DISCUSSION ITEMS

1) Request for abandonment of a sanitary sewer easement at 2122 East Jackson Boulevard


3) Amendments to Chapter 65 of the Code of Ordinances (Accessory Dwelling Units) – update

4) On-street operation of all-terrain vehicles and utility vehicles – update

5) North Farmington Road Asphalt Coring Project – engineering services proposal

6) Chapter 100 proposal/Mr. John Mehner – Cape Girardeau Area MAGNET

7) Road closure report

8) Discussion of previously tabled items

9) Additional items - not specified

Posted 02/28/20 - 4:00 P.M.
Enclosed, please find the list of items to be discussed at our March 2nd study session. Some of these items will appear again, on the March 16th agenda, for official action.

**Item #1** will allot time for discussion relating to a request for the abandonment of a sanitary sewer easement across property located at 2122 East Jackson Boulevard. Please refer to the accompanying Bowen Engineering letter.

Item #2 will allot time for discussion of Phase 2 of the Water System Facility Implementation Project. Planned projects under this phase would affect traffic along East Main Street. As a result of the construction of the DDI and traffic impact on East Jackson Boulevard, concerns have been voiced regarding the timing of certain projects under this phase of the city’s water system improvements that would further affect traffic flow within the city.

**Item #3** provides you with additional information on the topic of accessory dwelling units in residential areas. Please refer to Janet’s memo.

**Item #4** will allow for additional discussion on the use of all-terrain and utility vehicles on city streets. For your review and consideration, I have included a copy of the current city ordinances relating to this topic.

**Item #5** provides you with a copy of an engineering services proposal from Koehler Engineering regarding the proposed improvement of North Farmington Road.

Item #6 will allot time for Mr. John Mehner to share information on Chapter 100 bond financing.
Item #7 will present information on upcoming/existing road closures.

Item #8 will allow for discussion of any previously tabled items, if appropriate.
February 18, 2020

Attn: Rodney Bollinger
Director of Administrative Services
City of Jackson
101 Court Street
Jackson, MO 63755

Re: Request to Vacate a portion of a Sanitary Sewer Easement recorded May 18, 1978 in Book 357 at Page 42 on file in the Office of the County Recorder, Cape Girardeau County, Missouri.

Dear Mr. Bollinger:

We respectfully request to vacate a portion of a sanitary sewer easement as described above. Said easement runs across the property known as 2122 East Jackson Boulevard. The portion of the easement to be vacated runs in a Northeast, Southwest direction under an existing building.

Sincerely,

Chris Kelley
Survey Manager
Bowen Engineering & Surveying, Inc.
2121 Megan Drive
Cape Girardeau, MO 63701
Phone 573 339 5900
Fax 573 339 1391
EASEMENT VACATION EXHIBIT

A PART OF FRACTIONAL SECTION 7,
T 31 N, R 13 E, OF THE 5th P.M.

CITY OF JACKSON,
COUNTY OF CAPE GIRARDEAU,
STATE OF MISSOURI

FOUND 1/2" IRON PIN
N 560.681.038
E 1,068.876.293
NADES. M.S.P.C.
ZONE 54/51 EAST
U.S. SURVEY FEET
S.F. = 1,000,004,672
C.A. = 03°31'09.9956

15 SANDBY SERV EXHIBMENT
BOOK NO. 587-PAGE NO. 002

EAST JACKSON BLVD. (A.K.A. U.S. ROUTE 61)

K LAND DRIVE (60' ROW)

15 SANDBY SERV EXHIBMENT
BOOK NO. 587-PAGE NO. 002

P.O.B.

