



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING

Monday, April 18, 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, Tommy Kimbel, Paul Sander, David Hitt, Katy Liley, and David Reiminger. 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 Alderman Cunningham, to adopt the agenda, as presented. Ayes-7; Nays-0; Absent-1.

Public Hearing to Consider a Request)
for a Text Amendment to Chapter 65 of)
the Code of Ordinances related to)
Babysitting as a Home Occupation)

Now comes forth a Public Hearing to consider a request for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances, related to babysitting as a home occupation, as submitted by Brian Powell.

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 amending the text of Chapter 65 (Zoning) from the current limit of no more than 4 children under the age of 17 at one time to no more than 5 children under the age of 17 at one time in lieu of the request for no more than 6 children under the age of 17 at one time. 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. One letter of opposition to a specific location and one letter of opposition to the proposed text amendment were submitted.

Now comes forth City Attorney Curt Poore to provide a legal summary of the current laws for babysitting as a home occupation as stated in the law by State, City, and the Planning & Zoning Board.

Now comes forth Angela Powell of 596 Canyon Trail in support of the proposed text amendment and to state the child care is lacking in this area, waiting lists are years long, and the State saw the need for change when the law was changed in 2019.

Now comes forth Alderman Hitt to question the ages of Mrs. Powell's own children. Mrs. Powell's children are the ages of 10, 12, 24, and 25.

Now comes forth Alderman Sander to question if Mrs. Powell has ever had more than 4 children under her care at her current location. Mrs. Powell did have more than 4 children under her care previously at her location.

Now comes forth Erica Hendrix of 1922 Orchard Drive to speak in favor of the proposed text amendment and to state that the seven commercial facilities in Jackson could not



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accommodate for all of the children in Jackson who need care. Ms. Hendrix has struggled to find child care for her own child.

Now comes forth Brian Powell of 596 Canyon Trail and applicant of the proposed text amendment to speak in favor of the proposed text amendment and to state that the laws that are made need to be followed and enforced.

Now comes forth Megan Roth of 2032 Cambridge Drive in Cape Girardeau to speak in favor of the proposed text amendment and to state that bad things happening in daycare centers and in-home daycares can never be fully eliminated.

Now comes forth Caitlin Brown of 255 Oak Meadow Drive to speak in favor of the proposed text amendment and to state that the proposed text amendment change would match the State requirements, if approved.

Now comes forth Diane Lunsford of 1030 Odus and registered child care provider to speak in favor of the proposed text amendment and to state that allowing a few more kids per home would make a difference to her income. Ms. Lunsford states that those daycare providers not caring for children correctly need to be reported.

Now comes forth Lacy Giudicy of 2829 Clear Spring Place to speak in opposition of the proposed text amendment and to state that the zoning restrictions were put in place and there is not much data to support the change made to State law in 2019.

Now comes forth Cindy Lichtenegger of 3019 Clear Spring Place to speak in opposition of the proposed text amendment and to state that the State law is in place to protect children, the zoning code is addressed by the City, and this change could create more unregulated daycares.

Now comes forth Bob Lichtenegger of 3019 Clear Spring Place to speak in opposition of the proposed text amendment and to request rejection of the request.

Now comes forth Amelia Mansfield of 2804 Vista Ridge Place to speak in opposition of the proposed text amendment and to state that she understands a formal complaint has been filed against the Powell's, she knows of numerous unsafe in-home daycares, and the changing of the rules changes the nature of the neighborhood.

Now comes forth Steve Byerley of 2857 Vista Ridge Place to speak in opposition of the proposed text amendment and to state that he does not want the change to apply to his neighborhood.

Now comes forth Carolyn Hahs of 3012 Clear Spring Place to speak in opposition of the proposed text amendment.

Now comes forth Dana Lathum of 480 Harmony Lane to speak in opposition of the proposed text amendment and to state that she does not want to set a precedence for home occupations/in-home daycares.

Now comes forth Tracy Myer of 470 Harmony Lane to speak in opposition of the proposed text amendment and to state that she looked for a quiet area when she purchased her home.

Now comes forth Karen Walker of 721 West Washington Street to speak in opposition of the proposed text amendment and to state that she is concerned for children's safety in emergency situations and is concerned for a decision to be made that affects the whole City.



