



## CITY OF JACKSON

### MAYOR & BOARD OF ALDERMEN REGULAR MEETING

Monday, October 3, 2022 at 6:00 PM

Board Chambers, City Hall, 101 Court St.

### MINUTES

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

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

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

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

Motion to Adopt the Agenda )

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

Public Hearing to Consider the )  
Voluntary Annexation of the Property )  
Addressed as 385, 389, and 391 Timber )  
Lane, as submitted by JWRPM )  
Properties, LLC )

Now comes forth a Public Hearing to consider the voluntary annexation of the property addressed as 385, 389, and 391 Timber Lane, as submitted by JWRPM Properties, LLC.

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

Now comes forth Chris Collier, of 1107 Anise Lane, Jackson, to speak in favor of the proposed annexation and to state that the property has septic issues and does not currently connect to the City sewer system.

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

Public Hearing to Consider a Special )  
Use Permit for a Towing Business at )  
1405 South Farmington Road, as )  
Submitted by Land Escapes, LLC )

Now comes forth a Public Hearing to consider a Special Use Permit for a towing business in a C-2 (General Commercial) District at 1405 South Farmington Road, as submitted by Land Escapes, LLC.

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

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

Now comes forth Shannon Urhahn, of 645 Hillcrest Drive, to speak in opposition of the proposed Special Use Permit and to state that she understood the property was zoned residential.



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Now comes forth Building & Planning Manager Janet Sanders to clarify that the property is zoned commercial.

Now comes forth Susie Hampton, of 1553 Enterprise Court, to speak in opposition of the proposed Special Use Permit.

Now comes forth Pat Morgan, of 152 Cedar Circle and applicant of the Special Use Permit, to state that the elevation study on the property does not allow for the 400 ft. tree buffer condition to be met as recommended by Planning & Zoning because all of the dirt on the property would need to be utilized for the business.

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

Public Hearing to Consider a Special     )  
Use Permit for Shipping Containers as     )  
Long Term Storage at 957 West             )  
Independence Street, as submitted by     )  
Brennon Todt                                     )

Now comes forth a Public Hearing to consider a Special Use Permit for shipping containers as long term storage in a C-2 (General Commercial) District at 957 West Independence Street, as submitted by Brennon Todt.

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

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

Now comes forth Melanie Balsman, of 957 West Independence Street Lot #51, to speak in favor of the proposed Special Use Permit.

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

Motion to Approve the Minutes of the     )  
September 19, 2022, Regular Board         )  
Meeting   )

Motion made by Alderman Baker, seconded by Alderwoman Liley, to approve the minutes of the preceding Regular Board Meeting of Monday, September 19, 2022. Ayes-8; Nays-0; Absent-0.

Motion to Approve Bills of October,         )  
2022   )

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

Ordinance No. 22-90 Re: To Abandon a     )  
Utility Easement at 2024 Watson Drive     )  
as requested by the Bill C. and Shelley     )  
L. Zellmer Trust                                 )



## CITY OF JACKSON

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The matter of abandoning a Utility Easement at 2024 Watson Drive in a Resubdivision of Lots 88 & 91 of Bent Creek Spring Lake Addition, as requested by the Bill C. and Shelley L. Zellmer Trust, came on for consideration. Alderman Seabaugh introduced Bill No. 22-92, being for an ordinance entitled as follows:

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

Motion made by Alderman Seabaugh, seconded by Alderman Kimbel, Bill No. 22-92 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Seabaugh, seconded by Alderman Kimbel, Bill No. 22-92 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-90 and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderwoman Liley-aye; Alderman Seabaugh-aye; Alderwoman Young-aye; Alderman Reiminger-aye; Alderman Sander-aye; Alderman Hitt-aye; Alderman Baker-aye; and Alderman Kimbel-aye.

#### **BILL NO. 22-92**

#### **ORDINANCE NO. 22-90**

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

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

#### UTILITY EASEMENT

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

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

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

and,



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

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

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

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

Section 3. That the City Clerk is hereby directed to record a copy of this ordinance with the Recorder of Deeds, Cape Girardeau County, Missouri.

