

MINUTES  
Regular Meeting  
Cameron Planning & Zoning Commission  
January 12<sup>th</sup>, 2009  
City Council Chambers, Cameron, Missouri

**Item 1. Call to Order**

Chairman Michael O'Donnell called the meeting to order at 6:00p.m.

Commissioners Present:

Chairman Michael O'Donnell  
Stan Hendrix  
Delvin Jackson  
Mark Garges  
Jo Ann Hiner  
Jeanette Copeman

Commissioners Absent:

George Pratt

Others Present:

Lesa Anderson  
Bob Thompson  
Ronnie Jack

**Item 2. Minutes from Previous Meetings**

**Dec 8<sup>th</sup>, 2008**

*Chairman O'Donnell entertained motion to approve the minutes of December 8<sup>th</sup>, Motion made by Mr. Garges; seconded by Mr. Hendrix. On voice vote the motion carries as follows; ayes-6, nays-0, abstentions-0, absent-1.*

**Item 3. Public Participation**

Bob Thompson~ 1203 Aerie Lane~ Stated that he has lived in Cameron since 2002, and has observed over the past few winters that some residents clean the snow from the walks and drives, and some do not. He also noted that some people removing the snow from driveways, will clear the drives, but pile the snow on the sidewalks next to the drives. He commented that this process may be quicker and easier for the person removing the snow, yet sidewalk access becomes an issue. Mr. Thompson stated that he has resided in different towns that have an ordinance pertaining to snow removal and was wondering why Cameron did not have one.

Chairman O'Donnell informed Mr. Thompson that the Board had looked into this issue in the past. However, it had been a number of years ago and stated that it may be an issue the Board should revisit.

Chairman O'Donnell asked Mr. Hendee if he would research the "snow removal" ordinances in other Cities and return the information gathered back to the P&Z for review.

Mr. Hendee stated he would research and present the information to the P&Z at a later date.

#### **Item 4. Unfinished Business**

##### **A. Public Hearing, Conditional Use Permit Commencement**

Previous discussion by P&Z shows that some CUP applicants fail to complete projects, leaving the CUP dormant. Someone who purchases a neighboring property unaware of the inactive CUP might be unfavorably surprised if the applicant should begin the use. The proposal under consideration would require commencement of a CUP within a specified period.

*Entertain motion to enter Public Hearing; Motion made by Mr. Hendrix, seconded by Mrs. Hiner. On voice vote motion carries as follows: 6-ayes, 0-nayes, 0-abstentions, 1-absent. Enter Public Hearing*

Chairman O'Donnell stated there had been a notice published in the local paper about this issue, and it had also been discussed in previous meetings. He also commented that all aspects of the CUP would remain the same; the Board would only be adding an amendment allowing a timeline to be placed on the CUP.

Mr. Garges asked if legal council had been consulted about the timeline issue.

Mr. Hendee stated that legal council had been consulted and to make the appropriate changes, with a Public Hearing, P&Z had the authority to amend.

Chairman O'Donnell informed the Board that once they were in agreeance of a "commencement time", they would be able to pass the amendment.

It was suggested that the timeline be set as such;  
*"6 months with an extension being granted if needed"*

Chairman O'Donnell asked if the audience had any input on this timeline.

There were no comments made by anyone in attendance.

Mr. Garges questioned if there should be not only a start timeline, but also a completion time.

Mr. Hendrix stated that depending on the use of the CUP, completion timelines could vary quite a bit.

Mr. Garges stated that with a building permit, completion must be done within 1 year.

Mr. Hendee commented that the issue with the CUP's in the past had been that nothing ever happened with the approved CUP. Things were not started and never completed; nothing had ever been started after the approval of the CUP.

Mrs. Hiner stated that she felt requirements could state that the use of the CUP "must begin with in 6 months of the approval and completed within 12 months."

Mr. Hendrix asked if anyone attending the meeting had any thoughts or comments on the timeline issue.

There were none.

*Entertain Motion to leave Public Hearing; Motion made by Mr. Hendrix, Seconded by Mrs. Hiner. On voice vote motion carries as follows: 6-ayes, 0-nayes, 0-abstentions, 1-absent. Leave Public Hearing*

*Entertain motion to add a timeline amendment to the current CUP requirements: Motion to add the timeline amendment of "use must begin within 6 months of approval and active within 12 months, or an extension granted by the City", made by Mr. Hendrix, Seconded by Mrs. Copeman; On voice vote motion carries as follows: 6-ayes, 0-nayes, 0-abstentions, 1-absent.*

Information given to Mr. Hendee, he will put into ordinance form and bring back to the P&Z for the February 9<sup>th</sup> meeting.