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The Public Hearing is now closed by Mayor Hahs.

Motion to Approve the Minutes of the)
April 4, 2022, Regular Board Meeting)

Motion made by Alderman Cunningham, seconded by Alderman Hitt, to approve the minutes of the preceding Regular Board Meeting of Monday, April 4, 2022. Ayes-7; Nays-0; Absent-1.

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

Motion made by Alderman Hitt, seconded by Alderman Kimbel, to approve the City Collector's Electric, Water & Sewer, Taxes & Licenses, and Refuse Report for March, 2022. Ayes-7; Nays-0; Absent-1.



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COLLECTOR'S REPORT

MARCH COLLECTIONS 2022

UTILITY SERVICE	ELECTRIC/SECURITY LIGHT (EL/SL)	WATER/PRIMACY (WA/PF)	SEWER (SE)	LANDFILL (TR)	GENERAL REVENUE	TOTALS
COLLECTIONS						
SERVICE CHARGES	1,396,853.62	241,281.15	192,399.19	56,922.97		1,887,456.93
LATE FEES	7,726.93	1,202.66	961.72	291.51		10,182.82
SALES TAX	44,577.93	7,261.73				51,839.66
RECONNECT FEES	1,900.00					1,900.00
RETURNED TRANSACTION FEES	240.00					240.00
CUSTOMER RELOCATION FEES					275.00	275.00
TRASH STICKERS				1,549.00		1,549.00
UTILITY COLLECTIONS	1,451,298.48	249,745.54	193,360.91	58,763.48	275.00	1,953,443.41
Adjustments/Refund/Return Checks - Services						-
Adjustments/Refund/Return Checks - Penalties						-
Adjustments/ Refund/Return Checks - Taxes						-
Adjustments/Service Fees for Returns						-
Adjustments/Payments/Overpayments - Services						-
Adjustments/Payments/Overpayments - Penalties						-
Adjustments/Payments/Overpayments - Taxes						-
NET UTILITY COLLECTIONS	1,451,298.48	249,745.54	193,360.91	58,763.48	275.00	1,953,443.41
BUSINESS / CONTRACTOR LICENSES					1,375.00	1,375.00
EVENT CHARGES / MISC.	50.00					50.00
						-
NON-UTILITY COLLECTIONS	50.00	-	-	-	1,375.00	1,425.00
MISC. ADJUSTMENTS						-
INTEREST ON FUNDS						5.96
CASH IN BANK						1,954,874.37
MISSOURI SALES TAX PAYMENT	(44,577.93)	(7,261.73)				(51,839.66)
Money Due to City Treasurer					\$	1,903,034.71
Respectfully Submitted,						
						
City Collector						



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

Motion made by Alderman Kimbel, seconded by Alderwoman Liley, to approve the City Clerk's and City Treasurer's Reports for March, 2022. The City Clerk's Report is as follows: Electric Receipts – \$16,089.60; Cemetery Receipts – \$11,450.00; Water Receipts – \$17,950.00; Wastewater Receipts – \$225.00; General Revenue Receipts – \$52,513.31; Inmate Security Fund – \$6.00; Park Receipts – \$795.00; Park Foundation Receipts – \$0.00; Transportation Sales Tax Receipts – \$0.00; Recreational Development Receipts – \$28,480.00; Recreation Sales Tax Receipts – \$10,066.75; Trust & Agency Receipts – \$0.00; Landfill Receipts – \$5,322.69; and Stormwater Maintenance Receipts – \$1,021.02. The Water & Light Deposit balance as of March 1, 2022 – \$311,689.79; Deposits - \$13,512.69; Refunds - \$23,158.29; balance as of March 31, 2022 – \$302,044.19. Ayes-7; Nays-0; Absent-1.

