

MINUTES
Regular Meeting
August 9, 2010
City Council Chambers, Cameron, Missouri

Item 1: Call to Order

Chairman Michael O'Donnell called the meeting to order at 6:03pm.

Commissioners Present:

Chairman Michael O'Donnell
Mark Garges
Tom Hamlet
Keith Swindler
Stan Hendrix
George Pratt

Commissioners Absent:

Delvin Jackson

Others Present:

Clyde Han
Jim Cline
Rick Bashor

Item 2: Welcome new Recording Secretary

Chris O'Donnell was welcomed as the new Planning & Zoning Recording Secretary

Item 3: Minutes from Previous Meeting

March 8, 2010

Chairman O'Donnell entertained motion to approve the minutes of the July 12, 2010 meeting. Motion made by Mr. Hendrix to approve minutes of July 12, 2010; Seconded by Mr. Garges. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.

Item 4: Public Participation

There was none.

Item 5: Unfinished Business

A: Review Draft Ordinance, Amended Conditional Uses

Chairman O'Donnell commented that a list of all Conditional Use Permits in effect was included in the meeting packet and letters were sent to individuals that no longer had permits in effect.

Chairman O'Donnell suggested that the discussion be moved to the meeting in September so the City Manager can be in attendance.

Item tabled until the September meeting.

B: Review of Draft Ordinance, Use of Recreational Vehicles

Last month, discussion was held on language added to Art. 21-7 allowing the City inspector to permit construction trailers, security facilities, and other temporary uses. The Commission asked Mr. Hendee to bring the item back in "ordinance form" for review during the August meeting.

Chairman O'Donnell asked if anyone had any questions or comments on the Draft Ordinance. He stated that the issue was the use of a temporary structure and the security and safety of the individuals using said buildings. This ordinance would allow the City inspector to approve the use of temporary structures.

Mr. Garges asked if the ordinance would apply to temporary school buildings.

Mr. Hendee stated that it would depend on the use of the temporary building and it would be on an individual basis.

Mr. Han stated that in the past, temporary structures for the school did not have to be approved through Planning & Zoning. However, the amended ordinance would require that the request go before the Commission before it was approved.

Mr. Hendrix asked for clarification of temporary. He also questioned if there would be a scheduled time for re-inspection in the case of a temporary trailer on a construction site.

Mr. Han stated that the permits are issued for 180 days. If the project takes longer than 6 months and progress is being made on the site, there is still a use for the structure and it is permissible for it to be there. The temporary structure will be inspected along with the construction site on a regular basis.

Mr. Hendrix questioned the possible completion of a project before the permit expires and the structure being left on the site.

Mr. Han stated that as long as the permit is open, the temporary structure should be acceptable. However, once the permit expires, the structure should be removed. The issue will be controlled with the expiration of the permit.

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

There were none.

Entertain motion to recommend Draft Ordinance to City Council; Motion made by Mr. Garges; seconded by Mr. Swindler. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.

C: Public Hearing Continued, Sign Regulations

Last month, it was determined that a matrix of sign regulations would be developed to help aid in understanding.

Mr. Hendee addressed the Commission and explained the Quick Reference graph matrix of Sign Requirements.

Chairman O'Donnell asked Mr. Hendee if Mr. Watson (City Manager) had had time to look at the Reference guide.

Mr. Hendee stated that it had been provided to Mr. Watson but he had not received any feedback.

Chairman O'Donnell asked if this issue should be continued during the September meeting so Mr. Watson could have time to review.

Mr. Hendee stated that it would be a good idea.

Chairman O'Donnell asked the other Commission members and Public if they had any questions or comments.

Mr. Han commented that consideration should be given to not allow certain signs located within the site triangle: 2 ft above street and 12 feet above street grade. Han stated that there was an issue at the corner of Cornhill and Walnut where slates in the sign hindered visibility for drivers. He agreed that an ordinance would help in public safety.