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

FIRST READING: October 3, 2022.

SECOND READING: October 3, 2022.

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

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
City Clerk

Ordinance No. 22-91 Re: To Correct a )  
Scrivener's Error in Bill No. 22-78, )  
Ordinance No. 22-76, relative to the )  
2022 Parks and Recreation, General )  
Revenue, Cemetery, and Band Tax )  
Rates )

The matter of correcting a Scrivener's Error in Bill No. 22-78, Ordinance No. 22-76, passed and approved on August 15, 2022, relative to the 2022 Parks and Recreation, General Revenue, Cemetery, and Band Tax Rates, came on for consideration. Alderman Seabaugh introduced Bill No. 22-93, being for an ordinance entitled as follows:



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**MINUTES**

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

Motion made by Alderman Seabaugh, seconded by Alderman Sander, Bill No. 22-93 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Seabaugh, seconded by Alderman Sander, Bill No. 22-93 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-91 and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderman Baker-aye; Alderman Kimbel-aye; Alderman Seabaugh-aye; Alderwoman Young-aye; Alderman Reiminger-aye; Alderman Sander-aye; Alderman Hitt-aye; and Alderwoman Liley-aye.

**BILL NO. 22-93**

**ORDINANCE NO. 22-91**

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

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

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

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

WHEREAS, there appeared in Bill No. 22-78, Ordinance No. 22-76, passed and approved on

August 15, 2022, a scrivener's error as to the amount of money necessary to be raised by taxation; and

WHEREAS, the amount of money necessary to be raised by taxation is less than the amount requested and approved by public hearing held on August 15, 2022 and therefore, a new public



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**MINUTES**

hearing is not required.

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

Section 1. That the correct amount of money necessary to be raised by taxation during the ensuing fiscal year on the assessed valuation of all properties situated in the City of Jackson, Missouri, for general revenue purposes is One Million Six Hundred Forty-Nine Thousand One Hundred Thirty-Eight Dollars (\$1,649,138.00); for cemetery purposes is Two Hundred Thirteen Thousand Forty Dollars (\$213,040.00); for city parks & recreation is Three Hundred Forty-Five Thousand Nine Hundred Sixty-Two Dollars (\$345,962.00); and for band fund is Two Hundred Thirteen Thousand Forty Dollars (\$213,040.00).

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

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

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

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

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

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

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





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

FIRST READING: October 3, 2022.

SECOND READING: October 3, 2022.

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

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
City Clerk

Ordinance No. 22-92 Re: To Authorize a)  
Supplier Agreement with the Missouri )  
Department of Social Services Family )  
Support Division, relative to the Low )  
Income Home Energy Assistance )  
Program (LIHEAP) )

The matter of authorizing a supplier agreement with the Missouri Department of Social Services Family Support Division, relative to the Low Income Home Energy Assistance Program (LIHEAP), came on for consideration. Alderman Seabaugh introduced Bill No. 22-94, being for an ordinance entitled as follows:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A SUPPLIER AGREEMENT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE MISSOURI DEPARTMENT OF SOCIAL SERVICES FAMILY SUPPORT DIVISION, RELATIVE TO THE LOW INCOME HOUSEHOLD ENERGY ASSISTANCE PROGRAM (LIHEAP); FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

Motion made by Alderman Seabaugh, seconded by Alderman Kimbel, Bill No. 22-94 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Seabaugh, seconded by Alderman Kimbel, Bill No. 22-94 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-92 and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderman Reiminger-aye; Alderman Kimbel-aye; Alderman Seabaugh-aye; Alderwoman Young-aye; Alderman Sander-aye; Alderman Hitt-aye; Alderman Baker-aye; and Alderwoman Liley-aye.

**BILL NO. 22-94**

**ORDINANCE NO. 22-92**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A SUPPLIER AGREEMENT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE MISSOURI DEPARTMENT OF SOCIAL SERVICES FAMILY SUPPORT DIVISION, RELATIVE TO THE LOW**



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***INCOME HOUSEHOLD ENERGY ASSISTANCE PROGRAM (LIHEAP);  
FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY  
CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.***

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

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

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

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the contract marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and the **Missouri Department of Social Services Family Support Division**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said contract.

