATION FEES					150.00	150.00
TRASH STICKERS				1,348.00		1,348.00
<b>UTILITY COLLECTIONS</b>	<b>1,202,268.04</b>	<b>225,437.48</b>	<b>189,485.18</b>	<b>57,480.27</b>	<b>150.00</b>	<b>1,674,820.97</b>
Adjustments/Refund/Return Checks - Services						-
Adjustments/Refund/Return Checks - Penalties						-
Adjustments/ Refund/Return Checks - Taxes						-
Adjustments/Service Fees for Returns						-
Adjustments/Payments/Overpayments - Services						-
Adjustments/Payments/Overpayments - Penalties						-
Adjustments/Payments/Overpayments - Taxes						-
<b>NET UTILITY COLLECTIONS</b>	<b>1,202,268.04</b>	<b>225,437.48</b>	<b>189,485.18</b>	<b>57,480.27</b>	<b>150.00</b>	<b>1,674,820.97</b>
BUSINESS / CONTRACTOR LICENSES					3,240.00	3,240.00
EVENT CHARGES / MISC.						-
						-
<b>NON-UTILITY COLLECTIONS</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,240.00</b>	<b>3,240.00</b>
MISC. ADJUSTMENTS						-
INTEREST ON FUNDS						6.26
CASH IN BANK						1,678,067.23
MISSOURI SALES TAX PAYMENT	(35,861.70)	(6,525.85)				(42,387.55)
<b>Money Due to City Treasurer</b>					<b>\$</b>	<b>1,635,679.68</b>

Respectfully Submitted,



City Collector



## **CITY CLERK'S REPORT FOR THE MONTH OF JANUARY, 2022**

### **ELECTRIC**

Sale of Merchandise	0.00	
Cable TV Pole Rental	0.00	
Electric Meters	700.00	
Electric Service Lines	800.00	
Returned Check Fees	0.00	
URD Services	0.00	
Reconnect Fees	0.00	
Sales Tax Commission	0.00	
Labor and Equipment Use	0.00	
Miscellaneous-Scrap Metal	<u>0.00</u>	
TOTALS		1,500.00

### **CEMETERY**

Sale of Lots	2500.00	
Sale of Niches	1500.00	
Grave Openings	7350.00	
Niche Openings	0.00	
Weekend/Holiday Grave Openings/Inurnments	75.00	
Disinterments/Disinurnments	<u>0.00</u>	
TOTALS		11,425.00

### **WATER & SEWER**

#### **WATER**

Water Taps & Water Meters	4400.00	
Sale of Merchandise	0.00	
Water Sold at Plant	0.00	
Miscellaneous-Scrap Metal	<u>68.00</u>	
TOTALS		4,468.00

#### **WASTEWATER**

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

### **GENERAL REVENUE**

Building Permits	611.79	
Electric Permits	200.00	
Gas Permits	80.00	
Plumbing/Sewer Permits	100.00	
Sewer Tap Permits	360.00	
Public Hearing & Plat Recording	250.00	
Stormwater Review Fees	100.00	
Street Repair or Mowing	0.00	
Gas Franchise	13459.90	
Sale of Merchandise	0.00	
Community Room	0.00	
Cable TV Franchise	0.00	
Copies	42.20	
Telephone Franchise Fees	13679.26	
Fire Cost Recovery	0.00	
Court Fines	963.50	
Court Costs	142.00	
Fingerprint Fee	0.00	
Court Postage	0.00	
Court Warrant Fees	0.00	
Crime Victims Compensation	4.07	
Interest Earned	0.00	
Jail Expense Reimbursement	0.00	
Customer Relocation Admin. Fee-CRAF	0.00	
Cell Tower Rental	1058.00	
Health Insurance Reimbursement	21.88	
Street Repair or Scrap Metal	<u>0.00</u>	
TOTALS		31,072.60

**INMATE SECURITY FUND**

Inmate Security Court Costs	<u>22.00</u>	
TOTALS		22.00

**PARK**

Misc. Park Rentals	0.00	
Ballfield Rentals	0.00	
Pavilion Rentals	<u>380.00</u>	
TOTALS		380.00