Mr. Garges asked for clarification of residential signs and wondered if there would be a restriction of the number of political signs on private property.

Mr. Hendee stated that what is advertised on the sign is immaterial.

Mr. Garges questioned signs in relation to convenience stores.

Mr. Hendee stated that convenience stores are limited to 4 signs.

Chairman O'Donnell stated that the regulation was not changing anything. The Quick Reference guide would only make the ordinance easier to read.

Chairman O'Donnell commented on the number of signs located on the vacant property by El Maguey and if there was a violation.

Mr. Hendee stated that the property belongs to the State of Missouri and it is a public right-of-way.

Chairman O'Donnell asked if the State regulates the number of signs.

Mr. Hendee stated that the State has conveyed that it is up to the City as to how strict they want to be on this issue.

Mr. Swindler stated that he has had complaints at 8th and Walnut about a large sign and the close proximity to the road.

Mr. Han stated that he knows about the sign and it is being researched.

Mr. Garges suggested that if the ordinance is passed, the information be relayed to the Chamber.

Mr. Hendee stated that the Chamber would be notified and the information would be placed in a more identifiable place on the website.

Chairman O'Donnell stated that the ordinance number system was incorrect on the website.

Mr. Hendee asked if it was also incorrect in the zoning book.

Chairman O'Donnell stated that the number system was also incorrect in the zoning book. O'Donnell also stated that the wording of the ordinances on the website was also slightly misconstrued.

Chairman O'Donnell asked Mr. Hendee to look into the numbering and wording issue for the meeting in September.

Chairman O'Donnell suggested continuing this item until the September meeting, allowing more time for the Commission to review and to allow Mr. Watson time to make comments on the issue.

D: Parking on Grass and Front Yard Parking

Adding four additional parking spaces beyond the 25-foot front yard was suggested about a concern regarding a South Walnut property. Inspector Han suggested that the parking be routed to the rear yard to prevent others from using the "me too" argument.

Chairman O'Donnell stated that Mr. Hendee, Mr. Watson, and Mr. Han have spent ample time looking into this situation over the past month.

Mr. Hendee stated that he is confident the issue has been resolved. Hendee also stated that the rule only pertains to a 25-foot front yard and that there is the possibility of adding additional parking on the side of the driveway without restrictions.

Chairman O'Donnell stated that City staff worked well to resolve the issue.

Item 6: New Business

A. Public Hearing, Addition of Field Crops as Permitted Use in C-1 District

Entertain motion to enter into a Public Hearing, motion made by Mr. Hamlet; seconded by Mr. Garges. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.

Mr. Hendee addressed the Commission and stated that field crops are not listed as permitted uses in commercial zones. Most believe that field crops are allowed, however oversight or not, field crops are not allowed in commercial zones.

Chairman O'Donnell commented that if changed in a C-1 district it would also be changed in a C-2 district.

Mr. Hendee stated that in a C-1 district, downtown, field crops would probably not be grown.

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

There were none.

Chairman O'Donnell asked if there were any questions or comments from the public.

Jim Cline, 10460 NE State Route BB Cameron, MO, stated that he owns property along BB Highway and Griffin Road. Mr. Cline stated that the City of Cameron has an easement across his property and there is reluctance to take care of the property. Mr. Cline presented photos to the Commission and stated that he does not believe field crops should be allowed on zoned commercial areas because they will aid in the wash-out of the ground and ditches in the immediate area.

Mr. Garges asked approximately how many acres of drainage happened in the area.

Mr. Cline stated about 30-40 acres.

Chairman O'Donnell asked if drainage happened prior to the creation of Griffin Road.

Mr. Cline stated that there was no drainage prior to Griffin Road.

Mr. Pratt questioned if the issue was zoning related or if it was an issue between property owners.

Mr. Cline stated that the City is responsible for regulating what goes on in the area.

