

**Call to Order:** 5:32 Ray Brown

**In Attendance:** Kerry Divine (4.12.2024), Rick Gamboa (4.14.2024), Ray Brown (12.10.2022), Denny White ABSENT EXCUSED (9.13.20.25), Gary Jackson (12.31.2022), Chris Ellsworth (1.31.2023), Sherry Lawrence (12.13.2025), Donny Allen (10.14.2023), Tom Johnston (12.31.2023).

**Approve Agenda:** Johnston/Allen 7-0

**Final Site Plan Review-All Seasons Signs:**

Brown cited a letter from our city engineers with 7 points and a final recommendation to not approve.

Attorney Talley mentioned that the applicant was present and should be allowed to speak to each of the points.

Aaron Garman spoke to point 7 saying the city confirmed the lot consolidation and zoning changes in 2006. He does not have documentation to present.

On point 6 he noted that a building and parking lot expansion was completed in 2016 which several years ago. He did not have documentation nor did the city find such documentation.

On point 5 he noted that they have every intention of following the city code on construction specifications. Divine asked about proof of lot consolidation. The mayor says they have a lot consolidation application but no notice from the city clerk that it was granted. He further stated that it is an administrative letter that can be issued at any time. Talley asked if this letter was the only thing missing, would the applicant be willing to complete the process by receiving a letter from the clerk granting the application. Answer was Yes.

On point 4, the applicant will comply with the city engineer and all city building codes.

On point 3, the applicant will comply with the fencing requirement.

On Point 2, the applicant plans to pave the parking lot.

On Point 1, the applicants engineers stated that they have further information that will satisfy AMA in their concerns on the storm water plan and they will send it to them for confirmation.

Talley said that with the recommendation of approval of the site plan, the P&Z can stipulate that each of the 7 points mentioned in the AMA letter must be met and all approved by our engineer.

Gamboa asked Heilbrun what piece of paper he gave to the city. Answer was a lot split application that was not signed or complete but was applied for.

John Bolte with Arrow Engineering spoke saying he designed the system in question. He said they presented the plan to AMA and that they planned on sending AMA additional flow calculation information

that was missing from the proposal. He involved MODOT as the current flow partially goes onto 7<sup>th</sup> street. His new proposal will eliminate the water flow problems on this site.

Brown stated we could not give approval without all the seven-point contingencies being addressed. Talley said we can make a recommendation to the B of A to allow or not allow contingent on the seven points being completed. Gamboa asked if the B of A could approve or not approve no matter what our recommendation was. Answer was yes. Gamboa said he felt that there were too many untied up ends and contingences (7) for him to vote to approve.

Lawrence told Garman that it did not sound like we were on his side.

Chis asked Gamboa to explain his statement as he felt that there was only one item (point 7) that was still open. Gamboa said that we have not received the final approval from AMA. Gamboa did not have a problem with the contingencies on 2, 3,5. Point 4 is also contingent on the city engineer reviewing specific plans which are not yet provided. Point 6 refers to missing permits which are not provide and which neither the applicant nor the city have provided. Point 7 refers to rezoning and lot applications which neither the applicant nor the city have provided but which all agree were applied for. The finalization of these application is said to be a letter from the city clerk, indicating acceptance by the city.

Allen asked if must make a motion to approve for each item with each contingency or one separate motion. Talley said it can be one motion to approve which included all the contingencies set forth in the AMA letter. Allen made that motion. Allen/Ellsworth. Ayes: Johnston, Ellsworth, Lawrence, Brown, Allen. Nays: Divine, Gamboa.

Divine asked about a timeline on the contingencies. Ellsworth said the construction schedule is the timeline and felt certain that Garman would move quickly.

**Speakers:** Aaron Garman 3801 E 7<sup>th</sup> street: John Bolte 1302 S. Main, Joplin

**Meeting Adjourned:** 6:07pm

Submitted by: Rick Gamboa