



CITY OF JACKSON
MAYOR & BOARD OF ALDERMEN REGULAR MEETING
Monday, August 7, 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, David Reiminger, Paul Sander, Wanda Young, David Hitt, Shana Williams, and Katy Liley. Present-8; Absent-0.

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

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

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

Motion to Adopt the Agenda)

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

Public Hearing to Consider Removing)
the CO-1 District from Properties at the)
East Main Street, Old Orchard Road,)
and Interstate 55 Area)

Now comes forth a Public Hearing to consider removing the CO-1 (Enhanced Commercial Overlay) District from properties at the East Main Street, Old Orchard Road, and Interstate 55 are.

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

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

Now comes forth Shelly Kaiser, of 145 Pine Ridge Lane and the Jackson Chamber of Commerce, to speak in favor of the proposed rezoning.



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Now comes forth Tom Kelsey, of 276 S. Mt. Auburn in Cape Girardeau, to speak in favor of the proposed rezoning and to state that some clients felt they couldn't comply with the current restrictions included in the CO-1 District.

Now comes forth Alderwoman Young to question which restrictions would be difficult to comply. Mr. Kelsey to state that one restriction relates to outside storage but nothing with toxins.

Now comes forth Mary Harriet Talbut, of 2540 Jonathan Drive, to state, on behalf of the Old McKendree Chapel, that there is no reason to not support the proposed rezoning.

Now comes forth Ed Brazer, of 3615 Eastwood Drive, to state that the current overlay provides an extra buffer zone, and he'd prefer to see a change to the overlay district rather than removal of the overlay district completely.

Now comes forth Charles Ireland, of 3618 Shalom, to state that he is not sure he is opposed but would like to know what will be allowed that is currently not allowed in the zone.

The Public Hearing is now closed by Mayor Hahs.

Public Hearing to Consider the rezoning)
of a 1.91-Acre Tract at the Southwest)
Corner of East Main Street and South)
Shawnee Boulevard, as submitted by)
the William J. Penrod Trust)

Now comes forth a Public Hearing to consider the rezoning of a 1.91-acre tract at the southwest corner of East Main Street and South Shawnee Boulevard (County parcel number 15-113-00-16-001.00-0000), from R-4 (General Residential) District to C-2 (General Commercial) District, as submitted by the William J. Penrod Trust.

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

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



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Now comes forth Robert Kirchherr, of 105 N. Donald Street, to speak in opposition of the proposed rezoning due to the residential nature of the area.

The Public Hearing is now closed by Mayor Hahs.

Public Hearing to Consider a Special)
Use Permit for an Oversized Attached)
Sign at 1985 East Jackson Boulevard,)
as submitted by Cape Girardeau County)
Public Library District)

Now comes forth a Public Hearing to consider a Special Use Permit request for an oversized attached sign, in a C-2 (General Commercial) District, at 1985 East Jackson Boulevard, as submitted by Cape Girardeau County Public Library District

Now comes forth Building and Planning Manager Larry Miller 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.

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

No one speaks at the public hearing.

The Public Hearing is now closed by Mayor Hahs.

Public Hearing to Consider a Text)
Amendment to Chapter 65 of the Code)
of Ordinances, regarding the Addition of)
Provisions for Defining and Limiting)
Tiny Houses)

Now comes forth a Public Hearing to consider a text amendment to Chapter 65 (Zoning) of the Code of Ordinances, regarding the addition of provisions for defining and limiting tiny houses.

Now comes forth Building and Planning Manager Larry Miller to state that the Planning & Zoning Commission voted to recommend approval of the text amendment. It is requested



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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.

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

Now comes forth Terry Baker, of 1041 Shady Lane, to speak in favor of the proposed text amendment to support affordable housing in Jackson.

The Public Hearing is now closed by Mayor Hahs.

Motion to Approve the Minutes of the)
July 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, July 17, 2023. Ayes-8; Nays-0; Absent-0.

Motion to Approve Bills of August, 2023)

Now is presented the Semimonthly Bills Report, in the various funds for the month of August, 2023. Motion made by Alderman Hitt, seconded by Alderwoman Young, to approve the payment of Semimonthly Bills in the various funds for August, 2023. Ayes-8; Nays-0; Absent-0.

