



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING

Monday, May 1, 2023 at 6:00 PM

Board Chambers, City Hall, 101 Court St.

MINUTES

The Board of Aldermen met in the Regular Session with Mayor Dwain L. Hahs in the chair and the following Board Members present: Joe Bob Baker, Mike Seabaugh, Paul Sander, David Hitt, Shana Williams, David Reiminger, and Katy Liley. Present-7; Absent-1: Alderwoman Wanda Young.

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

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

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

Motion to Adopt the Agenda)

Motion made by Alderman Baker, seconded by Alderwoman Liley, to adopt the agenda, as presented. Ayes-7; Nays-0; Absent-1.

Motion to Approve the Minutes of the)
April 17, 2023, Regular Board Meeting)

Motion made by Alderwoman Liley, seconded by Alderman Hitt, to approve the minutes of the preceding Regular Board Meeting of Monday, April 17, 2023. Ayes-7; Nays-0; Absent-1.

Motion to Approve Bills of May, 2023)

Now is presented the Semimonthly Bills Report, in the various funds for the month of May, 2023. Motion made by Alderman Hitt, seconded by Alderman Seabaugh, to approve the payment of Semimonthly Bills in the various funds for May, 2023. Ayes-7; Nays-0; Absent-1.

Motion to Approve Task Order)
Authorization No. 23-08 to Strickland)
Engineering, Inc., of Jackson, Missouri,)
Relative to providing Engineering)
Services under the East Jackson)
Boulevard Roadway Lighting Project)

Motion made by Alderman Reiminger, seconded by Alderman Seabaugh, to approve Task Order Authorization No. 23-08, in the amount of \$38,100.00, to Strickland Engineering, Inc., of Jackson, Missouri, relative to providing engineering services under the East Jackson Boulevard Roadway Lighting Project. Ayes-7; Nays-0; Absent-1.

Motion to Authorize the Internal Transfer)
of \$1,000,000.00 from the City of)
Jackson's Electric Surplus Fund to the)
Capital Projects Construction Fund,)
Relative to the Jackson Fire Department))
Building Renovations Project)

Motion made by Alderman Reiminger, seconded by Alderwoman Williams, to authorize the internal transfer of \$1,000,000.00 from the City of Jackson's Electric Surplus Fund to the Capital Projects Construction Fund, relative to the Jackson Fire Department Building Renovations Project. Ayes-7; Nays-0; Absent-1.



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Ordinance No. 23-31 Re: To Authorize)
the Mayor to Sign a Depository)
Agreement with Wood & Huston Bank)

The matter of authorizing the Mayor to sign a depository agreement with Wood & Huston Bank came on for consideration. Alderman Reiminger introduced Bill No. 23-31, being for an ordinance entitled as follows:

**A BILL TO ENACT AN ORDINANCE TO AUTHORIZE SELECTION OF
DEPOSITORIES FOR DEMAND DEPOSITS OF CITY FUNDS; AND TO
AUTHORIZE THE SELECTION OF DEPOSITORIES FOR THE INVESTMENT OF
IDLE CITY FUNDS; AND TO AUTHORIZE THE MAYOR TO SIGN DEPOSITORY
AGREEMENTS WITH DEPOSITORIES.**

Motion made by Alderman Reiminger, seconded by Alderman Sander, Bill No. 23-31 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. 23-31 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. 23-31 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Hitt-aye; Alderman Reiminger-aye; Alderman Sander-aye; Alderman Baker-aye; Alderwoman Young-absent; Alderwoman Williams-aye; Alderman Seabaugh-aye; and Alderwoman Liley-aye.

BILL NO. 23-31

ORDINANCE NO. 23-31

**A BILL TO ENACT AN ORDINANCE TO AUTHORIZE SELECTION OF
DEPOSITORIES FOR DEMAND DEPOSITS OF CITY FUNDS; AND TO
AUTHORIZE THE SELECTION OF DEPOSITORIES FOR THE INVESTMENT OF
IDLE CITY FUNDS; AND TO AUTHORIZE THE MAYOR TO SIGN DEPOSITORY
AGREEMENTS WITH DEPOSITORIES.**

WHEREAS, the City of Jackson, desires to enter into a depository agreement with **Wood & Huston Bank** for the deposit of Demand Deposits or checking account funds; and

WHEREAS, the City of Jackson, desires to enter into a depository agreement with said banks regarding the investment of idle City Funds.

