

May 2, 2022

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

**Call to order:** 7:01 PM by President Ray Brown

**Approve Amended Agenda:** Added appoint P&Z member to oversee/coordinate the comprehensive plan and add approve April 21<sup>st</sup> special meeting minutes. Johnston/Ellsworth 8-0.

**Approve April 4th Minutes:** Approved amended (3 items corrected) minutes Johnston/Divine 8-0.

**Approve April 21<sup>st</sup> Minutes:** Minutes not available. Tabled until next meeting. Johnston/Divine 8-0.

**Public Comments:** Aaron Garman question about building permits about All Season Signs. He received a building permit on the 4<sup>th</sup> of March and scheduled various contractors to start his building. He got a phone call from the city today that said he had to go to the June 6<sup>th</sup> P&Z meeting and present a preliminary site plan. He was told that the next P&Z meeting was tonight and so he is here to find out what he needs to do to proceed. He has filled out all mandated permits and reports in march and this site plan review was just told to him today.

Bill Sherman spoke up and said that he had copies of the preliminary site plan review that was originally provided by Garman in March. He passed those out. Brown said that he just had to pass those out for us to look at. Gamboa mentioned that we do not issue Building Permits and that is the City's responsibility. Talley said it depends on whether more information is required. Talley stated that the P&Z could only review the Preliminary site plan and make recommendations but expecting a review without time to study the plan is difficult.

Garman asked why he was just finding this out now when he presented all this information on March 4<sup>th</sup> and received a building permit. Garman said the Final site plan is the same as the preliminary one being handed out. Talley read the code which indicated that the Preliminary site plan is presented to the P&Z for feedback purposes only and does not require a recommendation. The next step would be to present a final site plan in the next P&Z meeting which would trigger a recommendation to the BoA. Talley said the review by our city engineers must also be done before the Final site plan review and any recommendation. He said the applicant should have done this before he spent any further monies. Garman said they submitted all these things in March. Gamboa asked Talley if he should have received a building permit before all the require applications, permits and site plan reviews were complete. Talley said no.

Gamboa asked if all these lots were combined and zoned commercial. Garman said yes. Brown asked if this was c-1 or c-2. Garman replied it is c-2. Brown asked about the storm water requirements. Garman provided the storm water plan. Gamboa asked where the water goes. Garman showed the storm water plan which shows a basin which exits to an existing storm water drain on the seventh street side.

Divine asked when he was scheduled to build. Garman said on the 15<sup>th</sup>. Divine asked if this meant we needed to have another special meeting. Talley said that is what we did the last time this happened.

Gamboa asked if the proper order would be that 1. Our engineers approve 2. We have a special meeting in which we say yes or no. 3. The council has a special meeting, and they say yes or no. 4. He can then build if he gets a yes in all meetings. Talley said that is correct. Gamboa said that this business has been a good establishment for a long time and that we should not have issued the building permit until the code was followed but since this is the city's error, we should try not to hold up this project and cost the applicant any unnecessary expense. Gamboa asked if anyone had an objection to reviewing this plan tonight. There were no objections. Divine asked what happens if we find out later that there is an error. Talley said that we are making no ruling on this plan, we are just reviewing it for recommendations or to answer questions. The next meeting where a Final Site Plan Review by the P&Z is the one where we recommend to the BoA yes or no. Gamboa asked what the parking lot was going to be made of. Garman said it would be paved. Divine asked if the number of parking spaces conforms to the code. Garman said it was in the proposal and Gamboa said our engineer should be able to tell us if parking or lighting is not adequate. Ellsworth said that the plan shows the houses are still there and they have been removed. Motion made to approve the Preliminary site plan. Gamboa/Johnson. 8-0. Lawrence left before the vote was taken but told Brown she voted yes.

Mayor Sherman said he would call the engineers in the AM to review. Talley said it is OK to have the special meeting at 5:30pm before the BoA which starts at 6pm on May 9<sup>th</sup>. Motion to have special session Johnston/Divine 7-0.

Mayor Sherman gave out a copy of the SOP procedure for issuing building permits which will be used in the future to help prevent these issues in the future. Ellsworth said he would put this on the web site. Brown asked if Garman had made a land disturbance permit. Answer was yes in March.

Volunteer was asked to oversee the updating of the comprehensive plan. There were no volunteers. The motion was tabled.

Gamboa asked if the P&Z map was correct. The current map has not been updated since 2008. Talley said that the map must be kept current, and we should advise the council that it must be updated.

Gamboa asked if we should have the same 5-minute time limit on speakers in any public hearing like the BoA has. Consensus was that we should not but that the chairman could control the speaker. Jane Bain said it was odd that people who have been in office here before only criticize but never offer to help the two people in the office who must do everything. Motion made for the chairman to allow 5 minutes without repetition with extra minutes allowed for new information given. D.White/Johnston Ayes: White, Ellsworth, Johnston, Gamboa, Brown, Jackson. Nays: Divine (Abstained)

**Speakers:** Bill Sherman, 825 South Duquesne Rd, Tyler Bard 2205 W 1<sup>st</sup> St. Joplin, Jane Baine 4250 East 13<sup>th</sup> St. Aaron Garman 38901 East 7<sup>th</sup> St. Jane Baine

**Schedule next meeting:** Special Meeting May 9<sup>th</sup>, 5:30pm, Regular meeting June 6, 6 PM work session, 7 PM regular meeting

**Meeting Adjourned:** 7:53pm

Submitted by: Rick Gamboa