CITY TREASURER'S REPORT FOR MARCH, 2022

FUND	FUND BALANCES 03-01-2022	RECEIPTS	TRANSFER OF FUNDS	DISBURSEMENTS	FUND BALANCES 03-31-2022	INVESTMENTS	CASH BALANCE 03-31-2022
ELECTRIC FUND							
Operation & Maintenance	-	1,015,159.36	30,466.81	1,045,626.17	-	-	-
Electric Surplus	5,763,398.72	444,716.35	(1,086.94)	4,865.24	6,202,162.89	4,712,184.08	1,489,978.81
Electric Capital Project	6,504,900.02	-	-	22,877.63	6,482,022.39	6,412,000.00	70,022.39
General Revenue	1,843,818.35	122,249.93	354,155.88	554,132.02	1,766,092.14	795,000.00	971,092.14
Landfill Fund	511,183.43	64,086.35	(11,409.46)	37,302.64	526,557.68	-	526,557.68
City Park Fund	222,567.39	14,393.16	(8,307.14)	28,381.12	200,272.29	-	200,272.29
Public Park Foundation Fund	137,258.73	-	-	100.59	137,158.14	-	137,158.14
Cemetery Fund	893,409.83	18,191.25	(5,110.71)	11,194.81	895,295.56	299,000.00	596,295.56
Band Fund	(9.32)	6,741.25	-	1,671.64	5,060.29	-	5,060.29
Stormwater Maintenance Fund	274,495.83	1,021.02	-	-	275,516.85	61,000.00	214,516.85
ARPA Fund	1,496,845.37	14,423.79	-	-	1,511,269.16	-	1,511,269.16
Road Use Tax Fund	1,042,068.45	43,800.29	(19,166.66)	-	1,066,702.08	750,000.00	316,702.08
Sales Tax Fund	3,654,904.38	209,149.19	-	42,206.94	3,821,846.63	3,514,310.52	307,536.11
Fire Protection Sales Tax	104,908.58	49,703.24	(151,278.82)	-	3,333.00	-	3,333.00
Recreation Sales Tax	228,756.32	59,770.04	(11,025.87)	18,462.47	259,038.02	-	259,038.02
Public Safety Sales Tax	204,050.06	99,345.33	(302,395.39)	-	1,000.00	-	1,000.00
Trust and Agency Fund	972,300.38	33,459.07	20,702.05	28,139.67	998,321.83	720,000.00	278,321.83
Recreational Development	8,926.54	28,480.00	(771.48)	3,139.32	33,495.74	-	33,495.74
Transportation Sales Tax	2,878,375.36	99,406.87	-	152,030.06	2,825,752.17	2,273,000.00	552,752.17
I-55 Corridor Special Allocation	169,319.80	-	-	104,895.00	64,424.80	-	64,424.80
Capital Projects Construction	-	-	-	-	-	-	-
CDBG Grant Fund	-	-	-	-	-	-	-
Health Insurance Fund	424,303.95	24,800.25	147,608.59	132,035.02	464,677.77	-	464,677.77
Inmate Security Fund	14,087.12	154.00	-	-	14,241.12	-	14,241.12
Equitable Sharing Fund	3,617.07	-	-	-	3,617.07	-	3,617.07
WATER & SEWER FUND							
Water Operation & Maint.	-	97,591.61	(21,392.60)	76,199.01	-	-	-
Water Replacement	702,435.23	14,040.34	-	-	716,475.57	658,000.00	58,475.57
Water & Sewer Revenue Bonds	443,305.60	116,164.40	-	21,250.00	538,220.00	480,000.00	58,220.00
Water & Sewer Deprec. Reserve	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	9,051,672.13	171,079.61	-	18,085.68	9,204,666.06	8,751,193.53	453,472.53
Wastewater Operation & Maintenance	-	55,192.63	(20,988.26)	34,204.37	-	-	-
Wastewater Replacement	1,114,811.35	-	-	1,558.00	1,113,253.35	1,096,988.31	16,265.04
W & S Construction Fund	1,806,547.51	-	-	20,784.15	1,785,763.36	200,000.00	1,585,763.36
TOTALS	40,582,258.18	2,803,119.33	-	2,359,141.55	41,026,235.96	30,832,676.44	10,193,559.52

Respectfully Submitted,

Liza Walker, City Clerk/Treasurer (signed)

Cash on Hand 1,475.00
 General Account 8,285,432.74
 Collectors Account 1,903,034.71
 Equitable Sharing Fund 3,617.07

TOTAL 10,193,559.52



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Motion to Accept the Certified Election)
Results for the April 5, 2022 Municipal)
Election, as Certified by Cape Girardeau)
County Election Authority Kara Clark)
Summers)

Motion made by Alderman Reiminger, seconded by Alderwoman Liley, to accept the certified election results for the April 5, 2022 Municipal Election, as certified by Cape Girardeau County Election Authority Kara Clark Summers. Ayes-7; Nays-0; Absent-1.