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

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

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

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

FIRST READING: October 3, 2022.

SECOND READING: October 3, 2022.

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





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CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
City Clerk

Motion to Approve Change Order No. 2 )  
to Paving Pros, LLC of Oak Ridge, )  
Missouri, relative to the 2022 Asphalt )  
Pavement Improvement Program )

Motion made by Alderwoman Liley, seconded by Alderman Baker, to approve Change Order No. 2, in the amount of \$57,857.39, to Paving Pros, LLC of Oak Ridge, Missouri, relative to the 2022 Asphalt Pavement Improvement Program. Ayes-8; Nays-0; Absent-0.

Motion to Approve Change Order No. 2 )  
to Fronabarger Concreters, Inc. of Oak )  
Ridge, Missouri, relative to the 2022 )  
Concrete Pavement Improvement )  
Program )

Motion made by Alderwoman Liley, seconded by Alderman Hitt, to approve Change Order No. 2, in the amount of \$17,593.20, to Fronabarger Concreters, Inc. of Oak Ridge, Missouri, relative to the 2022 Concrete Pavement Improvement Project. Ayes-8; Nays-0; Absent-0.

Motion to Approve Task Order )  
Authorization No. 22-16 to Smith & )  
Company Engineers of Poplar Bluff, )  
Missouri, relative to providing )  
Engineering Services under the Hubble )  
Creek Recreation Trail Project, Phase 3 )

Motion made by Alderwoman Liley, seconded by Alderwoman Young, to approve Task Order Authorization No. 22-16, in the amount of \$101,000.00, to Smith & Company Engineers of Poplar Bluff, Missouri, relative to providing engineering services under the Hubble Creek Recreation Trail Project, Phase 3. Ayes-8; Nays-0; Absent-0.

Motion to Accept the Bid of Fronabarger )  
Concreters, Inc. of Oak Ridge, Missouri, )  
relative to the Soccer Park Phase 1 )  
Drainage Improvements Project )

Motion made by Alderwoman Liley, seconded by Alderman Baker, to accept the bid of Fronabarger Concreters, Inc. of Oak Ridge, Missouri, in the amount of \$62,437.50, relative to the Soccer Park Phase 1 Drainage Improvements Project. Ayes-8; Nays-0; Absent-0.

Ordinance No. 22-93 Re: To Authorize a )  
Contractual Agreement with Fronabarger )  
Concreters, Inc. of Oak Ridge, Missouri, )  
relative to the Soccer Park Phase 1 )  
Drainage Improvements Project )

The matter of authorizing a contractual agreement with Fronabarger Concreters, Inc. of Oak Ridge, Missouri, relative to the Soccer Park Phase 1 Drainage Improvements Project, came on



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for consideration. Alderwoman Liley introduced Bill No. 22-95, 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 *FRONABARGER CONCRETERS, INC. OF OAK RIDGE, MISSOURI*, RELATIVE TO THE *SOCCER PARK PHASE 1 DRAINAGE IMPROVEMENTS PROJECT*; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

Motion made by Alderwoman Liley, seconded by Alderman Seabaugh, Bill No. 22-95 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderwoman Liley, seconded by Alderman Seabaugh, Bill No. 22-95 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-93, and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderman Seabaugh-aye; Alderwoman Young-aye; Alderman Sander-aye; Alderman Baker-aye; Alderman Reiminger-aye; Alderman Hitt-aye; Alderman Kimbel-aye; and Alderwoman Liley-aye.

#### **BILL NO. 22-95**

#### **ORDINANCE NO. 22-93**

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

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

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

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

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

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



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

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

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

FIRST READING: October 3, 2022.

SECOND READING: October 3, 2022.

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

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
City Clerk

Motion to Approve a Park Memorial & )  
Donation Form from the Jackson Area )  
Organized Soccer Association for the )  
Donation of Field Improvements at the )  
Soccer Park )

Motion made by Alderwoman Liley, seconded by Alderwoman Young, to approve a Park Memorial & Donation Form from the Jackson Area Organized Soccer Association, for the donation of field improvements at the Soccer Park. Ayes-8; Nays-0; Absent-0.