BUILDING

BUILDING

15 SANDBY SERV EXHIBMENT
BOOK NO. 587-PAGE NO. 002

12-1/2" TALL

EAST SANDBY SERV EXHIBMENT
BOOK NO. 587-PAGE NO. 002

Bowen
ENGINEERING & SURVEYING
Consulting Engineers + Land Surveyors + Testing Laboratories
SANITARY SEWER EASEMENT TO BE VACATED
(A PART OF BOOK NO. 357 – PAGE NO. 042)

A STRIP OF LAND 15.00 FEET WIDE, LYING 7.50 FEET ON EACH SIDE OF
THE FOLLOWING DESCRIBED CENTERLINE:

A PART OF FRACTIONAL SECTION 7, TOWNSHIP 31 NORTH, RANGE 13 EAST
OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF JACKSON, COUNTY OF CAPE
GIRARDEAU, STATE OF MISSOURI BEING MORE PARTICULARLY DESCRIBED
AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT NO. 13, KIMBELAND
SUBDIVISION AS RECORDED IN PLAT BOOK NO. 9 AT PAGE NO. 9 OF THE
LAND RECORDS OF THE COUNTY RECORDER’S OFFICE; THENCE
N 36° 51’ 35” E, 201.61 FEET ALONG THE EAST LINE OF SAID LOT NO.
13 TO THE NORTHWEST CORNER OF A TRACT OF LAND RECORDED IN
DOCUMENT NO. 2013-01639; THENCE S 58° 55’ 28” E, 364.84 FEET
ALONG THE NORTH LINE OF SAID TRACT AND ITS PROLONGATION; THENCE
S 30° 56’ 26” W, 7.50 FEET TO THE POINT OF BEGINNING:

THENCE S 30° 56’ 26” W, 192.87 FEET TO THE NORTHEAST RIGHT OF
WAY LINE OF EAST JACKSON BOULEVARD (U.S. ROUTE 61) AND THERE
TERMINATING.
MEMO

TO: Mayor Dwain Hahs and Members of the Board of Aldermen
FROM: Janet Sanders, Building & Planning Manager
DATE: February 28, 2020
SUBJECT: Accessory Dwelling Units

I have researched online codes of a number of communities in Missouri and found that the provisions for accessory dwelling units seem to be limited to communities the size of Columbia and larger. Some are cities with provisions and some are counties with or near large cities such as Boone and Jefferson. Cape Girardeau’s only provision is for guest houses, intended to be used on a short-term basis by guests. Both Cape Girardeau’s and Jackson’s codes have provisions for housing for domestic servants.

At the last meeting, it was clear that separate accessory dwelling buildings were not desired, but “mother-in-law” apartments within or attached to a single-family home might be considered.

The impetus for the initial proposal to add accessory dwellings was to provide for care of elderly or disabled relatives who need some supervision while living independently in a full dwelling unit. The current zoning code does not prevent relatives from living with family in a single-family home and having their own bedroom(s), bathroom(s), and living space. That can still be defined as living as a “family unit” as long as they don’t have their own separate kitchen facilities. When a single-family home has separate kitchen facilities for residents who are cooking and eating separately from the rest of the family, then it is a two-family dwelling.

The obvious downside of allowing “mother-in-law” apartments is that once it is no longer needed for a relative, it becomes defacto rental space and then a zoning violation that is hard to enforce.

As additional information, I have attached a map of all zoning areas within the City of Jackson that currently allow two-family dwellings.
Areas Currently Zoned for Two-Family Dwellings
AN ORDINANCE AMENDING CHAPTER 39, ARTICLE V, OF THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI, RELATIVE TO VEHICLES PROHIBITED; 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 39, Article V, Section 39-500, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended by adding the following definition to read as follows:

"Sec. 39-500. Definitions.

Golf cart means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that has been manufactured by the original manufacturer so as not to be capable of exceeding speeds of twenty miles per hour."

Section 2. That Chapter 39, Article V, Section 39-501, of the Code of Ordinances of the City of Jackson, Missouri, is hereby amended to read as follows:


No person shall ride on or operate a ‘motorized play vehicle,’ an ‘all-terrain vehicle,’ or a ‘golf cart’ upon any street, highway, roadway, or sidewalk within the city or within the boundaries of any city park. It is provided, however, that golf carts may cross city streets solely for the purpose of getting from one section of a golf course to another. This section does not apply to vehicles operated by the city or vehicles operated at specific events authorized by the city or vehicles operated by individuals for debris removal or snow removal. In the event that this section is violated by a juvenile, then the vehicle shall be confiscated by the city and held until the transportation and storage fees are paid by the adult owner of the vehicle."