Mr. Pratt stated that the intention is not to maximize zoning regulations but to use something lower to resolve issues if necessary.

Mr. Cline stated that someone needs to take care of the wash of ground in the area.

Chairman O'Donnell asked about the lots platted along BB and Griffin Road and if there was a certified detention in the area.

Mr. Hendee stated that he does not remember specifically and that he will research the issue.

Chairman O'Donnell suggested looking at the existing run-off in the area and the impact it would have when changing from pasture to farming.

Mr. Han stated that storm water drainage was not required in the area until development.

Chairman O'Donnell stated that there will need to be some kind of detention to control the run-off.

Mr. Han stated that the purpose of the land cannot be changed and you cannot tell residents what they can and cannot put on their field.

Mr. Hamlet asked if it was fair to limit all other properties located in a C-1 district just because of an isolated drainage problem.

Mr. Cline stated that he did not mean to hinder other properties.

Mr. Hamlet suggested that it would be a good idea to research the specifics of the area and what actually happened when Griffin Road was created.

Mr. Garges agreed that it would be a good idea to further research the problem.

Chairman O'Donnell asked Mr. Hendee to research the area and original/updated plat maps along with other instances where this has happened. Mr. Hendee will also look at other communities and how they handle similar situations.

Mr. Hendee will also look at current plat map and determine how many properties are platted as C-1 and C-2 districts and what kind of hay and row crop is grown on the properties.

Mr. Pratt stated that Mr. Cline's issue was not necessarily a zoning issue but a neighbor issue.

Chairman O'Donnell stated that once a change is made, the results will affect everyone. The whole area should be considered when making a decision.

Mr. Han stated that there are other areas around town where run-off from field crops has caused similar problems: West Street and Prospect and 8th and Groat.

Mr. Pratt stated that unintentional consequences should be dealt with on a case-to-case basis.

Mr. Han stated that this can become an expensive consequence.

Chairman O'Donnell suggested tabling this item until the September meeting, allowing more time for Mr. Hendee to research the issue and provide the Commission with more information.

It was the consensus of the Commission to table the issue until the September meeting. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.

B: Parking of Vehicles Containing Hazardous Materials

Mr. Hendee addressed the Commission and stated that a citizen has asked Planning & Zoning to review policies regarding lawful parking of trucks containing hazardous materials. Mr. Hendee stated that there

is no ordinance in effect for the particular issue; however, Police Chief Corey Sloan, Officer Heath Henry, and City Inspector Clyde Han have researched and inspected the issue.

Officer Rick Bashor addressed the Commission and stated that there have been no problems involving the parking of trucks containing hazardous materials.

Mr. Garges asked if there was a reason to have the truck drivers register if they were to park and spend the night within the vehicle.

Mr. Han asked where the driver would be able to register.

Officer Bashor stated that the Fire Chief, Police Chief, and City Inspector had no problem with the parking of trucks if the truck was licensed, the proper signage was posted on the vehicle, and the truck was parked in a legal parking area.

Chairman O'Donnell stated that the trucks were constantly moving through the City of Cameron, along the highways, and passing through the truck stop.

Chairman O'Donnell asked if there were any other questions.

Mr. Pratt commented that the issue was well researched to anyone and asked if it was even possible to restrict the issue.

Chairman O'Donnell stated that it was possible to restrict, however it would be difficult to regulate.

The consensus of the Commission was that the requested research by Officer Henry was sufficient and that the rules and regulations in force are adequate and that no further action will be taken.

Entertain motion to leave Public Hearing, motion made by Mr. Pratt; seconded by Mr. Garges. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.

Item 7: Miscellaneous

A: Petition for CUP received from SBA Towers, buyer of tower on Earley tract

Mr. Hendee addressed the Commission and stated that a public hearing would be held in September to discuss the application for consideration to permit the use of the tower, currently owned by Mike Earley, by SBA Communications.