Ordinance No. 22-94 Re: To Approve a )  
Memorandum of Understanding with the )  
Jackson Area Organized Soccer )  
Association (JAOSA, Inc.), relative to )  
Field Improvements at the Soccer Park )

The matter of approving a Memorandum of Understanding with the Jackson Area Organized Soccer Association (JAOSA, Inc.), relative to field improvements at the Soccer Park, came on for consideration. Alderwoman Liley introduced Bill No. 22-96, 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**



## CITY OF JACKSON

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**BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE JACKSON AREA ORGANIZED SOCCER ASSOCIATION (JAOSA, INC.) OF JACKSON, MISSOURI, RELATIVE TO FIELD IMPROVEMENTS AT THE SOCCER PARK; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

Motion made by Alderwoman Liley, seconded by Alderman Baker, Bill No. 22-96 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderwoman Liley, seconded by Alderman Baker, Bill No. 22-96 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-94, and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderman Kimbel-aye; Alderman Hitt-aye; Alderwoman Young-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderman Sander-aye; Alderman Baker-aye; and Alderwoman Liley-aye.

#### **BILL NO. 22-96**

#### **ORDINANCE NO. 22-94**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE JACKSON AREA ORGANIZED SOCCER ASSOCIATION (JAOSA, INC.) OF JACKSON, MISSOURI, RELATIVE TO FIELD IMPROVEMENTS AT THE SOCCER PARK; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

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

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

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

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



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

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

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

FIRST READING: October 3, 2022.

SECOND READING: October 3, 2022.

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

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
City Clerk

Ordinance No. 22-95 Re: To Approve a )  
Memorandum of Understanding with )  
Cape Land & Development, LLC, )  
Relative to the Development of Savers )  
Farm Subdivisions 8 and 9 )

The matter of approving a Memorandum of Understanding with Cape Land & Development, LLC, relative to the development of Savers Farm Subdivisions 8 and 9, came on for consideration. Alderwoman Liley introduced Bill No. 22-97, 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 CAPE LAND & DEVELOPMENT, LLC OF CAPE GIRARDEAU, MISSOURI, RELATIVE TO THE DEVELOPMENT OF SAVERS FARM SUBDIVISIONS 8 AND 9; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

Motion made by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 22-97 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 22-97 was placed on its second reading and final passage and was read by title, considered discussed,



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and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-95, and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderwoman Young-aye; Alderwoman Liley-aye; Alderman Kimbel-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderman Hitt-aye; Alderman Baker-aye; and Alderman Sander-aye.

**BILL NO. 22-97**

**ORDINANCE NO. 22-95**

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND *CAPE LAND & DEVELOPMENT, LLC OF CAPE GIRARDEAU, MISSOURI*, RELATIVE TO THE DEVELOPMENT OF SAVERS FARM SUBDIVISIONS 8 AND 9; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

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

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

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

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

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

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

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





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

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

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SECOND READING: October 3, 2022.

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

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
City Clerk

Ordinance No. 22-96 Re: To Approve a )  
Memorandum of Understanding with )  
The Jackson Elks Lodge No. 2652 )  
B.P.O.E., relative to providing Overflow )  
Parking near the City Park )

The matter of approving a Memorandum of Understanding with the Jackson Elks Lodge No. 2652 B.P.O.E., relative to providing overflow parking near the City Park, came on for consideration. Alderwoman Liley introduced Bill No. 22-98, being for an ordinance entitled as follows:

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE JACKSON ELKS LODGE NO. 2652 B.P.O.E. OF JACKSON, MISSOURI, RELATIVE TO PROVIDING OVERFLOW PARKING NEAR THE CITY PARK; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

Motion made by Alderwoman Liley, seconded by Alderwoman Young, Bill No. 22-98 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderwoman Liley, seconded by Alderwoman Young, Bill No. 22-98 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-96, and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderman Hitt-aye; Alderman Sander-aye; Alderwoman Liley-aye; Alderman Kimbel-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderman Baker-aye; and Alderwoman Young-aye.