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

1. That the Mayor is hereby, authorized and directed to sign a depository agreement with **Wood & Huston Bank**. Said agreements are attached hereto and incorporated herein by reference.

2. That all of said depository agreements shall have a one-year term under a depository agreement as required by state statute.



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3. That said banks shall be depositories for all demand deposits of checking account funds of the City in an unlimited amount subject only to the deposit of securities as required by; Sections 110.010 and 110.020, RSMo.

4. That said banks shall be authorized to hold idle investment funds of the City, subject to the required deposit of securities as required by Section 110.010 and 110.020, RSMo.

5. The Treasurer of the City shall, whenever the City accumulates idle funds, invest said funds in time certificates of deposits, based upon the highest sealed bids received from the designated depositories. All of such investment funds shall be in One Hundred Thousand Dollars (\$100,000.00) or more increments. The Treasurer shall notify the depositories of available money for bid by phone, electronic transmission or United States Mail.

6. This ordinance shall take effect and be in force from and after its passage and approval and shall repeal all ordinances or parts thereof in conflict herewith.

FIRST READING: May 1, 2023.

SECOND READING: May 1, 2023.

PASSED AND APPROVED this 1st day of May, 2023, by a vote of 7 ayes, 0 nays, 0 abstentions and 1 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk

Ordinance No. 23-32 Re: To Accept the)
Dedication of a Water Line Easement)
Deed from The Hamlet Group, LLC,)
Relative to the Lee Avenue Water Line)
Extension Project)

The matter of accepting the dedication of a Water Line Easement Deed from The Hamlet Group, LLC, relative to the Lee Avenue Water Line Extension Project, came on for consideration. Alderman Reiminger introduced Bill No. 23-32, being for an ordinance entitled as follows:

AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY DEEDED TO THE CITY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE ATTACHED WATER LINE EASEMENT DEED.



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Motion made by Alderman Reiminger, seconded by Alderman Seabaugh, Bill No. 23-32 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Reiminger, seconded by Alderman Seabaugh, Bill No. 23-32 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. 23-32 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderwoman Liley-aye; Alderman Hitt-aye; Alderman Sander-aye; Alderman Baker-aye; Alderwoman Young-absent; Alderwoman Williams-aye; Alderman Seabaugh-aye; and Alderman Reiminger-aye.

BILL NO. 23-32

ORDINANCE NO. 23-32

**AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO
ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY DEEDED TO
THE CITY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE
ATTACHED WATER LINE EASEMENT DEED.**

WHEREAS, **The Hamlet Group, LLC of Jackson, Missouri**, of the County of Cape Girardeau, State of Missouri, deeded to the City of Jackson, Missouri, the property described in the Water Line Easement Deed, attached hereto.

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, do hereby accept the Deed which is attached hereto, subject to all of the terms and conditions therein expressed.

Section 2. That the Mayor and city Clerk of the City of Jackson, Missouri, are hereby authorized to do all acts and execute all instruments appropriate and necessary to accept said deed.

Section 3. The City Clerk of the City of Jackson, Missouri, is hereby directed to file a copy of said deed with the Recorder of Deeds, Cape Girardeau County, Missouri.

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

FIRST READING: May 1, 2023.

SECOND READING: May 1, 2023.

PASSED AND APPROVED this 1st day of May, 2023, by a vote of 7 ayes, 0 nays, 0 abstentions and 1 absent.

CITY OF JACKSON, MISSOURI



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(SEAL)

ATTEST:

By: Dwain L. Hahs (signed)
Mayor

Liza Walker (signed)
City Clerk

Motion to Approve the Mayor's)
Appointment of Mandi Gard to the Park)
Board, Filling an Unexpired Term)
Ending 2026)

Motion made by Alderwoman Liley, seconded by Alderman Baker, to approve the Mayor's Appointment of Mandi Gard to the Park Board, filling an unexpired term ending 2026. Ayes-7; Nays-0; Absent-1.