Motion to Record in the Minutes the)
Disposal of City Records which have)
Met their Retention Life)

Motion made by Alderman Reiminger, seconded by Alderman Seabaugh to record in the minutes the disposal of City records which have met their retention life and were destroyed in compliance with the guidelines according to the Missouri Secretary of State's Record Retention Schedule, under RSMo 109.230(4). Ayes-8; Nays-0; Absent-0. The following records were disposed of by bulk shredding on July 19, 2023, by The Shred Truck:

RECORD DESCRIPTION:

INCLUSIVE DATE

Accounts Payable Check Copies
Accounts Payable Invoices
Accounts Payable Reports

2017-2019
2017-2019
2017-2019



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Accounts Receivable Paid Invoices	2017-2019
Accounts Receivable Records – Library (closed)	1961-1969
Asphalt Maintenance Program	1984-1989 & 2002-2006
Bank Deposit Tickets	2017-2019
Bank Statements & Records	2017-2019
Bank Depository Agreements & Securities Pledged	2017-2019
Building Plans	2017
Business Licenses	2017-2020
Check Deposit Register	2017-2019
City Treasurer's Monthly Reports	2017-2019
Collector's Batch Lists	2017-2019
Collector's Daily Reconciliation Postings & Reports	2017-2019
Credit Card Receipts	2017-2019
Drainage Complaints	2005
EEOC Report	1981
Female Employee Report	2017
Fuel Tickets, Transfer and Work Tickets	2017
G/L Posting Journal	2017-2019
General Correspondence – Library (closed)	1961-1975
Invoices-Misc.	2017-2019
Inventory Sheets	2017-2019
Investment Allocation Worksheets	2017-2019
Joint Sealing	2000-2002
MIRMA Files	2017
Missouri One Call Locates	2013-2017
Missouri Taxes Received	2017
MODES & Reports for CFS & Multiple Work Sites	2017
Monthly Journal Entries/Computer Worksheets	2017-2019
Paid Invoices	2017-2019
Park Foundation Summaries	2017-2019
Payroll Deductions and 941s	2017
Payroll Monthly Reports	2017
Payroll Reports, Taxes, Drug Testing, Insurance W/Hs	2017
Payroll-Sick Time, Garnishments, COBRA	2017
Public Information Requests	2017-2019
Public Notice Records	2017-2019
Purchase Orders	2017-2019



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Receipts – Building Permits, Park and Franchises	2017-2019
Returned Checks	2019-2021
Sales Tax Quarterly Reports	2017-2019
Stormwater Complaints	1997 & 2008-2016
Street Maintenance Projects	2001-2011
Swimming Pool Receipts	2017-2019
Utility Applications	2017-2019
Utility Bill Postal Statements	2017-2019
Utility Bill Stubs	2017-2020
Utility Work Orders	2017-2019
W-2s & W-3s and 1095Cs & 1094Cs	2017
Water Sold	2017-2019
Williams Creek Water Crossing Repair	2009
Workmen's Compensation	2017
W & L Deposit Account - Refunds	2017-2019

Motion to Renew a Contractual)
Agreement with Precise Target Locating,)
of Cape Girardeau, Missouri, and to)
Increase the Ticket Price to \$37.00,)
Relative to Providing Services under the)
Underground Facilities Locating and)
Marking Services Program)

Motion made by Alderman Reiminger, seconded by Alderwoman Williams, to renew a contractual agreement with Precise Target Locating, of Cape Girardeau, Missouri, and to increase the ticket price to \$37.00 for the term ending June 30, 2024, relative to providing services under the Underground Facilities Locating and Marking Services Program. Ayes-8; Nays-0; Absent-0.

Ordinance No. 23-59 Re: To Amend)
Chapter 41 of the Code of Ordinances,)
Relative to Water Service Line)
Specifications and Fee Schedule)

The matter of amending Chapter 41 (Municipal Utilities) of the Code of Ordinances, relative to water services line specifications and fee schedule, came on for consideration. Alderman Reiminger introduced Bill No. 23-60, being for an ordinance entitled as follows:



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AN ORDINANCE AMENDING CHAPTER 41, ARTICLE III, DIVISION 2, SUBDIVISION II, SECTIONS 41-371, 41-373 AND 41-375, OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO WATER METERS, TAPS AND FEES; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

Motion made by Alderman Reiminger, seconded by Alderman Sander, Bill No. 23-60 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. 23-60 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. 23-59 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-aye; Alderwoman Williams-aye; Alderman Seabaugh-aye; and Alderwoman Liley-aye.