## **B. Draft Ordinance, Garage Sales**

Following Public Hearings on October 13<sup>th</sup> and November 10<sup>th</sup>, proposed changes to garage sale regulations include: Four sales per year; six for non-profits; hour of sale to be no earlier than 7am and not later than 7pm; rain-outs will be allowed; No sales will be permitted on Sundays; all good must be removed by 10:00pm on the final day of the sale. The duration, signage and resale regulations are unchanged.

Chairman O'Donnell stated to the Board and others present that this issue had been discussed in detail for several months. The information has now been placed in ordinance form and Chairman O'Donnell wanted it reviewed one last time by the Board before it was sent to the City Council for approval.

Chairman O'Donnell then asked the Board if everyone was satisfied with the final amendment to the ordinance.

All P&Z members were satisfied with the ordinance amendment.

*Entertain motion to make a recommendation to City Council to approve the amendment for Art. 26; Garage Sale Regulations; Motion made by Mrs. Hiner, seconded by Mr. Hendrix. On voice vote motion carries as follows: 6-ayes, 0-nayes, 0-abstentions, 1-absent.*

Information to be sent to City Council for approval.

### **C. Draft Ordinance, Auto Repair Time Limits**

Currently, auto repair shops must show “substantial and timely progress toward repair” which has proven vague and difficult to enforce. The proposed regulation would allow storage of inoperative vehicles for 90 days on the premises.

Chairman O’Donnell stated that a copy of the ordinance and a letter had been sent to all of the auto repair establishments in town, also stating this issue had been discussed in detail for several months at the P&Z meetings.

Chairman O’Donnell noted that there were 2 audience members present that owned/operated auto repair facilities, and asked, if either had questions or concerns about the ordinance change.

Mr. Reed asked about the original ordinance, and the changes.

Chairman O’Donnell stated to Mr. Reed that he could read the ordinance in its entirety.

Mr. Reed stated that he would like to hear the full ordinance since the discussion was only about a few paragraphs within the ordinance.

Chairman O’Donnell read current code 302.8 in it’s entirety for Mr. Reed and the others present.

Ronnie Jack~ A-1 Automotive asked for clarification on the changes of the ordinance, other than the 90 day period.

Mr. Hendrix stated that the original ordinance did not specify where the vehicles were to be kept. The change to the ordinance states “All vehicles and parts shall be kept on **private property**”.....

Chairman O’Donnell asked if there were any further questions.

Ronnie Jack asked how the code would be enforced if the vehicles were on “private property”.

Chairman O'Donnell stated that although Clyde Han was not present at the meeting to verify the information, he was fairly certain Code Enforcement Officers, have the right to enter private property if there is a violation of City Code.

Ronnie Jack then stated he felt it would be a hard issue to enforce especially with "D tags" on vehicles, unless VIN numbers were taken down by Code Enforcement.

Chairman O'Donnell commented to Mr. Jack that this issue being looked at is not because of "road worthy" vehicles. Code Enforcement Officers will be looking at inoperative, wrecked, dismantled, or junk vehicles, which should be make the enforcement of the ordinance easily manageable.

Chairman O'Donnell asked if there were any further questions or comments.

There were none.

Chairman O'Donnell asked the P&Z members if they were comfortable with the 90 day timeline discussed.

Mr. Hendrix and Mrs. Hiner stated that they felt that was a reasonable amount of time.

All other P&Z members agreed.

*Entertain motion to recommend to City Council the approval of the amendment to ordinance 302.8 as discussed; Motion made by Mr. Garges; seconded by Mrs. Hiner; On voice vote motion carries as follows: 6-ayes, 0-nayes, 0-abstentions, 1-absent.*

Information to be sent to City Council for approval.

Chairman O'Donnell requested that the next item to be discussed from the agenda, be Item #4E, followed by Item 4#D

All members of P&Z agreed to the agenda change.

### **E. Modification, Anderson CUP, Fence Requirements**

Lesa Anderson expects to receive her State daycare license Jan 12<sup>th</sup>, and the state has given her verbal approval for a 90-day fence construction variance and awaits documentation. She asks for a similar respite from the City. She is on the January 26<sup>th</sup> City Council agenda for CUP approval.