Section 3. 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 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.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: December 21, 2015.
SECOND READING: December 21, 2015.
PASSED AND APPROVED this 21st day of December, 2015, 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:
Mary Lowry (signed)
City Clerk
ARTICLE V. - VEHICLES PROHIBITED

Sec. 39-500. - Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

*All-terrain vehicle* means any motorized vehicle manufactured and used exclusively for off-highway use which is fifty (50) inches or less in width, with an unladen dry weight of six hundred (600) pounds or less, traveling on three (3), four (4) or more low pressure tires with a seat designed to be straddled by the operator and handlebars for steering control.

*Golf cart* means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that has been manufactured by the original manufacturer so as not to be capable of exceeding speeds of twenty (20) miles per hour.

*Motorized play vehicle* means any mini-motorcycle, pocket bike, pocket motorcycle or any other vehicle that is capable of transporting a person or persons at a speed in excess of five (5) miles per hour which is self-propelled by a motor or engine and that is not otherwise defined by the Missouri Statutes or this Code as a motor vehicle, motorcycle, bicycle or motorized bicycle.

(Ord. No. 07-115, § 1, 11-5-07; Ord. No. 15-112, § 1, 12-21-15)

Sec. 39-501. - Prohibition.

No person shall ride on or operate a "motorized play vehicle," an "all-terrain vehicle," or a "golf cart" upon any street, highway, roadway, or sidewalk within the city or within the boundaries of any city park. It is provided, however, that golf carts may cross city streets solely for the purpose of getting from one section of a golf course to another. This section does not apply to vehicles operated by the city or vehicles operated at specific events authorized by the city or vehicles operated by individuals for debris removal or snow removal. In the event that this section is violated by a juvenile, then the vehicle shall be confiscated by the city and held until the transportation and storage fees are paid by the adult owner of the vehicle.

(Ord. No. 07-115, § 1, 11-5-07; Ord. No. 15-112, § 2, 12-21-15)

Sec. 39-502. - Violation—Penalty.

The violation of any of the provisions of this article will be punishable under the provisions of section 1-20 of this Code.

(Ord. No. 07-115, § 1, 11-5-07)
Mr. Clint Brown
City Engineer
City of Jackson, Missouri
101 Court Street
Jackson, Missouri 63755
Via email

RE: Asphalt Pavement Investigation for Farmington Road

Mr. Brown,

I wish to thank you and the City of Jackson for the opportunity to provide this proposal for professional services related the above noted project.

Based on your email and our discussions, we would mark the pavement and take one 4” diameter asphalt core approximately every 100 feet between the north line of Oak Street and the south line of the concrete intersection pavement at Independence Street. The cores would be taken in the drive lanes approximately midway between the pavement center and the gutter line, with the cores alternating between the north and south bound lanes. The core holes would be patched utilizing cold mix asphalt material. A two-man crew with front and rear vehicles encompassing the work area would be utilized to protect our technicians. The cores would be measured, and a report prepared and submitted for your use. We would suggest areas to be overlaid vs. full depth replacement, and provide this data to your office to assist you in making determinations for pavement rehabilitation.

Our fee for the proposed services would be a lump sum of $3,740. We would anticipate completing the work within approximately two weeks of notice to proceed from your office, but could likely accelerate the schedule if required.

Our fee includes time to prepare recommendations for areas to be overlaid versus full depth replacement, and to appear at a council meeting if you deem appropriate.
In the event that there is significant variation between samples, we may recommend that additional cores be taken in those areas, under a separate fee agreement.

Thank you for the opportunity to provide this proposal to the City of Jackson for this project. If you need any further information, have any questions, or I can be of any further assistance in any capacity, please contact me at your earliest convenience.

Best Regards,

KOEHLER ENGINEERING & LAND SURVEYING, INC.

Chris Koehler, PE, PLS