

MINUTES
Regular Meeting
Cameron Planning & Zoning Commission
January 11th, 2010
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
Mark Garges
Tom Hamlet
George Pratt

Commissioners Absent:
Delvin Jackson
Jo Ann Hiner
Stan Hendrix

Others Present:
Clyde Han
Scott Michie, BWR, Project Consultant

Item 2. Minutes from Previous Meetings
December 14th, 2009

Chairman O'Donnell entertained motion to approve the minutes of Dec. 14th; Motion made by Mr. Garges, to approve the minutes of Dec.14th; seconded by Mr. Garges. On voice vote the motion carries as follows; ayes-4, nays-0, abstentions-0, absent-3.

Item 3. Public Participation

There was none.

Adjustment made to the agenda, Item A. to be moved to the last item of Unfinished Business after Item E.

Item 4. Unfinished Business

B. Public Hearing, Re-define “Sight Triangle”

Entertain Motion to Enter Public Hearing; motion made by Mr. Hamlet; seconded by Mr. Garges; On voice vote motion carries as follows; ayes-4, nays-0, absent-3

Enter Public Hearing

Shellby Hendee addressed the P&Z, stating that City Staff has concluded that the current 15-foot intersection sight triangle is inadequate and could pose traffic safety issues. Staff recommends that the new triangle definition be extended to 35 feet from the intersecting pavement. Structures such as fences or signs therein would be limited to four feet in height.

Mr. Garges questioned if this change would be retro-active or if residents would have to make changes to comply with the new changes.

Mr. Han stated that if there were safety issues involved then changes would have to be made, however, he was not aware of many that would require changes.

Chairman O’Donnell asked the Board if they had any other questions, and also stated that he did not realize these changes could possibly affect existing properties.

Mr. Han informed that P&Z that they could put these changes in place from approval date forward if they so chose, and it would not have to be a retro-active ordinance.

Chairman O’Donnell stated that he did understand the reasoning, but did not feel it was fair to make people change to comply with the new ordinance if they have complied with the current ordinance but the City chooses the make an ordinance change.

Mr. Garges agreed with Chairman O’Donnell and stated that he felt it would be best to make compliance with the ordinance from approval date forward, not retro-active.

Mr. Han then stated that the recommendation to City Council be submitted from approval date forward. Mr. Han then stated that the C-1 area may have to be exempt as there is no way C-1 would ever be able to meet the new ordinance changes.

Chairman O’Donnell informed the Board that most C-1 area is in controlled intersections and he was comfortable exempting C-1 from the new changes, stating C-1 district is mainly 3rd St, the block between 2nd and 4th streets, and the Nutrition Center to Pine street.

Chairman O’Donnell asked the other members of the P&Z if they would like to have Mr. Hendee write the changes up in ordinance form and bring back to the Feb. meeting for review.

All P&Z members agreed they would like to see it in writing before final recommendation to the City Council.

Entertain Motion to Leave Public Hearing; motion made by Mr. Garges; seconded by Mr. Hamlet; On voice vote motion carries as follows; ayes-4, nays-0, absent-3

Leave Public Hearing

Motion made by Mr. Garges to have Mr. Hendee write in ordinance form the changes of the "sight triangle" from 15 ft. to 35ft and to be in affect from the day of City Council approval forward; seconded by Mr. Pratt; On voice vote motion carries as follows; ayes-4, nays-0, absent-3

Information to be reviewed by the P&Z during the February 8th, Meeting

C. Public Hearing, Public Facilities in Residential Districts

Entertain Motion to Enter Public Hearing; motion made by Mr. Hamlet; seconded by Mr. Pratt; On voice vote motion carries as follows; ayes-4, nays-0, absent-3

Enter Public Hearing

Mr. Hendee addressed the Board stating that currently, permitted used in residential districts include libraries, parks, playgrounds, museums, and art galleries. Other public facilities such as streets, towers, utility poles, water lines, sewer collection and electric transmission are not mentioned. In order to avoid the interpretation that a conditional use permit is required and to conform to the general practice, staff recommends that public facilities be listed among the permitted uses.

Chairman O'Donnell asked the Board if they felt this was a good way to handle this issue.

All members present stated that they did feel this addition would stop issues from coming up at a later time.

There were no further questions from the Board.

Entertain Motion to Leave Public Hearing; motion made by Mr. Garges; seconded by Mr. Pratt; On voice vote motion carries as follows; ayes-4, nays-0, absent-3

Leave Public Hearing

Chairman O'Donnell asked the Board if they would like to see this adjustment in written form for review at the Feb. meeting.

All members agreed they would prefer to see this in written form prior to sending to the City Council for recommendation.