Motion to Approve Task Order)
Authorization No. 22-10 to Strickland)
Engineering, LC of Jackson, Missouri,)
Relative to providing Surveying Services)
Under the North High Street Electric,)
Sewer, and Water Utility Relocation)
Project)

Motion made by Alderman Reiminger, seconded by Alderman Kimbel, to approve Task Order Authorization No. 22-10, in the amount of \$35,300.00, to Strickland Engineering, LC of Jackson, Missouri, relative to providing surveying services under the North High Street Electric, Sewer, and Water Utility Relocation Project. Ayes-7; Nays-0; Absent-1.

Ordinance No. 22-35 Re: To Authorize)
a Supplier Agreement with the Missouri)
Department of Social Services Family)
Support Division, relative to the Low)
Income Household Water Assistance)
Program (LIHWAP))

The matter of authorizing a supplier agreement with the Missouri Department of Social Services Family Support Division, relative to the Low Income Household Water Assistance Program (LIHWAP), came on for consideration. Alderman Reiminger introduced Bill No. 22-36, 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 WATER ASSISTANCE PROGRAM (LIHWAP); FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

On a motion made by Alderman Reiminger, seconded by Alderman Sander, Bill No. 22-36 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Reiminger, seconded by Alderman Sander, Bill No. 22-36 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 22-35 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Sander-aye; Alderman Cunningham-aye; Alderman Reiminger-aye; Alderwoman Young-absent; Alderman Kimbel-aye; Alderwoman Liley-aye; Alderman Hitt-aye; and Alderman Baker-aye.



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BILL NO. 22-36

ORDINANCE NO. 22-35

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 WATER ASSISTANCE PROGRAM (LIHWAP)*; 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: April 18, 2022.



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SECOND READING: April 18, 2022.

PASSED AND APPROVED this 18th day of April, 2022, 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. 22-36 Re: To Approve)
the Abandonment of a Portion of an)
Access and Parking Easement in)
Skinny's Subdivision, as requested by)
Quad Properties, LLC)

The matter of approving the abandonment of a portion of an Access and Parking Easement in Skinny's Subdivision, as requested by Quad Properties, LLC, came on for consideration. Alderman Reiminger introduced Bill No. 22-37, 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 OWNER OF RECORD; AUTHORIZING THE MAYOR AND CITY CLERK TO TRANSFER SAID AREA; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

On a motion made by Alderman Reiminger, seconded by Alderwoman Liley, Bill No. 22-37 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Reiminger, seconded by Alderwoman Liley, Bill No. 22-37 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 22-36 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 Cunningham-aye; Alderwoman Young-absent; Alderman Baker-aye; Alderwoman Liley-aye; and Alderman Kimbel-aye.

BILL NO. 22-37

ORDINANCE NO. 22-36

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

WHEREAS, Quad Properties, LLC, has requested vacation of the following described area in the City of Jackson, Missouri (see attached Exhibit A), to-wit:

THAT PART OF LOT 2 OF SKINNY'S SUBDIVISION AMENDED AS RECORDED IN PLAT BOOK 22 AT PAGE 45 OF THE LAND RECORDS OF CAPE GIRARDEAU COUNTY,



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MISSOURI, ALL IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2, THENCE, WITH THE WEST LINE OF SAID LOT 2, SOUTH 23°09'00" WEST, 39.39 FEET; THENCE, LEAVING SAID WEST LINE, SOUTH 58°46'01" EAST, 10.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 58°46'01" EAST, 17.50 FEET; THENCE SOUTH 31°13'59" WEST, 12.00 FEET; THENCE NORTH 58°46'01" WEST, 17.50 FEET; THENCE NORTH 31°13'59" EAST, 12.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 210 SQUARE FEET, MORE OR LESS.

and,

WHEREAS, the Board of Aldermen deems it in the best interest of the City of Jackson, Missouri, that said area 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 area be, and that the same is hereby, vacated.

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 area.

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: April 18, 2022.

SECOND READING: April 18, 2022.