B: Public Hearing to correct survey errors on City acceptance of alley behind Horizon State Bank

Mr. Hendee addressed the Commission and stated that a public hearing would be held in September to correct survey errors along the alley behind Horizon State Bank. Mr. Hendee stated that after work was completed, some vacations did not take place. Horizon State Bank is to submit a new letter to clear survey errors in the alley.

C: Mike Earley – Earley Ford Tractor

Mr. Han addressed the Commission and stated that Mike Early, from Earley Ford Tractor, has approached him and asked about a permit in order to build a 42' x 100' pole barn which would house a semi-truck and trailer. This would classify as an accessory building in a C-2 district. Mr. Han stated that he has spoken with Drew Bontrager and his only concern was with the entrance of the pole barn.

Mr. Han stated that the doors to the pole barn would be on the North side off of Grand Avenue and that there would be no doors on the South side of the structure. He also stated that the building would be 25-30 feet away from the existing building.

Mr. Han asked the Commission what Mike Earley needs to provide in order to construct the pole barn. Mr. Han questioned if Mr. Earley needs to submit a full write-up from an engineer of his plans, including storm water drainage retention or if a letter from an engineer would be sufficient.

Mr. Swindler asked if there was any concern when backing the truck into or out of the structure off of Grand Avenue.

Mr. Han stated that there was sufficient space to move the truck on and off of the property. Mr. Han stated that Mr. Hendee suggested that Planning & Zoning review a letter from an engineer to see what kind of retention is needed for the amount of water run-off on the structure and the disturbed ground.

Mr. Swindler asked what kind of run-off would be expected once the structure was built.

Mr. Han stated that the structure would be built mostly on gravel and that there would be a limited amount of absorption. However, an engineer would have to be incorporated to know for sure.

Chairman O'Donnell stated that the building at the hospital was similar and wondered what process was taken to approve the action.

Mr. Hamlet asked if there was a regulation on the square footage of the building.

Mr. Han stated that there was not regulation in a C-2 district if it was within the set-back limits.

Chairman O'Donnell stated that he had no problem with the structure; however, an engineer would have to look at the site plan and estimate the water run-off.

Mr. Han asked if a letter from an engineer would be sufficient or if a full report would be required.

Chairman O'Donnell, with the consensus of the Commission, decided that a letter from an engineer would be sufficient.

Mr. Han asked if the issue should be brought before Planning & Zoning again or if the issue could be handled on the staff level.

Chairman O'Donnell stated that the plan needs to come back to Planning & Zoning for approval.

D: Other – Easement on Cline Property

Chairman O'Donnell asked about the easement on the property belonging to Jim Cline and Earley and what would happen if someone built on the land or sold a part of the property.

Mr. Hendee stated that 40% of the cost would be paid by Jim Cline because 40% of the benefit from the land belonged to him.

Chairman O'Donnell asked if there was a map that shows where the easement is located.

Mr. Hendee stated that there should be a map that details the easement. However, it is probably located on the GIS not the zoning map.

Chairman O'Donnell stated that it needs to be added to the Planning & Zoning map.

E: Other – Future Land Use Map

Chairman O'Donnell entertained the idea that the Future Land Use Map should be discussed at subsequent meetings.

Mr. Garges commented that it would be a good idea to go over the map briefly at every meeting.

Mr. Hendee stated that the new GIS system maps are available online with Arial overlays available. Hendee also stated that measuring tools were available. However, at the time it is not possible to track water, electrical, or sewer lines on the map in order to keep the public from not asking the City to mark their property before digging into the ground.

Item 8: Adjourn

Mr. Hendrix made a motion to adjourn the meeting; seconded by Mr. Hamlet. On voice vote, the motion carried as follows: ayes – 6, nays – 0, and absent – 1.

Meeting adjourned at 7:34 pm.

Minutes submitted by:

*Chris O'Donnell
Secretary Recorder
Cameron, MO 64429*