**TRUST & AGENCY**

July 4th Receipts	0.00	
Farmers Market Fees	<u>0.00</u>	
TOTALS		0.00

**PARK FOUNDATION**

Donations	0.00	
Civic Center Donations	<u>0.00</u>	
TOTALS		0.00

**RECREATIONAL DEVELOPMENT**

Pool Concession Receipts	0.00	
Swimming Pool Gate Receipts	0.00	
Reimb./Donations/Special Events	1500.00	
Baseball Concessions	0.00	
Baseball Entry Fees	0.00	
Baseball Sponsor Fees	<u>0.00</u>	
TOTALS		1,500.00

**LANDFILL**

Refuse Collections	0.00	
Recyclables	4070.72	
E-Cycle TV/Monitor Fees	0.00	
Trash Sticker Receipts	0.00	
Royalties	<u>10500.00</u>	
TOTALS		14,570.72

**RECREATIONAL SALES TAX FUND**

Civic Center Rentals	5221.50	
Civic Center Membership Fees	40.50	
Civic Center Entry Fees	1941.00	
Civic Center Concessions	<u>203.50</u>	
TOTALS		7,406.50

**STORMWATER FUND**

Stormwater Credit	0.00	
Stormwater Maintenance	<u>265.52</u>	
TOTALS		265.52

**TRANSPORTATION SALES TAX**

Rent - Donna Drive Extension	<u>0.00</u>	
TOTALS		0.00

REPORT TOTALS		<u>\$72,610.34</u>
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## ***Water & Light Deposit Accounts***

JANUARY, 2022

<b>Beginning Balance January 1, 2022:</b>	\$317,495.67
<b>TOTAL DEPOSITS</b>	\$14,300.49
<b>TOTAL REFUNDS</b>	\$14,846.17
<b>Ending Balance January 31, 2022:</b>	\$316,949.99

*Balance Consists of :*

Checking Account for US Bank	\$106,949.99
Investments	\$210,000.00
	<b>\$316,949.99</b>



## CITY TREASURER'S REPORT FOR JANUARY, 2022

Item 6.

FUND	FUND BALANCES 01-01-2022	RECEIPTS	TRANSFER OF FUNDS	DISBURSEMENTS	FUND BALANCES 01-31-2022	INVESTMENTS	CASH BALANCE 01-31-2022
<b>ELECTRIC FUND</b>							
Operation & Maintenance	-	994,163.48	22,722.86	1,016,886.34	-	-	-
Electric Surplus	5,292,306.92	175,805.92	-	41,590.41	5,426,522.43	4,213,308.32	1,213,214.11
Electric Capital Projects Fund	6,518,827.52	-	-	427.50	6,518,400.02	6,412,000.00	106,400.02
<b>General Revenue</b>	1,974,142.78	881,762.91	(87,457.65)	529,131.75	2,239,316.29	1,795,000.00	444,316.29
<b>Landfill Fund</b>	639,489.06	72,052.69	(6,677.67)	41,927.84	662,936.24	-	662,936.24
<b>City Park Fund</b>	147,758.62	110,497.99	(6,998.79)	23,039.80	228,218.02	-	228,218.02
<b>Public Park Foundation Fund</b>	138,137.73	-	-	904.00	137,233.73	-	137,233.73
<b>Cemetery Fund</b>	821,977.05	79,229.32	(4,545.06)	11,421.65	885,239.66	299,000.00	586,239.66
<b>Band Fund</b>	65,992.50	67,804.32	(2,973.00)	198,615.61	(67,791.79)	-	(67,791.79)
<b>Stormwater Maintenance Fund</b>	274,039.19	265.52	-	-	274,304.71	61,000.00	213,304.71
<b>ARPA Fund</b>	1,496,845.37	-	-	-	1,496,845.37	-	1,496,845.37
<b>Road Use Tax Fund</b>	981,758.63	49,717.29	(19,166.66)	-	1,012,309.26	750,000.00	262,309.26
<b>Sales Tax Fund</b>	3,431,722.23	224,821.74	-	161,900.14	3,494,643.83	3,378,274.05	116,369.78
<b>Fire Protection Sales Tax Fund</b>	3,333.00	53,326.13	-	-	56,659.13	-	56,659.13
<b>Recreation Sales Tax</b>	166,584.73	60,695.16	(7,283.20)	17,784.85	202,211.84	-	202,211.84
<b>Public Safety Sales Tax</b>	1,000.00	106,577.00	-	-	107,577.00	-	107,577.00
<b>Trust and Agency Fund</b>	983,266.12	3,740.90	9,791.89	26,058.36	970,740.55	720,000.00	250,740.55
<b>Recreational Development</b>	4,956.21	1,500.00	(630.34)	1,591.39	4,234.48	-	4,234.48
<b>Transportation Sales Tax</b>	2,692,846.33	106,652.99	-	15,197.83	2,784,301.49	2,273,000.00	511,301.49
<b>I-55 Corridor Special Alloc.</b>	168,700.10	-	-	-	168,700.10	-	168,700.10
<b>Capital Projects Construction</b>	-	-	-	-	-	-	-
<b>CDBG Grant Fund</b>	-	-	-	-	-	-	-
<b>Health Insurance Fund</b>	396,653.79	9,375.55	147,758.83	190,503.01	363,285.16	-	363,285.16
<b>Inmate Security Fund</b>	13,787.62	167.50	-	-	13,955.12	-	13,955.12
<b>Equitable Sharing Fund</b>	3,617.07	-	-	-	3,617.07	-	3,617.07
<b>WATER &amp; SEWER FUND</b>							
Water Operation & Maint.	-	94,819.85	(27,842.18)	66,977.67	-	-	-
Water Replacement	695,415.07	3,510.08	-	-	698,925.15	658,000.00	40,925.15
Water & Sewer Revenue Bond	30,031.00	259,115.04	-	21,250.00	267,896.04	250,000.00	17,896.04
Water & Sewer Deprec. Res.	30,000.00	-	-	-	30,000.00	30,000.00	-
Water & Sewer Bond Reserve	50,000.00	-	-	-	50,000.00	50,000.00	-
Water & Sewer Contingent	30,000.00	-	-	-	30,000.00	30,000.00	-
Water & Sewer Surplus	9,319,848.12	-	-	221,561.55	9,098,286.57	8,685,574.90	412,711.67
Wastewater Operation & Maint.	-	55,470.61	(16,699.03)	38,771.58	-	-	-
Wastewater Replacement	1,121,496.35	-	-	6,685.00	1,114,811.35	1,027,381.70	87,429.65
<b>W &amp; S Construction Fund</b>	1,973,054.30	-	-	95,944.71	1,877,109.59	200,000.00	1,677,109.59
<b>TOTALS</b>	39,467,587.41	3,411,071.99	0.00	2,728,170.99	40,150,488.41	30,832,538.97	9,317,949.44