BILL NO. 23-60

ORDINANCE NO. 23-59

AN ORDINANCE AMENDING CHAPTER 41, ARTICLE III, DIVISION 2, SUBDIVISION II, SECTIONS 41-371, 41-373 AND 41-375, OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO WATER METERS, TAPS AND FEES; 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 41, Article III, Division 2, Subdivision II, Section 41-371, of the Code of Ordinances of the City of Jackson, Missouri, is hereby **amended** to read as follows:

“Sec. 41-373. Meters required.

Water shall not be supplied unless a meter system is purchased from and installed by the city. Water service pipe shall meet city specifications.”

Section 2. That Chapter 41, Article III, Division 2, Subdivision II, Section 41-373, of the Code of Ordinances of the City of Jackson, Missouri, is hereby **amended** to read as follows:



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“Sec. 41-373. Water taps; application therefor; procedure; charges.

- (a) Applications for water taps shall be filed with the public works office.
- (b) Fees for water taps, directional boring, street cuts, and street repairs, shall be paid to the city in accordance with a fee schedule on file with the city clerk’s office.”

Section 3. That Chapter 41, Article III, Division 2, Subdivision II, Section 41-375, of the Code of Ordinances of the City of Jackson, Missouri, is hereby **deleted**.

NOTE TO CODIFIER: Please note that Section 41-375 has been deleted and that the remaining sections that follow will be renumbered.

Section 4. 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.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

Section 7. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: August 7, 2023.

SECOND READING: August 7, 2023.



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PASSED AND APPROVED this 7th day of August, 2023, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk

Motion to Approve the Updated Fee)
Schedule for Water Taps and Meter)
Fees, effective September 1, 2023)

Motion made by Alderman Reiminger, seconded by Alderman Seabaugh, to approve the updated fee schedule for water taps and meter fees, effective September 1, 2023. Ayes-8; Nays-0; Absent-0.

Motion to Approve an Addendum to the)
Contract Agreement with Bootheel)
Fence Co., Inc., of Jackson, Missouri,)
Relative to a Time Extension under the)
City Parks Fencing Replacement and)
Repair Project)

Motion made by Alderwoman Liley, seconded by Alderman Baker, to approve an Addendum to the Contract Agreement with Bootheel Fence Co., Inc., of Jackson, Missouri, relative to a time extension under the City Parks Fencing Replacement and Repair Project. Ayes-8; Nays-0; Absent-0.

Motion to Approve and Addendum to the)
Contract Agreement with Capri Pools &)
Aquatics, of Edwardsville, Illinois,)
Relative to a Time Extension for the)
Purchase of Chemicals and the)
Installation of a Chemical Controller at)
the City Pool)



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Motion made by Alderwoman Liley, seconded by Alderman Hitt, to approve an Addendum to the Contract Agreement with Capri Pools & Aquatics, of Edwardsville, Illinois, relative to a time extension for the purchase of chemicals and the installation of a chemical controller at the City Pool. Ayes-8; Nays-0; Absent-0.

Motion to Approve an Addendum to the)
Contract Agreement with Capri Pools &)
Aquatics, of Edwardsville, Illinois,)
Relative to a Time Extension for the)
Purchase and Installation of a Chemical)
Feeder at the City Pool)

Motion made by Alderwoman Liley, seconded by Alderwoman Young, to approve an Addendum to the Contract Agreement with Capri Pools & Aquatics, of Edwardsville, Illinois, relative to a time extension for the purchase and installation of a chemical feeder at the City Pool. Ayes-8; Nays-0; Absent-0.

Ordinance No. 23-60 Re: To Remove)
the CO-1 District from Properties at the)
East Main Street, Old Orchard Road,)
and Interstate 55 Area)

The matter of removing the CO-1 (Enhanced Commercial Overlay) District from properties at the East Main Street, Old Orchard Road, and Interstate 55 area, came on for consideration. Alderwoman Liley introduced Bill No. 23-61, being for an ordinance entitled as follows:

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

Motion made by Alderwoman Liley, seconded by Alderman Baker, Bill No. 23-61 was placed on its first reading and was read by title, considered and discussed and was duly passed. On a motion by Alderwoman Liley, seconded by Alderman Baker, Bill No. 23-61 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. 23-60 and was signed and approved by Mayor Dwain L.



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Hahs and attested by the City Clerk. On roll call: Alderwoman Liley-aye; Alderman Hitt-aye; Alderman Sander-aye; Alderman Baker-aye; Alderwoman Young-nay; Alderwoman Williams-aye; Alderman Seabaugh-aye; and Alderman Reiminger-aye.