Lesa Anderson addressed the P&Z stating she has purchased all of the required materials for the fencing to meet not only the City's requirements, but those State of MO requirements as well. However, due to weather conditions causing the ground to freeze, she has been unable to erect the fence. Lesa informed the P&Z that the State has given her a variance allowing time for the ground to thaw, (possibly early spring) before she has to have the fence in place. Ms. Anderson would like to be able to start the Day Care

at this time rather than having to wait on the fencing. She stated the fence will be in place as soon as the weather is suitable.

Chairman O'Donnell asked if Ms. Anderson had received a letter from the State which gave a date as to when the fence must be in place.

Ms. Anderson informed the P&Z that she had received "verbal" confirmation from the State but had not received written confirmation as of yet.

Chairman O'Donnell asked Ms. Anderson how the State would proceed if she did not have the fence in place by their (State's) time frame.

Ms. Anderson commented that if the fence was not in place by the designated time, the State would revoke her Day Care license.

Chairman O'Donnell asked Ms. Anderson what the time frame would be that she was allowed by the State.

Ms. Anderson stated that she did not have an official date at this point, but the timeline would be listed on the confirmation she was waiting to receive.

Mr. Hendrix asked Ms., Anderson if she would receive the variance information with the date prior to the next City Council meeting.

Ms. Anderson said she would absolutely have the information by the time of the Council meeting.

Chairman O'Donnell stated the P&Z could follow with the State variance, however, before it went to Council, Ms. Anderson must have the documentation from the State.

*Entertain motion for modification to allow operation of the Day Care to begin prior to the fence placement. Motion made by Mr. Hendrix; seconded by Mr. Jackson; On voice vote motion carries as follows: 6-ayes, 0-nayes, 0-abstentions, 1-absent.*

Chairman O'Donnell told Ms. Anderson to give a copy of the letter from the State, once she has received it, to Mr. Hendee so he may place it in the CUP ordinance.

Ms. Anderson stated that she would.

#### **D. Draft Ordinance, Foundation Reuse**

Following building demolition, some contractors leave part of the existing foundation which can be a safety hazard. The proposed ordinance would allow sound foundations which are properly fenced, to remain for 90 days while the owners submit plans.

Chairman O'Donnell stated that Mr. Han and Mr. Bontrager had been working on the amendment for ordinance (Sec 3-144) as previously discussed by the P&Z, and it was now in ordinance form for approval.

Chairman O'Donnell commented that the placement of the amendment would help alleviate safety hazards. He stated that even though these foundations are left on "private property" it is still a safety concern that needed to be addressed.

Mr. Hendrix questioned if the amendment to the ordinance would only include "new" demolition or if would include the demolition of past structures.

Mr. Hendee stated the amendment cannot be retroactive, so it would only be in the ordinance for demolition of structures from this point forward.

Mr. Jackson questioned if the 90 day time frame would be ample time for work to be done, stating it may be more difficult if the owner of the structure lived out of the Cameron area, and wondered if extensions could be granted.

Mr. Hendrix commented that the "verbiage" of the ordinance states that "plans" must be given to the City for the reuse, and the area fenced in, it does not specify that "work" must be done in that 3 months time frame.

Mr. Garges asked whose responsibility it would be to inspect the foundation and verify that it could be reused.

Chairman O'Donnell stated that the "home owner" would be responsible for getting the proof of an inspection, guaranteeing it met code and provide it to Mr. Han.

*Entertain motion to approve amending Sec.3-144, of the City Ordinance  
Motion made by Mr. Hendrix; seconded by Mrs. Hiner; On voice vote motion carries as follows: 6-ayes, 0-nayes, 0-abstentions, 1-absent.*

Chairman O'Donnell asked if there was any other unfinished business to be discussed.

There was none.

#### **Item 5. New Business**

There was none.

#### **Item 6. Miscellaneous**

1. The City Council approved the CUP for Capitol Towers at W. Grand & Harris
2. Close-out CDBG hearings for Valley Brook and McElwain Dr. Jan. 14<sup>th</sup>, 11:00a.m.
3. TIF Commission meets Feb. 6<sup>th</sup>; applicant plans 4,000 sq. ft. office building

4. \$2.7 million water project bids to go out soon, construction in the spring.

5. Joint Council/P&Z Meeting Feb. 23<sup>rd</sup> to accept Comprehensive Plan

**Item 7. Adjourn**

Mr. Hendrix made a motion to adjourn; Mr. Jackson seconded. On voice vote, the motion carried as follows: Ayes-6, nays-0, abstentions-0, and absent-1

The meeting adjourned at 6:56p.m.

Minutes submitted by:

*Ellie M. Milbourn  
Secretary Recorder  
Cameron, MO 64429*