Respectfully Submitted,

Liza Walker, City Clerk/Treasurer (signed)

Cash on Hand	1,475.00
General Account	7,677,177.69
Collectors Account	1,635,679.68
Equitable Sharing Fund	3,617.07

TOTAL

9,317,949.44

BILL NO. 22-\_\_

ORDINANCE NO. 22-\_\_

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE *BILL C. AND SHELLEY L. ZELLMER TRUST OF JACKSON, MISSOURI*, RELATIVE TO THE *ELECTRIC LINE RELOCATION AT 2024 WATSON DRIVE IN BENT CREEK SPRING LAKE ADDITION*; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

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

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

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

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the Memorandum of Understanding marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and the **Bill C. and Shelley L. Zellmer Trust of Jackson, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said Memorandum of Understanding.

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

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

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

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

FIRST READING: February 22, 2022.

SECOND READING: February 22, 2022.

PASSED AND APPROVED this 22nd day of February, 2022, by a vote of \_ ayes, \_ nays, \_ abstentions and \_ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

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

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

**MEMORANDUM OF UNDERSTANDING**

**THIS MEMORANDUM OF UNDERSTANDING** is made and entered into this 22nd day of February , 2022, by and between ***CITY OF JACKSON, MISSOURI, a municipal corporation***, hereinafter referred to as “**City**,” and the ***Bill C. and Shelley L. Zellmer Trust***, hereinafter referred to as the “**Trust**,” **WITNESSETH:**

**WHEREAS**, the Trust has constructed a swimming pool with deck and pool house at 2024 Watson Drive within the City; and

**WHEREAS**, the current City underground electric line is at a location that is underneath the Trust’s swimming pool, deck and pool house; and

**WHEREAS**, The Trust’s swimming pool, deck and pool house were constructed without the City’s knowledge or approval and constitutes a violation of the City building code; and

**WHEREAS**, the City desires to cooperate with the Trust to move the City’s underground electric line; and

**WHEREAS**, the City desires to release a section of utility easement located on 2024 Watson Drive, and

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

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

1. The Trust has employed Sandin Engineering to provide the City with a plan for the underground electric line relocation for 2024 Watson Drive within the City. The engineering



plans will follow the design attached hereto and incorporated herein as Exhibit A and will also follow the City's specifications for electric utilities.