PASSED AND APPROVED this 18th day of April, 2022, 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. 22-37 Re: To Approve)
the Abandonment of a Utility Easement)
at 1962 Watson Drive in Bent Creek)



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Spring Lake Addition, as requested by)
Daniel H. Rau)

The matter of approving the abandonment of a Utility Easement at 1962 Watson Drive in Bent Creek Spring Lake Addition, as requested by Daniel H. Rau, came on for consideration. Alderman Reiminger introduced Bill No. 22-38, 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.

On a motion made by Alderman Reiminger, seconded by Alderman Kimbel, Bill No. 22-38 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Reiminger, seconded by Alderman Kimbel, Bill No. 22-38 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 22-37 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Cunningham-aye; Alderman Reiminger-aye; Alderman Sander-aye; Alderwoman Young-absent; Alderman Baker-aye; Alderwoman Liley-aye; Alderman Hitt-aye; and Alderman Kimbel-aye.

BILL NO. 22-38

ORDINANCE NO. 22-37

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, Daniel H. Rau has requested vacation of the following described areas in the City of Jackson, Missouri, to-wit:

UTILITY EASEMENT

PART OF LOTS 89 AND 91 OF BENT CREEK – SPRING LAKE ADDITION AS SHOWN IN PLAT BOOK 19, PAGE 43, U.S.P.S. 2262, TOWNSHIP 31 NORTH, RANGE 13 EAST IN THE CITY OF JACKSON, CAPE GIRARDEAU COUNTY, MISSOURI BEING DESCRIBED AS FOLLOWS: COMMENCING at the northeast corner of said Lot 89; thence S 11°38'57" W along the East line of said Lot 89, 10.00 feet; thence N 78°21'03" W, 10.00 feet for the POINT OF BEGINNING; thence N 78°21'03" W, 130.00 feet; thence N 11°38'57" E, 11.76 feet; thence N 08°16'24" W, 8.77 feet; thence S 78°21'03" E, 132.99 feet; thence S 11°38'57" W, 20.00 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 Danie H. Rau. Also attached as Exhibit A is the plat showing the utility easement to be vacated.)

and,



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, April 18, 2022 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES

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: April 18, 2022.

SECOND READING: April 18, 2022.

PASSED AND APPROVED this 18th day of April, 2022, 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 Set a Public Hearing for)
Monday, May 16, 2022, to consider a)
Special Use Permit for Gun Sales at)
125 Court Street, as submitted by Jones)
Drug Store, Inc.)

Motion made by Alderman Cunningham, seconded by Alderman Baker, to set a public hearing for Monday, May 16, 2022, at 6:00 p.m., to consider a request for a Special Use Permit for gun sales in a C-3 (Central Business) District at 125 Court Street, as submitted by Jones Drug Store, Inc. Ayes-7; Nays-0; Absent-1.

Motion to Approve Change Order No. 2)
to Black Diamond, LLC d/b/a Paving)



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING

Monday, April 18, 2022 at 6:00 PM

Board Chambers, City Hall, 101 Court St.

MINUTES

Pros, LLC of Oak Ridge, Missouri,)
Relative to the 2021 Asphalt Pavement)
Improvement Program)

Motion made by Alderman Cunningham, seconded by Alderman Hitt, to approve Change Order No. 2, in the amount of \$5,985.10, to Black Diamond, LLC d/b/a Paving Pros, LLC of Oak Ridge, Missouri, relative to the 2021 Asphalt Pavement Improvement Program. Ayes-7; Nays-0; Absent-1.

Motion to Accept the Bid of Fronabarger)
Concreters, Inc. of Oak Ridge, Missouri,)
Relative to the 2022 Concrete)
Pavement Improvement Program)

Motion made by Alderman Cunningham, seconded by Alderman Baker, to accept the bid of Fronabarger Concreters, Inc. of Oak Ridge, Missouri, in the amount of \$304,290.00, relative to the 2022 Concrete Pavement Improvement Program. Ayes-7; Nays-0; Absent-1.