Motion to Authorize the City Staff to)
Prepare an Application on Behalf of the)
City of Jackson, Missouri, for the)
Comprehensive Rezoning of 403 and)
409 East Main Street and 108 South)
Georgia Street)

Motion made by Alderwoman Liley, seconded by Alderman Hitt, to authorize the City staff to prepare an application on behalf of the City of Jackson, Missouri, for the comprehensive rezoning of 403 and 409 East Main Street and 108 South Georgia Street, from I-2 (Heavy Industrial) District to C-3 (Central Business) District. Ayes-7; Nays-0; Absent-1.

Motion to Accept the Bid of Black)
Diamond Paving, LLC, of Oak Ridge,)
Missouri, in the amount of \$342,337.98,)
Relative to the 2023 Asphalt Pavement)
Improvement Program)

Motion made by Alderwoman Liley, seconded by Alderman Baker, to accept the bid of Black Diamond Paving, LLC, of Oak Ridge, Missouri, in the amount of \$342,337.98, relative to the 2023 Asphalt Pavement Improvement Program. Ayes-7; Nays-0; Absent-1.

Ordinance No. 23-33 Re: To Authorize a)
Contractual Agreement with Black)
Diamond Paving, LLC, of Oak Ridge,)
Missouri, relative to the 2023 Asphalt)
Pavement Improvement Program)

The matter of authorizing a contractual agreement with Black Diamond Paving, LLC, of Oak Ridge, Missouri, relative to the 2023 Asphalt Pavement Improvement Program, came on for consideration. Alderwoman Liley introduced Bill No. 23-33, 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 BLACK DIAMOND PAVING, LLC, OF OAK RIDGE, MISSOURI, RELATIVE TO THE 2023 ASPHALT PAVEMENT IMPROVEMENT 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 Alderwoman Liley, seconded by Alderman Hitt, Bill No. 23-33 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. 23-33 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. 23-33 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Baker-aye; Alderman Reiminger-aye; Alderman Hitt-aye; Alderman Sander-aye; Alderwoman Young-absent; Alderwoman Williams-aye; Alderman Seabaugh-aye; and Alderwoman Liley-aye.

BILL NO. 23-33

ORDINANCE NO. 23-33

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND *BLACK DIAMOND PAVING, LLC, OF OAK RIDGE, MISSOURI*, RELATIVE TO THE 2023 ASPHALT PAVEMENT IMPROVEMENT PROGRAM; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have been presented a contract 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 **Black Diamond Paving, LLC, of Oak Ridge, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said contract.

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

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

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



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

FIRST READING: May 1, 2023.

SECOND READING: May 1, 2023.

PASSED AND APPROVED this 1st day of May, 2023, by a vote of 7 ayes, 0 nays, 0 abstentions and 1 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk

Ordinance No. 23-34 Re: To Approve)
the Minor Plat of Independence Center)
Eighth Subdivision, as submitted by)
Douglas Siding, LLC)

The matter of approving the Minor Plat of Independence Center Eighth Subdivision, as submitted by Douglas Siding, LLC, came on for consideration. Alderwoman Liley introduced Bill No. 23-34, being for an ordinance entitled as follows:

AN ORDINANCE ACCEPTING THE PLAT OF INDEPENDENCE CENTER EIGHTH SUBDIVISION, A RESUBDIVISION OF LOTS 10A AND 10B; ACCEPTING DEDICATION OF EASEMENTS, STREETS AND PROPERTIES DESCRIBED; ACCEPTING RESTRICTIONS, IF ANY, FILED THEREWITH; AUTHORIZING THE RECORDING OF SAID PLAT; ACCEPTING IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED AND INDICATED ON SAID PLAT; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Motion made by Alderwoman Liley, seconded by Alderman Baker, Bill No. 23-34 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. 23-34 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. 23-34 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Reiminger-aye; Alderman Baker-aye; Alderman Hitt-aye; Alderman Sander-aye; Alderwoman Young-absent; Alderwoman Williams-aye; Alderman Seabaugh-aye; and Alderwoman Liley-aye.