2. The Trust will employ a registered surveyor to provide an exhibit plat and a legal description for the portion of utility easement to be vacated across 2024 Watson Drive as shown generally on Exhibit A. The Trust will be solely responsible for all payments to the registered surveyor for said plat and legal description.

3. The Trust will employ a contractor to install a three-inch in diameter conduit ("conduit") within the existing utility easement between the transformers located at 2346 and 2274 Watson Drive in a manner acceptable to the City. The Trust will pay all costs of designing and constructing said conduit within the municipal utility easements. The contractor will be licensed by the City and the project will be subject to City inspections.

4. The Trust will provide written notice to the owners of the property located at 2346 and 2274 Watson Drive, and 3429 and 3474 Spring Lake Trail that the Trust's contractor will bore the conduit in the existing twenty foot easement located along the owner's property lines. The Trust will repair and replace any damaged lawn and landscaping on those properties affected by the relocation of the underground electric lines.

5. The Trust will request Mr. Daniel H. Rau, the owner of 1962 Watson Drive, to remove the pampas grass now obstructing the transformer located at 1962 Watson Drive.

6. The City will make all terminations in the existing transformers and will install all necessary lines for the new conductor. This work is subject to the weather since it is necessary to place a truck on the easements which could result in unnecessary damage to property.

7. The City will submit to the Trust a final invoice for the project which will not exceed \$3,600.00, to be paid within thirty days. It is anticipated that an agreement will be

entered with Mr. Daniel H. Rau. The total cost for work performed by the City to move the electric line and abandon the easement will not exceed \$3,600.00.

8. At the conclusion of the installation of the conduit, verification that the underground electric line is functional, verification that other non-City utilities have been removed, the City will abandon and release the utility easement now located on 2024 Watson Drive. Building permits may then be issued upon proper application for the 2024 Watson Drive swimming pool pavilion project.

9. All other costs of the project, including design and labor for the conduit, will be paid by the Trust and at no cost to the City.

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

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





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

13. In case any one or more of the provisions contained in this Memorandum of Understanding shall for any reason be held invalid, illegal, or unenforceable in any respects, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Memorandum of Understanding shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

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

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

**CITY:**

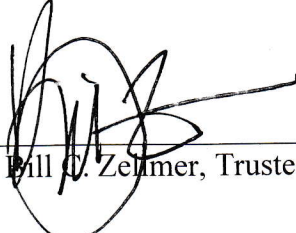
CITY OF JACKSON, MISSOURI

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

ATTEST:

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

**The Bill C. and Shelley L. Zellmer Trust:**

  
\_\_\_\_\_  
Bill C. Zellmer, Trustee

2/9/22



BILL NO. 22-\_\_

ORDINANCE NO. 22-\_\_

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE *MICHELLE DOUGHTEN TRUST OF JACKSON, MISSOURI*, RELATIVE TO THE *ELECTRIC LINE RELOCATION AT 1690 WOODLAND EAST IN WOODLAND OAKS SUBDIVISION*; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

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

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

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

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the Memorandum of Understanding marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and the **Michelle Doughten Trust of Jackson, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said Memorandum of Understanding.

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

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

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

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

FIRST READING: February 22, 2022.

SECOND READING: February 22, 2022.

PASSED AND APPROVED this 22nd day of February, 2022, by a vote of \_ ayes, \_ nays, \_ abstentions and \_ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

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

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

## MEMORANDUM OF UNDERSTANDING

**THIS MEMORANDUM OF UNDERSTANDING** is made and entered into this 22nd day of February 2022, by and between **CITY OF JACKSON, MISSOURI, a municipal corporation**, hereinafter referred to as “**City**,” and the **MICHELLE DOUGHTEN TRUST**, hereinafter referred to as “**Trust**,” **WITNESSETH:**

**WHEREAS**, the Trust is constructing a house at 1690 Woodland East within the City; and

**WHEREAS**, the current City overhead electric line is at a location that interferes with the Trust’s building project; and

**WHEREAS**, the Trust desires to move the current City overhead electric line; and

**WHEREAS**, the City desires to cooperate with the Trust to move the City’s overhead electric line; and

**WHEREAS**, the City desires to abandon a section of utility easement located at 1690 Woodland East, and

**WHEREAS**, the Trust desires to transfer and the City desires to accept a new utility easement located at 1690 Woodland East, and

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

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

1. The parties plan will follow the design attached hereto and incorporated herein as Exhibit A and will also follow the City’s specifications for electric utilities.