BILL NO. 23-61

ORDINANCE NO. 23-60

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

WHEREAS, certain tracts of land herein referred to, have heretofore been submitted to the City Planning and Zoning Commission for its consideration the rezoning of certain properties located in the City of Jackson, Missouri, said properties being described as various properties along E. Main Street, Interstate 55, and Old Orchard Road, all located within the city limits as set out in Exhibit A which is attached hereto and incorporated herein as if fully set forth; and,

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

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

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



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

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

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

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

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

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

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SECOND READING: August 7, 2023.

PASSED AND APPROVED this 7th day of August, 2023, by a vote of 7 ayes, 1 nay, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk

Bill No. 23-62/Ordinance Failed Re: To)
Approve the Rezoning of a 1.91-Acre)
Tract at the Southwest Corner of East)
Main Street and South Shawnee)
Boulevard, as submitted by the William)
J. Penrod Trust)

The matter of approving the rezoning of a 1.91-acre tract at the southwest corner of East Main Street and South Shawnee Boulevard (County parcel number 15-113-00-16-001.00-0000), from R-4 (General Residential) District to C-2 (General Commercial) District, as submitted by the William J. Penrod Trust, came on for consideration. Alderwoman Liley introduced Bill No. 23-62, being for an ordinance entitled as follows:

AN ORDINANCE AMENDING THE "OFFICIAL ZONING DISTRICT MAP" OF THE CITY OF JACKSON, MISSOURI, AS ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI; SAID AMENDMENT IS IN ORDER TO RECLASSIFY A CERTAIN DESCRIBED AREA OF THE CITY OF JACKSON, MISSOURI, FROM R-4 TO C-2, ALL IN ACCORDANCE WITH THE AUTHORITY GRANTED TO THE BOARD OF ALDERMEN BY VIRTUE OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI.

Motion made by Alderwoman Liley, seconded by Alderman Hitt, Bill No. 23-62 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 Hitt, Bill No. 23-62 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 was



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signed by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Baker-nay; Alderman Reiminger-nay; Alderman Hitt-nay; Alderman Sander-nay; Alderwoman Young-nay; Alderwoman Williams-nay; Alderman Seabaugh-nay; and Alderwoman Liley-nay.

BILL NO. 23-62

ORDINANCE NO. FAILED

AN ORDINANCE AMENDING THE "OFFICIAL ZONING DISTRICT MAP" OF THE CITY OF JACKSON, MISSOURI, AS ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI; SAID AMENDMENT IS IN ORDER TO RECLASSIFY A CERTAIN DESCRIBED AREA OF THE CITY OF JACKSON, MISSOURI, FROM R-4 TO C-2, ALL IN ACCORDANCE WITH THE AUTHORITY GRANTED TO THE BOARD OF ALDERMEN BY VIRTUE OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI.

WHEREAS, The William J. Penrod Revocable Living Trust Agreement of May 21, 1997, owner of a certain tract of land herein referred to, has heretofore submitted to the City Planning and Zoning Commission for its consideration the rezoning of certain territories located in the City of Jackson, Missouri, said properties being described as all of 1331, 1333, 1339, 1341 and 1347 East Main Street; and 121, 123, 125 and 127 South Shawnee Boulevard within the city limits as set out in Exhibit A which is attached hereto and incorporated herein as if fully set forth; and,

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

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

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



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

Section 1. That the Zoning Ordinance and the accompanying "Official Zoning District Map" of the City of Jackson, Missouri, are hereby amended insofar as they relate to the property described on Exhibit A which is attached hereto and incorporated herein as if fully set forth; that said property is hereby rezoned from R-4 General Residential District to C-2 General Commercial District.

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

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

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

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

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SECOND READING: August 7, 2023.

FAILED AND DENIED this 7th day of August, 2023, by a vote of 0 ayes, 8 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk

Ordinance No. 23-61 Re: To Approve a)
Special Use Permit for an Oversized)
Attached Sign at 1985 East Jackson)
Boulevard, as submitted by Cape)
Girardeau County Public Library District)

The matter of approving a Special Use Permit for an oversized attached sign, in a C-2 (General Commercial) District, at 1985 East Jackson Boulevard, as submitted by Cape Girardeau County Public Library District, came on for consideration. Alderwoman Liley introduced Bill No. 23-63, being for an ordinance entitled as follows:

AN ORDINANCE APPROVING 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 Alderwoman Young, Bill No. 23-63 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. 23-63 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. 23-61 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-aye; Alderwoman Williams-aye; Alderman Seabaugh-aye; and Alderwoman Liley-aye.