**BILL NO. 22-98**

**ORDINANCE NO. 22-96**



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**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND THE *JACKSON ELKS LODGE NO. 2652 B.P.O.E. OF JACKSON, MISSOURI*, RELATIVE TO *PROVIDING OVERFLOW PARKING NEAR THE CITY PARK*; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.**

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

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

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

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the Memorandum of Understanding marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and the **Jackson Elks Lodge No. 2652 B.P.O.E. of Jackson, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said Memorandum of Understanding.

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

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

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

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

FIRST READING: October 3, 2022.



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SECOND READING: October 3, 2022.

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

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
City Clerk

Bill No. 22-99 / Ordinance FAILED Re: )  
To Approve a Special Use Permit )  
Request for a Towing Business at 1405 )  
South Farmington Road, as submitted )  
By Land Escapes, LLC )

The matter of approving a Special Use Permit request for a towing business in a C-2 (General Commercial) District at 1405 South Farmington Road, as submitted by Land Escapes, LLC, came on for consideration. Alderwoman Liley introduced Bill No. 22-99, 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 Alderwoman Liley, seconded by Alderman Baker, Bill No. 22-99 was placed on its first reading and was read by title, considered and discussed and was duly failed by unanimous vote. On a motion by Alderwoman Liley, seconded by Alderman Baker, Bill No. 22-99 was placed on its second reading and final passage and was read by title, considered discussed, and was duly failed. The Mayor Pro Tem thereupon declared said Bill duly failed, and the Bill was then duly signed and denied by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderman Hitt-nay; Alderman Sander-nay; Alderwoman Liley-nay; Alderman Kimbel-nay; Alderman Reiminger-nay; Alderman Seabaugh-nay; Alderman Baker-nay; and Alderwoman Young-nay.

**BILL NO. 22-99**

**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 rezoning and/or special use permit for property described as 1405 South Farmington Road, as set out in Exhibit A which is attached hereto and incorporated herein by reference; and,



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

WHEREAS, a special use permit for a towing business at 1405 South Farmington Road in a C-2 General Commercial District may be granted by virtue of Chapter 65 of the Code of Ordinances of the City of Jackson, Missouri; and,

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

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

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

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

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

1. Compliance with all ordinances of the City of Jackson, Missouri, except as specifically varied or waived by this special use permit.
2. No wrecked or inoperable vehicle is to remain on the property for a period to exceed 45 days, unless stored inside a completely enclosed building.
3. All wrecked vehicles must be visibly screened from all public streets and surrounding city property by a privacy fence or a dense evergreen hedge of sufficient height to form a visible screen.
4. No stripping or tearing down of vehicles is permitted on the property.
5. No portion of the property within the FEMA designated floodway can be used for storage of vehicles, parts, materials, debris, or other items, and no construction of fences, retaining walls, or other accessory uses can be constructed within the



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floodway without all required permits and a No-Rise Certificate from an engineer or surveyor.

6. The existing duplex on the property may remain a residential use or may be converted to office/residential use, conditional upon compliance with building & fire codes of the City of Jackson.
7. Any residential use of this property cannot be fenced into the same enclosure as the towing storage.
8. A 400' wooded and shrubbery buffer shall be maintained, extending from the northern property line.

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

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

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

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

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

Section 8. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such



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

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

FIRST READING: October 3, 2022.

SECOND READING: October 3, 2022.

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

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
City Clerk

Ordinance No. 22-97 Re: To Approve a )  
Special Use Permit for Shipping )  
Containers as Long Term Storage at )  
957 West Independence Street, as )  
Submitted by Brennon Todt )

The matter of approving a Special Use Permit for shipping containers as long term storage in a C-2 (General Commercial) District at 957 West Independence Street, as submitted by Brennon Todt, came on for consideration. Alderwoman Liley introduced Bill No. 22-100, 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 Alderwoman Liley, seconded by Alderman Hitt, Bill No. 22-100 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 22-100 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor Pro Tem thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 22-97, and was signed and approved by Mayor Pro Tem Dave Reiminger and attested by the City Clerk. On roll call: Alderwoman Liley-aye; Alderman Sander-aye; Alderman Kimbel-aye; Alderman Reiminger-aye; Alderman Seabaugh-aye; Alderman Hitt-aye; Alderman Baker-aye; and Alderwoman Young-aye.