BILL NO. 23-34

ORDINANCE NO. 23-34

AN ORDINANCE ACCEPTING THE PLAT OF INDEPENDENCE CENTER EIGHTH SUBDIVISION, A RESUBDIVISION OF LOTS 10A AND 10B; ACCEPTING DEDICATION OF EASEMENTS, STREETS AND PROPERTIES DESCRIBED; ACCEPTING RESTRICTIONS, IF ANY, FILED THEREWITH; AUTHORIZING THE RECORDING OF SAID PLAT; ACCEPTING IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED AND



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INDICATED ON SAID PLAT; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, Douglas Siding, LLC, has platted Independence Center Eighth, a Resubdivision of Lots 10A and 10B, as located within the corporate limits of the City of Jackson, Missouri; and,

WHEREAS, the developer has designed the required improvements and has committed to construct said improvements; and,

WHEREAS, the developer has complied with all of the city ordinances and, in particular, Chapter 57 of the Code of Ordinances 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 FOLLOW:

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, do hereby accept the final plat of Independence Center Eighth, a Resubdivision of Lots 10A and 10B, which is attached hereto as Exhibit A, including all easements, right-of-way streets and improvements indicated thereon and subject to the terms and conditions expressed therein.

Section 2. That the Mayor and City Clerk of the City of Jackson, Missouri, are hereby authorized to do all acts and execute all instruments appropriate and necessary to accept said plat.

Section 3. The City Clerk of the City of Jackson, Missouri, is hereby directed to file a copy of said plat with the Recorder of Deeds, Cape Girardeau County, Missouri.

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

FIRST READING: May 1, 2023.

SECOND READING: May 1, 2023.

PASSED AND APPROVED this 1st day of May, 2023, by a vote of 7 ayes, 0 nays, 0 abstentions and 1 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk



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Ordinance No. 23-35 Re: To Accept the)
Dedication of a Sanitary Sewer)
Easement Deed from Susan Jahn,)
Relative to the South Old Orchard Road)
Lateral Sewer Project)

The matter of accepting the dedication of a Sanitary Sewer Easement Deed from Susan Jahn, relative to the South Old Orchard Road Lateral Sewer Project, came on for consideration. Alderwoman Liley introduced Bill No. 23-35, being for an ordinance entitled as follows:

**AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO
ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY DEEDED TO
THE CITY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE
ATTACHED SANITARY SEWER EASEMENT DEED.**

Motion made by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 23-35 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 23-35 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed and the Bill was then duly numbered Ordinance No. 23-35 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Seabaugh-aye; Alderman Baker-aye; Alderman Reiminger-aye; Alderman Hitt-aye; Alderman Sander-aye; Alderwoman Young-absent; Alderwoman Williams-aye; and Alderwoman Liley-aye.

BILL NO. 23-35

ORDINANCE NO. 23-35

**AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO
ATTEST TO THE CITY'S ACCEPTANCE OF CERTAIN PROPERTY DEEDED TO
THE CITY, WHICH SAID PROPERTY IS PARTICULARLY SET FORTH IN THE
ATTACHED SANITARY SEWER EASEMENT DEED.**

WHEREAS, **Susan Jahn, of Jackson, Missouri**, of the County of Cape Girardeau, State of Missouri, deeded to the City of Jackson, Missouri, the property described in the Sanitary Sewer Easement Deed, attached hereto.

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, do hereby accept the Deed which is attached hereto, subject to all of the terms and conditions therein expressed.

Section 2. That the Mayor and city Clerk of the City of Jackson, Missouri, are hereby authorized to do all acts and execute all instruments appropriate and necessary to accept said Deed.



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Section 3. The City Clerk of the City of Jackson, Missouri, is hereby directed to file a copy of said Deed with the Recorder of Deeds, Cape Girardeau County, Missouri.

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

FIRST READING: May 1, 2023.

SECOND READING: May 1, 2023.

PASSED AND APPROVED this 1st day of May, 2023, by a vote of 7 ayes, 0 nays, 0 abstentions and 1 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk

Motion to Bring from the Table a Bill)
Proposing an Ordinance to Approve a)
Text Amendment to Chapter 65 (Zoning))
Regarding the Addition of Provisions for)
Defining and Limiting Tiny Houses)

Motion made by Alderwoman Liley, seconded by Alderman Baker, to bring from the table a Bill proposing an Ordinance approving a text amendment to Chapter 65 (Zoning) regarding the addition of provisions for defining and limiting tiny houses. Ayes-7; Nays-0; Absent-1.