Ordinance No. 22-38 Re: To Authorize a)
Contractual Agreement with)
Fronabarger Concreters, Inc. of Oak)
Ridge, Missouri, relative to the 2022)
Concrete Pavement Improvement)
Program)

The matter of authorizing a contractual agreement with Fronabarger Concreters, Inc. of Oak Ridge, Missouri, relative to the 2022 Concrete Pavement Improvement Program, came on for consideration. Alderman Cunningham introduced Bill No. 22-39, 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 CONCRETES, INC. OF OAK RIDGE, MISSOURI, RELATIVE TO THE 2022 CONCRETE PAVEMENT IMPROVEMENT PROGRAM; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

On a motion made by Alderman Cunningham, seconded by Alderman Hitt, Bill No. 22-39 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Cunningham, seconded by Alderman Hitt, Bill No. 22-39 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 22-38 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Baker-aye; Alderwoman Liley-aye; Alderman Cunningham-aye; Alderwoman Young-absent; Alderman Reiminger-aye; Alderman Hitt-aye; Alderman Kimbel-aye; and Alderman Sander-aye.

BILL NO. 22-39

ORDINANCE NO. 22-38

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 CONCRETES, INC. OF OAK RIDGE, MISSOURI, RELATIVE TO THE 2022 CONCRETE PAVEMENT IMPROVEMENT PROGRAM; FURTHER SAID ORDINANCE SHALL



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MINUTES

AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

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

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

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

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

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

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

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

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

FIRST READING: April 18, 2022.

SECOND READING: April 18, 2022.

PASSED AND APPROVED this 18th day of April, 2022, by a vote of 7 ayes, 0 nays, 0 abstentions and 1 absent.

(SEAL)

CITY OF JACKSON, MISSOURI

By: Dwain L. Hahs (signed)



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, April 18, 2022 at 6:00 PM
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MINUTES

ATTEST: Mayor

Liza Walker (signed)
City Clerk

Motion to Accept the Bid of Persons &)
Son, Inc. of Poplar Bluff, Missouri,)
Relative to the Klaus Park Force Main)
Upgrade Project, Phase 1)

Motion made by Alderman Cunningham, seconded by Alderman Baker, to accept the bid of Persons & Son, Inc. of Poplar Bluff, Missouri, in the amount of \$149,758.00, relative to the Klaus Park Force Main Upgrade Project, Phase 1. Ayes-7; Nays-0; Absent-1.

Ordinance No. 22-39 Re: To Authorize a)
Contractual Agreement with Persons &)
Son, Inc. of Poplar Bluff, Missouri,)
Relative to the Klaus Park Force Main)
Upgrade Project, Phase 1)

The matter of authorizing a contractual agreement with Persons & Son, Inc. of Poplar Bluff, Missouri, relative to the Klaus Park Force Main Upgrade Project, Phase 1, came on for consideration. Alderman Cunningham introduced Bill No. 22-40, 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 PERSONS & SON, INC. OF POPLAR BLUFF, MISSOURI, RELATIVE TO THE KLAUS PARK FORCE MAIN UPGRADE PROJECT, PHASE 1; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

On a motion made by Alderman Cunningham, seconded by Alderman Hitt, Bill No. 22-40 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Cunningham, seconded by Alderman Hitt, Bill No. 22-40 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 22-39 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Reiminger-aye; Alderman Kimbel-aye; Alderman Cunningham-aye; Alderwoman Young-absent; Alderman Hitt-aye; Alderman Baker-aye; Alderwoman Liley-aye; and Alderman Sander-aye.

BILL NO. 22-40

ORDINANCE NO. 22-39

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A CONTRACT BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND PERSONS & SON, INC. OF POPLAR BLUFF, MISSOURI, RELATIVE TO THE KLAUS PARK FORCE MAIN UPGRADE PROJECT, PHASE 1; 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



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MAYOR & BOARD OF ALDERMEN REGULAR MEETING
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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 **Persons & Son, Inc. of Poplar Bluff, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said contract.

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

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

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

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

FIRST READING: April 18, 2022.

SECOND READING: April 18, 2022.