2. The Trust will employ a registered surveyor to provide the City with marked easements, an exhibit, and legal descriptions for the following:

- a) the portion of utility easement to be vacated across 1690 and 1730 Woodland East; and
- b) the portion of the new utility easement along the new electric route which will include;
  - i) a 10' utility easement that is parallel and adjacent to the Woodland East right of way; and
  - ii) a 15' utility easement that is not parallel and adjacent to the Woodland East right of way.

All of which is shown generally on Exhibit A.

3. The Trust will repair and replace any damaged lawn and landscaping on properties affected by the relocation of the underground electric lines.

4. The Trust is responsible for providing verification satisfactory to the City that no additional utilities exist within the easement to be abandoned.

5. The City will make all terminations in the existing transformers and will install all necessary lines for the new conductor. This work is subject to the weather since it is necessary to place a truck on the easements which could result in unnecessary damage to property.

6. The City will submit to the Trust a final invoice for the project which will not exceed \$5,400.00 unless rock obstructions are encountered at bore holes. The final invoice will be paid within thirty days. This amount does not include standard fees for electric service line and meter as part of the building permit package.

7. At the conclusion of the installation of the new electric power poles and distribution lines; verification that the electric line is functional; and verification that other non-City utilities have been removed; the City will abandon and release the utility easement now

located on 1690 Woodland East and accept the new utility easement as will be more particularly described by the Trust's registered surveyor. Building permits may then be issued upon proper application for the 1690 Woodland East building project.

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

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

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

11. In case any one or more of the provisions contained in this Memorandum of Understanding shall for any reason be held invalid, illegal, or unenforceable in any respects, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Memorandum of Understanding shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

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

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

**CITY:**

CITY OF JACKSON, MISSOURI

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

ATTEST:

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

**MICHELLE DOUGHTEN TRUST:**

*Michelle Doughten*

\_\_\_\_\_  
Michelle Doughten, Trustee

BILL NO. 22-\_\_

ORDINANCE NO. 22-\_\_

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE *TRAVIS M. AND KRISTIN D. PERR TRUST OF JACKSON, MISSOURI*, RELATIVE TO THE *ELECTRIC LINE RELOCATION AT 1730 WOODLAND EAST IN WOODLAND OAKS SUBDIVISION*; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

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

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

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

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the Memorandum of Understanding marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and the **Travis M. and Kristin D. Perr Trust of Jackson, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said Memorandum of Understanding.

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

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



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

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

FIRST READING: February 22, 2022.

SECOND READING: February 22, 2022.

PASSED AND APPROVED this 22nd day of February, 2022, by a vote of \_ ayes, \_ nays, \_ abstentions and \_ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

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

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

## MEMORANDUM OF UNDERSTANDING

**THIS MEMORANDUM OF UNDERSTANDING** is made and entered into this 22 day of February, 2022, by and between ***CITY OF JACKSON, MISSOURI, a municipal corporation***, hereinafter referred to as “**City**,” and ***Travis M. and Kristin D. Perr***, hereinafter referred to as “**Perr**,” **WITNESSETH:**

**WHEREAS**, Perr owns property located at 1730 Woodland East within the City; and

**WHEREAS**, Perr is the neighbor adjacent to the Michelle Doughten Trust (“Trust”) which is constructing a house at 1690 Woodland East within the City; and

**WHEREAS**, the current City overhead electric line is located across 1690 and 1730 Woodland East in a manner that interferes with the Trust’s building project; and

**WHEREAS**, the Trust desires to move the current City overhead electric line; and

**WHEREAS**, the City and Perr desire to cooperate with the Trust to move the City’s overhead electric line; and

**WHEREAS**, the City desires to abandon a section of utility easement located at 1690 and 1730 Woodland East, and

**WHEREAS**, Perr desires to transfer and the City desires to accept a new utility easement located at 1730 Woodland East, and

**WHEREAS**, the Trust and the City have entered into a separate Memorandum of Understanding that provides, among other things, the Trust will be responsible for certain items and costs for the relocation of the overhead electric line all, as detailed in in the attached Memorandum of Understanding attached hereto and made a part hereof as Exhibit A.