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BILL NO. 23-63

ORDINANCE NO. 23-61

AN ORDINANCE APPROVING 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 Board of Aldermen and the Planning and Zoning Commission have considered a proposed special use permit for property described as 1985 E. Jackson Boulevard., as set out in Exhibit A which is attached hereto and incorporated herein by reference; and,

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

WHEREAS, a special use permit for a 96 sq. ft. oversized attached sign in a C-2 General Commercial District at 1985 E. Jackson Boulevard 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:



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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 Greg Schwab and the Riverside Regional Library, Applicants.

Section 2. That the property set forth in Exhibit A is hereby granted a special use permit for a 96 sq. ft. oversized attached sign in a C-2 General Commercial District at 1985 East Jackson Boulevard.

The aforesaid special use permit is subject to the following specific conditions: compliance with all ordinances of the City of Jackson, Missouri, except as specifically varied or waived by this special use permit.

Section 3. 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 4. 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 5. This special use permit is issued to the applicants and shall not be assigned or otherwise transferred by said applicants. This special use permit runs with the applicants and not the land.



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Section 6. 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 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

FIRST READING: August 7, 2023.

SECOND READING: August 7, 2023.

PASSED AND APPROVED this 7th day of August, 2023, by a vote of 8 ayes, 0 nays, 0 abstentions, and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk

Ordinance No. 23-62 Re: To Approve a)
Text Amendment to Chapter 65 of the)
Code of Ordinances, regarding the)
Addition of Provisions for Defining and)



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Limiting Tiny Houses)

The matter of approving a text amendment to Chapter 65 (Zoning) of the Code of Ordinances, regarding the addition of provisions for defining and limiting tiny houses, came on for consideration. Alderwoman Liley introduced Bill No. 23-64, 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 Baker, Bill No. 23-64 was placed on its first reading and was read by title, considered and discussed and was duly passed. On a motion by Alderwoman Liley, seconded by Alderman Baker, Bill No. 23-64 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. 23-62 and was signed and approved by Mayor Dwain L. Hahs and attested by the City Clerk. On roll call: Alderman Seabaugh-aye; Alderwoman Liley-aye; Alderman Hitt-nay; Alderman Sander-nay; Alderman Baker-nay; Alderwoman Young-nay; Alderwoman Williams-aye; Alderman Reiminger-aye; and Mayor Hahs-aye.

BILL NO. 23-64

ORDINANCE NO. 23-62

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.



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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, excluding lofts, and 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.

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



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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



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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 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:



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- 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.

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.



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

FIRST READING: August 7, 2023.

SECOND READING: August 7, 2023.

PASSED AND APPROVED this 7th day of August, 2023, by a vote of 5 ayes, 4 nays, 0 abstentions and 0 absent.

CITY OF JACKSON, MISSOURI

(SEAL)

By: Dwain L. Hahs (signed)
Mayor

ATTEST:

Liza Walker (signed)
City Clerk

City Administrator James Roach)
requests Closed Session)

Now comes forth City Administrator James Roach to request to proceed into closed session for two litigation matters in accordance with Section 610.021(1), four items of real estate in accordance with Section 610.021(2) RSMo, and one personnel matter in accordance with Section 610.021(3).

Motion to Recess the Meeting to Study)
Session)

On a motion by Alderman Baker, seconded by Alderwoman Liley, to recess the meeting at 6:58 P.M., to convene to the Study Session. Ayes-8; Nays-0; Absent-0.

Returned to Open Session at 7:19 P.M., from Study Session.

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

Meeting concluded at 7:19 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



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litigation matters in accordance with Section 610.021(1), four items of real estate in accordance with Section 610.021(2) RSMo, and one personnel matter in accordance with Section 610.021(3) and that the meeting will stand adjourned upon the adjournment of the closed session. On roll call: Alderwoman Williams-aye; Alderman Seabaugh-aye; Alderman Sander-aye; Alderman Baker-aye; Alderwoman Liley-aye; Alderman Hitt-aye; Alderman Reiminger-aye; and Alderwoman Young-aye. Ayes-8; Nays-0; Absent-0.

ATTEST:

Mayor

City Clerk