Motion made by Mr. Garges to have Mr. Hendee write the amendment to include Public Facilities in ordinance form and bring back to the P&Z for review at the February 8th meeting; seconded by Mr. Hamlet; On voice vote motion carries as follows; ayes-4, nays-0, absent-3

Information to be reviewed by the P&Z during the February 8th, Meeting

D. Public Hearing, “Structure” Definition

Entertain Motion to Enter Public Hearing; motion made by Mr. Hamlet; seconded by Mr. Pratt; On voice vote motion carries as follows; ayes-4, nays-0, absent-3

Enter Public Hearing

Mr. Hendee addressed the Board stating that City Ordinance prevents private “structures” from being placed on public property, however the definition needs clarification. Staff recommends that a structure be defined as “anything built, constructed, or erected”.

Chairman O’Donnell stated that this seems to fit the needs of the ordinance and asked if there were any further questions from the Board.

There were none.

Entertain Motion to Leave Public Hearing; motion made by Mr. Pratt; seconded by Mr. Garges; On voice vote motion carries as follows; ayes-4, nays-0, absent-3

Leave Public Hearing

Mr. Pratt made a motion to have Mr. Hendee bring back in ordinance form the changes including the “new definition” of structure for review at the February 8th meeting; Mr. Garges seconded; On voice vote motion carries as follows; ayes-4, nays-0, absent-3

Information to be reviewed by the P&Z during the February 8th, Meeting

E. Review; Open Burning Regulations

Inspector Clyde Han has proposed an update to Cameron burning regulations to permit the use of outdoor fireplaces and fire pits as well as address weather conditions, which would trigger a burn ban.

Mr. Han stated that he has listed height and diameter to burn piles, as well as listing “climatologically conditions”. (Burning permitted if wind speed does not exceed 12 miles per hour with gusts over 15 mph)

Chairman O’Donnell asked Mr. Han if he had received any response from the email he has sent to Cory Sloan. (Chief of Police)

Mr. Han stated that he had not, but knew that the bad weather had been keeping him very busy and he probably had not had the time to respond yet.

Chairman O’Donnell stated that he felt these additions to the open burning regulations would help alleviate a big percentage of the unnecessary calls to dispatch about illegal burning.

Mr. Han stated that these additions would be present to City Council for approval and didn’t require a recommendation from the P&Z; he just wanted them to be aware of the changes and be sure everyone was on the same page.

A. Public Hearing, Airport Height and Hazard and Recommendation to City Council

Entertain Motion to Enter Public Hearing; motion made by Mr. Garges; seconded by Mr. Pratt; On voice vote motion carries as follows; ayes-4, nays-0, absent-3

Enter Public Hearing

As part of 95% matching FAA grant, the City has engaged Bucher, Wills & Ratliff to update Cameron Airport height and hazard regulations for conform to federal rules. Future northward airport expansion will affect Grand River Township in Dekalb County so regulations in Cameron, Clinton and Dekalb Counties need to agree. Clinton County already has many of the regulations in place and Grand River Township also conducted a Public Hearing on January 11th with approval for the new regulations. Clinton County will be holding a Public Hearing on this issue later during the month of January.

These regulations are important to ensure the safety of airport operations especially at the runway approaches, where obstacles present may present a hazard.

Scott Michie addressed the P&Z with a more detailed description and diagram of the current airport zones and what the changes will need to be.

Mr. Michie stated that there are currently 2 towers in Dekalb County that encroach the zoning area, however FAA does not see these towers as a hazard. Michie went on the explain that by putting these regulations in place now would alleviate problems before they occur, and that it is a way to be able to deal with issues up front rather than after the fact.

Michie stated that the FAA has no local regulatory authority and P&Z or Board of Adjustments would still have the authority for Permits for Variances and things of this nature.

Mr. Hendee stated to the P&Z that the purposed of the FAA Height and Hazard regulations is just to ensure that that Cameron is on the same page with Clinton County, Dekalb County, and Grand River Township, with all having the same regulations.

Mr. Hamlet asked if these changes would affect anything that was already in place.

Mr. Hendee stated that it would not; this would just be for new construction and all existing would be “grand-fathered in”.

Chairman O’Donnell stated that he was pretty comfortable with everything that Mr. Michie presented and asked the Board if there were any further questions.

There were none.

Entertain Motion to Leave Public Hearing; motion made by Mr. Hamlet; seconded by Mr. Pratt; On voice vote motion carries as follows; ayes-4, nays-0, absent-3

Leave Public Hearing

Motion to accept Airport Height and Hazard Ordinance and present to City Council for approval made by Mr. Garges; seconded by Mr. Pratt; On voice vote motion carries as follows; ayes-4, nays-0, absent-3

Information to be sent to City Council for the January 19th, meeting

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

There was none.

Item 5. New Business

There was none.

6: Miscellaneous

The February 8th P&Z meeting will include a public hearing for CUP allowing 5 dogs. A Cameron resident with 2 dogs plans to marry a rural Cameron woman with 3 dogs and reside in Cameron.

Item7. Adjourn

Mr. Pratt made a motion to adjourn; Mr. Hamlet seconded; on voice vote, the motion carried as follows: Ayes-4, nays-0, abstentions-0, and absent-3

The meeting adjourned at 7:10 p.m.

Minutes submitted by:

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