Bill No. 23-36/Ordinance Failed Re: To)
Approve a Text Amendment to Chapter)
65 (Zoning) Regarding the Addition of)
Provisions for Defining and Limiting)
Tiny Houses)

The matter of approving a text amendment to Chapter 65 (Zoning) regarding the addition of provisions for defining and limiting tiny houses, came on for consideration. Alderwoman Liley introduced Bill No. 23-36, being for an ordinance entitled as follows:

**AN ORDINANCE AMENDING CHAPTER 65 OF THE CODE OF ORDINANCES
OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO DEFINING AND
LIMITING TINY HOMES; AND REPEALING ALL ORDINANCES IN CONFLICT
THEREWITH.**

Motion made by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 23-36 was placed on its first reading and was read by title, considered and discussed and was duly failed. On a motion by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 23-36 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 then duly signed by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Seabaugh-aye;



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Alderwoman Liley-aye; Alderman Sander-nay; Alderman Baker-nay; Alderwoman Young-absent; Alderman Reiminger-nay; Alderwoman Williams-aye; and Alderman Hitt-nay.

BILL NO. 23-36

ORDINANCE NO. FAILED

AN ORDINANCE AMENDING CHAPTER 65 OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO DEFINING AND LIMITING TINY HOMES; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

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

Section 1. That Chapter 65, Article I, Section 65-2, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended by **ADDING** the following definitions to read as follows:

“Sec. 65-2. Definitions.

Tiny house, portable. A dwelling that is six hundred (600) square feet or less in floor area, excluding lofts, and is constructed on a chassis or skids, regardless of added porches, stairways, decks, or other additions.

Tiny House, permanent. A dwelling that is six hundred (600) square feet or less in floor area that is constructed on-site without a chassis and is permanently anchored to a foundation or concrete slab.”

Section 2. That Chapter 65, Article I, Section 65-8, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 65-8. - R-4 General residential district regulations.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

g. Tiny house, permanent, when part of a community unit plan, with a special use permit only.”

NOTE TO CODIFIER: Please note in Chapter 65, Article I, Section 65-8, Subpart (1) g. has been added and the original Subpart (1) g. should now be Subpart (1) h.; and the Subparts that follow should be re-lettered accordingly.

Section 3. That Chapter 65, Article I, Section 65-9, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 65-9. – MH-1 Mobile home park district regulations.



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The regulations set forth in this section, or set forth elsewhere in this chapter, are the regulations of the MH-1 mobile home park district. The purpose of the MH-1 mobile home park district is to provide suitable locations for the placement of mobile homes, with safeguards for the health and safety of mobile home residents. References to lot sizes, setbacks, and lot coverage shall be interpreted to mean the area designated for each mobile home stand within the mobile home park.

- (1) *Use regulations.* A building or premises shall be used only for the following purposes:
- a. Mobile home parks conforming to the provisions ~~hereof~~ of Article II.
 - b. Manufactured / mobile homes.
 - c. Tiny house, portable.”

NOTE TO CODIFIER: Please note in Chapter 65, Article I, Section 65-9, that Subpart (1) a. has been modified; that Subparts (1) b. and c. have been added; and that the original Subpart (1) b. should now be Subpart (1) d.; and the Subparts that follow should be re-lettered accordingly.

Section 4. That Chapter 65, Article I, Section 65-10, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 65-10. - O-1 Professional office district regulations.

- (1) *Use regulations.* The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the O-1 professional office district. The purpose of the O-1 professional office district is to provide adequate space in appropriate locations suitable for accommodating medical, dental and similar services, as well as professional offices. Bulk limitations are designed to provide maximum compatibility with less intensive land use in adjacent residential districts and with more intensive land use in adjacent commercial districts. The O-1 professional office district is to act in the capacity of a transition and supporting zone.

- h. Tiny house, permanent, when part of a community unit plan, with a special use permit only.”