PASSED AND APPROVED this 18th day of April, 2022, 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. 22-40 Re: To Amend the)
"Parking Prohibited Schedule" –)



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, April 18, 2022 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

MINUTES

Schedule IX, by Repealing and Adding)
Designations in Ramsey Branch)
Subdivision, Phase 1)

The matter of amending the "Parking Prohibited Schedule" – Schedule IX, by repealing and adding designations on Caney Fork Street, Flatrock Trace, Juden Brook Way, and Sandy Brae Lane in Ramsey Branch Subdivision, Phase 1, came on for consideration. Alderman Cunningham introduced Bill No. 22-41, being for an ordinance entitled as follows:

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

On a motion made by Alderman Cunningham, seconded by Alderman Baker, Bill No. 22-41 was placed on its first reading and was read by title, considered and discussed and was duly passed by unanimous vote. On a motion by Alderman Cunningham, seconded by Alderman Baker, Bill No. 22-41 was placed on its second reading and final passage and was read by title, considered discussed, and was duly passed. The Mayor thereupon declared said Bill duly passed, and the Bill was then duly numbered Ordinance No. 22-40 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderwoman Liley-aye; Alderwoman Young-absent; Alderman Sander-aye; Alderman Cunningham-aye; Alderman Reiminger-aye; Alderman Kimbel-aye; Alderman Baker-aye; and Alderman Hitt-aye.

BILL NO. 22-41

ORDINANCE NO. 22-40

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

WHEREAS, a petition was filed by residents of the Ramsey Branch Subdivision Phase 1 requesting a change in the following no parking zones.

WHEREAS, the Traffic Safety Division of the Police Department of the City of Jackson has recommended that certain no parking zones be established; and

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

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

CANEY FORK STREET: On the south side of Caney Fork Street for its entire distance.

FLATROCK TRACE: On the north side of Flatrock Trace for its entire distance.

JUDEN BROOK WAY: On the west side of Juden Brook Way for its entire distance.



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SANDY BRAE LANE: On the east side of Sandy Brae Lane for its entire distance.

Section 2. The "Parking Prohibited Schedule, Schedule IX," passed and approved on the 18th day of November, 1985, is hereby amended by adding thereto the following new no parking designations:

CANEY FORK STREET: On the north side of Caney Fork Street for its entire distance.

FLATROCK TRACE: On the south side of Flatrock Trace for its entire distance.

JUDEN BROOK WAY: On the east side of Juden Brook Way for its entire distance.

SANDY BRAE LANE: On the west side of Sandy Brae Lane for its entire distance.

Section 3. It is the intent of the Mayor and Board of Aldermen of the City of Jackson, Missouri, that this ordinance become and be made a part of the "Parking Prohibited Schedule, Schedule IX," and the City Clerk of the City of Jackson, Missouri, is directed to replace said schedule in accordance herewith.

Section 4. The City Administrator of the City of Jackson, Missouri, is hereby directed to cause "No Parking Here to Corner" signs, or other appropriate signage, to be placed at the locations set forth hereinabove.

Section 5. This ordinance shall not be codified in the Code of Ordinances of the City of Jackson, Missouri, but kept on file in the office of the City Clerk.

Section 6. 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 7. This ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: April 18, 2022.

SECOND READING: April 18, 2022.

PASSED AND APPROVED this 18th day of April, 2022, by a vote of 7 ayes, 0 nays, 0 abstentions, and 1 absent.



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, April 18, 2022 at 6:00 PM
Board Chambers, City Hall, 101 Court St.

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CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk

Motion to Lay on the Table a Bill)
Proposing an Ordinance Amending)
Chapter 65 of the Code of Ordinances)
Related to Babysitting as a Home)
Occupation, as submitted by Brian)
Powell)

Motion made by Alderman Cunningham, seconded by Alderwoman Liley, to lay on the table a Bill proposing an Ordinance amending Chapter 65 (Zoning) of the Code of Ordinances, related to babysitting as a home occupation, as submitted by Brian Powell. Ayes-5; Nays-2: Alderman Sander and Alderman Hitt; Absent-1.

Mayor Hahs presents a Plaque to)
Alderman Cunningham)

Now comes forth Mayor Hahs to present to Alderman Larry Cunningham a plaque in recognition of his years of service to the citizens of the City of Jackson from 1992-2022.

Motion to Adjourn the Meeting, *Sine Die*)

Motion made by Alderman Hitt, seconded by Alderman Baker, to adjourn *sine die* at 7:22 P.M. Ayes-7; Nays-0; Absent-1.

ATTEST:

Mayor

City Clerk