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

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

1. The parties plan will follow the design attached hereto and incorporated herein as Exhibit B and will also follow the City's specifications for electric utilities.
2. The Trust will employ a registered surveyor to provide the City with marked easements, an exhibit, and legal descriptions for the following:
  - a) the portion of utility easement to be vacated across 1690 and 1730 Woodland East; and
  - b) the portion of the new utility easement along the new electric route which will include;
    - i) a 10' utility easement that is parallel and adjacent to the Woodland East right of way; and
    - ii) a 15' utility easement that is not parallel and adjacent to the Woodland East right of way.

All of which is shown generally on Exhibit B.

3. The Trust will repair and replace any damaged lawn and landscaping on properties affected by the relocation of the underground electric lines.
4. The Trust is responsible for providing verification satisfactory to the City that no additional utilities exist within the easement to be abandoned.
5. The City will make all terminations in the existing transformers and will install all necessary lines for the new conductor. This work is subject to the weather since it is necessary to place a truck on the easements which could result in unnecessary damage to property.
6. The City will submit to the Trust a final invoice for the project which will not exceed \$5,400.00 unless rock obstructions are encountered at bore holes. The final invoice will

be paid within thirty days. This amount does not include standard fees for electric service line and meter as part of the building permit package.

7. At the conclusion of the installation of the new electric power poles and distribution lines; verification that the electric line is functional; and verification that other non-City utilities have been removed; the City will abandon and release the utility easement now located on 1730 Woodland East and accept the new utility easement as will be more particularly described by the Trust's registered surveyor.

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

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

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

11. In case any one or more of the provisions contained in this Memorandum of Understanding shall for any reason be held invalid, illegal, or unenforceable in any respects, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Memorandum of Understanding shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

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

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

**CITY:**

CITY OF JACKSON, MISSOURI

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

ATTEST:

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

**TRAVIS M. and KRISTIN D. PERR:**

*Travis M. and Kristin D. Perr*

\_\_\_\_\_  
Travis M. Perr

*Travis M. and Kristin D. Perr*

\_\_\_\_\_  
Kristin D. Perr

BILL NO. 22-\_\_

ORDINANCE NO.22-\_\_

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

WHEREAS, the City Board and the Planning and Zoning Commission have considered a proposed special use permit for property described as 1327 East Main Street, as set out in Exhibit A which is attached hereto and incorporated herein by reference; and,

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

WHEREAS, a special use permit for a daycare in an R-4 General Residential District on a single lot located at 1327 East Main Street recorded with the Cape Girardeau County Recorder of Deeds in Document #2021-1673 may be granted by virtue of Chapter 65 of the Code of Ordinances of the City of Jackson, Missouri; and,

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

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

Section 1. That an application for a special use permit, which said application is marked Exhibit A and attached hereto, is hereby approved, and a special use permit is hereby issued to Tot Spot Academy and Preschool, LLC, Applicant.

- 2 -

Section 2. That the property set forth in Exhibit A is hereby granted a special use permit for a daycare in an R-4 General Residential District on a single lot located at 1327 East Main Street recorded with the Cape Girardeau County Recorder of Deeds in Document #2021-1673.

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

1. Compliance with all ordinances of the City of Jackson.
2. Only one (1) detached and one attached sign, each not more than forty (40) square feet in sign face area, containing only the name of the day care facility shall be permitted.
3. At least six (6) off-street parking spaces shall be provided for the daycare facility.
4. All off-street parking shall be restricted to the proposed parking facilities of the day care center only. No parking associated with said day care facility shall be permitted on or along East Main Street. Additionally, no parking shall be permitted in access driveway or parking lots owned by adjacent owners.
5. Permitted hours of operation for said day care center shall be no earlier than 6:00 a.m. to no later than 6:00 p.m.
6. The applicant shall make every attempt to remove the making, creation, or permitting of any unreasonably loud, disturbing, or unnecessary noise as generated by the day care facility. Honking and/or other disturbing or unnecessary noises as defined in Chapter 43 Article IV of the City code shall not be permitted.
7. Section 3. That included in Exhibit A are the formal findings and conclusions of the Board of Aldermen.

