

**DUQUESNE BOARD OF ALDERMEN
APRIL 25, 2022 SPECIAL MEETING MINUTES**

CALL TO ORDER

The special meeting for the Duquesne Board of Aldermen was called to order at 6:00 p.m. by Mayor Bill Sherman.

ROLL CALL

Answering Roll Call were Aldermen Jane Baine, Chris Ellsworth, Becca White, and Mayor Bill Sherman.

PLEDGE OF ALLEGIANCE to the United States of America was led by Mayor Bill Sherman.

INVOCATION was read by Mayor Bill Sherman.

AGENDA

Motion made by Becca White, seconded by Jane Baine to approve the agenda as presented. Voting in favor were Baine, White and Ellsworth. Nays: None. Motion carried.

PUBLIC HEARINGS

Special Use Permit: 3635 E. 20th St.

Opened at 6:02pm

Public Comments: Kerry Devine 314 Morgan Court spoke to the Board stating her concerns for the record that there is still no site plan, nothing on the parking lot or lighting. She wanted to know if there was a Storm Water plan in place. She asked if there was going to be items sold at the establishment. She stated that there were six findings that P&Z should have done as she is interested to know if these things were done. She asked if there was going to be a deadline for the special use permit and she was told that it was going to be for the life of the building.

Lisa Daugherty, 4230 E. 24th St. spoke to the Board asking why the Public Hearing that was posted to happen last Thursday, was alright without posting properly to have it start again. The Mayor stated that the Public Hearing was properly postponed until the 25th. Attorney Mike Talley stated that the public hearing was properly postponed at the last special meeting. Another statement she made was that according to commercial properly, there is a \$2,000 deposit that is to be made for engineering fees and she asked if Allgeier Martin ever looked over these plans. Mayor Bill Sherman stated that the building permit was issued and Allgeier Martin did not have any involvement with this process. She went on to say that she feels that if the Board passes this special use permit that they are opening up a can of worms.

Sara Ellsworth, 1004 S. Duquesne stated that based on what all she has just heard that she feels like this special use permit is for a building that is exactly like it was before, in the same place that it was before the tornado so this does not require all the other requirements like a new construction permit would because that is for a new building that has never been there before. She feels that since this is for something that was there before that there are different rules as there was for all businesses right after the tornado not just in Duquesne but also in Joplin. She went on to state that will this she does not feel that the Board is opening up a can of worms using someone else's words because there are differences between a building that had been here and one that has never been here.

Public Hearing closed at 6:14pm

SPECIAL USE PERMIT

Mayor stated that is now time for consideration for the Special Use Permit which we heard a recommendation from Planning and Zoning.

Alderman Chris Ellsworth stated to the Board that the Planning and Zoning recommended 4-3 in votes to grant the special use permit to the board.

Attorney Mike Talley spoke to the Board stated that this is not creating a precedence, this is a unique case in that the business and building existed prior to the tornado and business were given a 2 year extension to rebuild after the tornado which has expired. However a mistake was made on the issuing of the building permit and the building was built and it does have the proper setbacks and such for the zoning of C-1 which it was before. He went on to state that he recommends the motion should be phrased for the life of the building at the address of 3635 E. 20th St.

Mayor Bill Sherman asked for a motion to grant the special use permit for the life of the building at 3635 E. 20th St. for automotive repair.

Motion made by Jane Baine, seconded by Becca White to grant a special use permit for the life of the building at 3635 E. 20th St. for the use of automotive repair. Voting in favor was Baine, White and Ellsworth. Nays: None. Motion carried.

There was no further business, a motion was made by Jane Baine, seconded by Chris Ellsworth to adjourn the meeting. Voting in favor was Baine, White, and Ellsworth. Nays: None. Motion carried. Meeting adjourned at 6:22 p.m.