**BILL NO. 22-100**

**ORDINANCE NO. 22-97**

**AN ORDINANCE APPROVING THE PROPOSED REZONING FOR A SPECIAL USE PERMIT FOR CERTAIN PROPERTY IN THE CITY OF JACKSON,**





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

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

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

WHEREAS, a special use permit for shipping containers as long-term storage at 957 West Independence Street in a C-2 General Commercial District may be granted by virtue of Chapter 65 of the Code of Ordinances of the City of Jackson, Missouri; and,

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

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

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

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

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

1. Compliance with all ordinances of the City of Jackson, Missouri, except as specifically varied or waived by this special use permit.
2. Shipping container location may change within the property over time as construction progresses.
3. Shipping containers may not be located in the floodplain/floodway.



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4. Shipping containers must meet all setback requirements of other buildings as specified in the Special Use Permit granted by Ordinance No. 22-68.
5. Shipping containers shall be limited to four (4) containers at one time.
6. Shipping containers may be used only for storage and not for habitation of persons or animals.

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

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

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

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

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

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

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



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SECOND READING: October 3, 2022.

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

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dave Reiminger (signed)  
Mayor Pro Tem

ATTEST:

Liza Walker (signed)  
City Clerk

Barb Cagle to Present UJRO Request )  
for Oktoberfest )

Now comes forth Barb Cagle of the Uptown Jackson Revitalization Organization's Oktoberfest committee to request additional pedestal hook-ups in uptown Jackson.

Now comes forth City Administrator James Roach to state that two new pedestals have been ordered for next year but the only area that has capacity is on Barton Street. Administrator Roach will have Director of Electric Utilities Don Schuette to take a look at the infrastructure.

Ron McKiddy to Bring Traffic Concern )  
on Greensferry Road to the Board )

Now comes forth Ron McKiddy, City resident on Greensferry Road, to bring to the Board a traffic concern on Greensferry Road. Mr. McKiddy understands that Connection Point Church is adding an entrance/exit from the church to the north end of Greensferry Road. Mr. McKiddy requests a 3-way stop at this location.

Now comes forth City Administrator Roach to instruct Public Works Director Kent Peetz to work with a traffic control engineer who can study the corridor at north Greensferry Road.

Now comes forth Sharon Braun, City resident on Greensferry Road, to bring to the Board her traffic concern at the same location as Mr. McKiddy.

Alissa Howard to bring Concerns to the )  
Board of Aldermen )

Now comes forth Alissa Howard, of 504 Michael Anna Street, to bring concerns of Michael Anna Street falling apart and speeding on Michael Anna Street.

Now comes forth City Administrator Roach to state that the Street Department will take a look at the street, and the Police Department will place a speed trailer in the area.

Now comes forth a City resident with a complaint of speeding at Independence and Casey's convenience store. The Police Department can place the speed trailer in that area, too, but Independence Street/Route D is a MoDOT road.

Don Howard to bring Concern of a )  
Business Operating in his Neighborhood )



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Now comes forth Don Howard, of 622 Corinne Street, to bring a concern of a commercial business operating at 806 Corinne Street.

Now comes forth Building & Planning Manager Janet Sanders to state that she has received Mr. Howard's complaint and is waiting on guidance from the State legislature to address home businesses.

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 Alderwoman Liley, to recess the meeting at 7:16 P.M., to convene to the Study Session. Ayes-8; Nays-0; Absent-0.

.....  
Returned to Open Session at 7:28 P.M., from Study Session.

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

Meeting concluded at 7:28 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 Kimbel-aye; Alderman Hitt-aye; Alderman Reiminger-aye; Alderman Sander-aye; Alderman Seabaugh-aye; Alderwoman Liley-aye; and Alderwoman Young-aye. Ayes-8; Nays-0; Absent-0.

**ATTEST:**

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

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