NOTE TO CODIFIER: Please note in Chapter 65, Article I, Section 65-10, Subpart (1) h. has been added; that the original Subpart (1) h. should now be Subpart (1) i.; and the Subparts that follow should be re-lettered accordingly.

Section 5. That Chapter 65, Article I, Section 65-11, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 65-11. - C-1 Local commercial district regulations.

- (1) *Use regulations.* The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the C-1 Local Commercial district. The purpose of the C-1 district is to provide for retail trade and personal services to meet the regular needs and for the convenience



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of residents of adjacent residential areas. C-1 Local commercial districts are intended to be a closely associated and integral element of local neighborhoods.

- g. Tiny house, permanent, when part of community unit plan, with a special use permit only.”

NOTE TO CODIFIER: Please note in Chapter 65, Article I, Section 65-11, Subpart (1) g. has been added; that the original Subpart (1) g. should now be Subpart (1) h.; and the Subparts that follow should be re-lettered accordingly.

Section 6. That Chapter 65, Article I, Section 65-12, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 65-12. - C-2 General Commercial district regulations.

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the C-2 General commercial district. The purpose of the C-2 General commercial district is to provide areas for general commerce and services typically associated with major thoroughfares.

- (1) *Use regulations.* A building or premises shall be used only for the following purposes:

- g. Tiny house, permanent or portable, when part of a community unit plan, with a special use permit only.”

NOTE TO CODIFIER: Please note in Chapter 65, Article I, Section 65-12, Subpart (1) g. has been added; the original Subpart (1) g. should now be Subpart (1) h.; and the Subparts that follow should be re-lettered accordingly.

Section 7. That Chapter 65, Article II, Section 65-62, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:

“Sec. 65-62. – Permits and restrictions.

- (2). *RV parks location.* RV parks will be allowed in the C-2 District, with a special use permit only.”

NOTE TO CODIFIER: Please note in Chapter 65, Article II, Section 65-62, Subpart (2) has been modified.

Section 8. It is the intent of the Mayor and Board of Aldermen and it is hereby ordained that this ordinance shall become and be made a part of the Code of Ordinances of the City of Jackson, Missouri, and that sections of this ordinance may be renumbered to accomplish such intention.



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Section 9. 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 10. That this ordinance shall take effect and be in force from and after its passage and approval.

Section 11. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: May 1, 2023.

SECOND READING: May 1, 2023.

FAILED AND DENIED this 1st day of May, 2023, by a vote of 3 ayes, 4 nays, 0 abstentions and 1 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk

Mayor and Board of Aldermen to)
Extend Condolences)

Now comes forth Mayor Dwain L. Hahs to extend condolences, on behalf of the Board of Aldermen, to Alderwoman Wanda Young on the death her husband, Jim Young.

Mayor to Present Letter of Appreciation)
from Bollinger County Sheriff's Office)

Now comes forth Mayor Dwain L. Hahs to present a Letter of Appreciation from the Bollinger County Sheriff's Office for the assistance provided following the April 5, 2023, tornado strike in Bollinger County.

City Administrator James Roach)
requests Closed Session)

Now comes forth City Administrator James Roach to request to proceed into closed session for two items of real estate in accordance with Section 610.021(2) RSMo and one contractual matter in accordance with Section 610.021(12) RSMo.

Motion to Recess the Meeting to Study)
Session)

On a motion by Alderman Baker, seconded by Alderwoman Liley, to recess the meeting at 6:25 P.M., to convene to the Study Session. Ayes-7; Nays-0; Absent-1.



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Returned to Open Session at 6:37 P.M., from Study Session.

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

Meeting concluded at 6:37 P.M. On a motion by Alderman Baker, seconded by Alderwoman Liley, it is ordered that the Board now convene into closed session for two items of real estate in accordance with Section 610.021(2) RSMo and one contractual matter in accordance with Section 610.021(12) RSMo and that the meeting will stand adjourned upon the adjournment of the closed session. On roll call: Alderman Sander-aye; Alderman Baker-aye; Alderman Seabaugh-aye; Alderwoman Liley-aye; Alderman Hitt-aye; Alderwoman Williams-aye; Alderman Reiminger-aye; and Alderwoman Young-absent. Ayes-7; Nays-0; Absent-1.

ATTEST:

Mayor

City Clerk