Section 4. That the City Clerk of the City of Jackson, Missouri, shall and is hereby directed to indicate on the "Official Zoning District Map" of the City of Jackson, Missouri, the above special use permit and the date of issuance thereof and to certify same and to keep said map on file in the



office of the City Clerk and a copy displayed in City Hall, City of Jackson, Missouri; and that said City Clerk is further directed to indicate on said "Official Zoning District Map" the existence of special conditions on the use of the aforesaid property.

Section 5. Violation of the special conditions listed above shall result in revocation of the special use permit and/or prosecution and/or fine under the zoning ordinances.

Section 6. This special use permit is issued to the applicant and shall not be assigned or otherwise transferred by said applicant. This special use permit runs with the applicant and not the land.

Section 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

FIRST READING: February 22, 2022.

SECOND READING: February 22, 2022.

PASSED AND APPROVED this 22nd day of February, 2022, by a vote of \_\_\_\_\_ ayes, \_\_\_\_\_ nays, \_\_\_\_\_ abstentions, and \_\_\_\_\_ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

ATTEST:

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

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



# City of Jackson

EXHIBIT

A

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

The Planning & Zoning Commission of Jackson, Missouri hereby notifies the Board of Aldermen, the applicant, and the public of its action taken on February 9, 2022, at a regular meeting in consideration of the following:

### **Special Use Permit for an existing daycare under new ownership in an R-4 General Residential District as 1327 East Main Street**

Applicant: **Tot Spot Academy and Preschool, LLC**

Filing Date of Application/Fee: **December 28, 2021**

Submission Date of Application to Commission: **February 9, 2022**

Public Hearing Date: **waived**

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

#### **Administrative Staff Findings: Yes/No**

1. Application provided all necessary information: ☐ Yes ☐ No
2. Generally conforms with City Comprehensive Plan: ☐ Yes ☐ No
3. Generally conforms with Major Street Plan: ☐ Yes ☐ No

#### **Planning & Zoning Commission Findings: Yes/No**

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

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:**

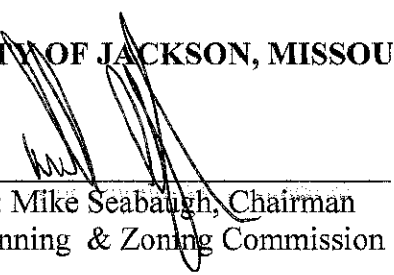
☐ Approved  
☐ Disapproved  
☒ Approved with conditions specified below

By a roll call of 9 ayes, 0 nays, 0 abstentions and 0 absent this 9th day of February, 2022.

**SPECIAL CONDITIONS:**

- 1) Compliance with all ordinances of the City of Jackson.
- 2) Only one (1) detached and one attached sign, each not more than forty (40) square feet in sign face area, containing only the name of the day care facility shall be permitted.
- 3) At least six (6) off-street parking spaces shall be provided for the daycare facility.
- 4) All off-street parking shall be restricted to the proposed parking facilities of the day care center only. No parking associated with said day care facility shall be permitted on or along East Main Street., Donald Street, or Tracy Street. Additionally, no parking shall be permitted in access driveway or parking lots owned by adjacent owners.
- 5) Permitted hours of operation for said day care center shall be no earlier than 6:00 a.m. to no later than 6:00 p.m.
- 6) The applicant shall make every attempt to remove the making, creation, or permitting of any unreasonably loud, disturbing, or unnecessary noise as generated by the day care facility. Honking and/or other disturbing or unnecessary noises as defined in Chapter 43 Article IV of the City code shall not be permitted.

**CITY OF JACKSON, MISSOURI**

  
 By: Mike Seabaugh, Chairman  
 Planning & Zoning Commission

ATTEST:

By:   
 Janet Sanders, Building & Planning Manager



## REZONING / SPECIAL USE PERMIT APPLICATION

### City of Jackson, Missouri

APPLICATION DATE: 12-28-21

TYPE OF APPLICATION:        Rezoning   X   Special Use Permit

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

1327 East Main Street Jackson, Missouri 63755

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

Property Owner Name(s): Tot Spot Academy and Preschool, LLC Stacey Bertrand-McIntosh  
 Mailing Address: 338 State Hwy BB  
 City, State ZIP: Millersville MO 63766

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

Proposed Property Owner(s): NA  
 Mailing Address: \_\_\_\_\_  
 City, State, ZIP: \_\_\_\_\_

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: Stacey Bertrand-McIntosh  
 Mailing Address: 338 State Hwy BB  
 City, State ZIP: Millersville MO 63766  
 Contact's Phone: (573) 225-8959  
 Email Address (if used): staceybmintosh@yahoo.com  
darren.mcintosh72@yahoo.com

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

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



**CURRENT USE OF PROPERTY:** \_\_\_\_\_Childcare**PROPOSED ZONING:** (check all that apply)

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

**PROPOSED USE OF PROPERTY:** \_\_\_\_\_Childcare**LEGAL DESCRIPTION OF TRACT** (attach a copy of the deed or other legal description):see attached

**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.

There is a great need for Early Learning and quality childcare in Jackson Mo.  
I recieved a grant through childcare relief act from the state of Mo, for  
upgrades to the property, furniture and supplies. I have 20 years Child  
Development experience being a director in private Preschool's and in  
Child Development in two public school districts as a Parent Educator. I can  
offer more Knowledge for families for growth of their children in  
Early Learning.

**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.)*

Stacey Bernhard-Mediboh

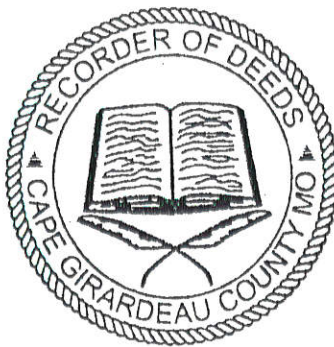
Please submit this application along with appropriate non-refundable application fee to:

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

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

<b>APPLICATION FEES:</b>	Rezoning:	\$200.00
	Special Use Permit:	\$100.00

eRecorded  
DOCUMENT #  
2021-16763



ANDREW DAVID BLATTNER  
RECORDER OF DEEDS  
CAPE GIRARDEAU COUNTY, MO  
eRECORDED ON  
12/21/2021 11:33:26 AM  
REC FEE: 27.00  
PAGES: 2

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## WARRANTY DEED

This Warranty Deed made and entered into this 17th day of December, 2021, by and between **JUST KIDS LEARNING DEVELOPMENT CENTER, LLC, a Missouri Limited Liability Company**, hereinafter referred to as **GRANTOR**, and **Tot Spot Academy and Preschool, LLC, a Missouri Limited Liability Company**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEE**. The mailing address of the Grantee is:

338 State Highway BB, Millersville, MO 63766

**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:


Part of Survey 797, Township 31 North, Range 13 East and Part of Lot 1 of Shawnee Heights Subdivision in the City of Jackson, in Cape Girardeau County, Missouri, described as follows:  
Commence at the Southwest corner of Lot 7 of East Land Subdivision to the City of Jackson, being on the North line of East Main Street; thence South 7 degrees 46' West, along the West line of said Subdivision, 65.0 feet for a point of beginning on the South line of said subdivision and the South line of East Main Street; thence South 7 degrees 46' West, 311.7 feet; thence North 78 degrees 40' East, 51.21 feet; thence North 62 degrees 00' East, 115.16 feet; thence North 7 degrees 46' East, 228.3 feet, the South line of East Main Street; thence North 82 degrees 31' West, along the South line of East Main Street, 141.85 feet to the Point of Beginning.



**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:**  
JUST KIDS LEARNING DEVELOPMENT  
CENTER, LLC, a Missouri Limited  
Liability Company

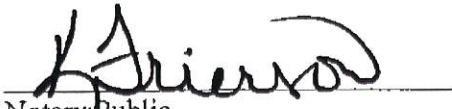
BY:   
Donald E. Harris, Member

STATE OF Texas )  
 ) ss.  
COUNTY OF Parker )

On this 17 day of December, 2021, before me personally appeared **Donald E. Harris, Member of JUST KIDS LEARNING DEVELOPMENT CENTER, LLC, a Missouri Limited Liability Company**, to me known to be the person described in and who executed the within Warranty Deed in behalf of said limited liability company and acknowledged to me that he or she executed the same for the purposes therein stated.

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



  
Notary Public  
My commission expires:



1327 E. Main St.  
Location Map

