

MINUTES
Regular Meeting
Cameron Missouri Planning & Zoning Commission
October 13, 2014

Item 1: Call to Order

Chairman O'Donnell called the meeting to order at 6:10pm.

Commissioners Present:

Chairman Michael O'Donnell
Mark Garges
Delvin Jackson
George Pratt

Commissioners Absent:

Tom Hamlet
Stan Hendrix
Edward Schmidt

Others Present:

Clyde Han
Daniel & Penny Kincaid
Chris Johnson – Cameron Newspaper

Item 2: Approval of Minutes

September 8, 2014 Minutes

Chairman O'Donnell entertained a motion to approve the minutes of the September 8, 2014 meeting. Motion made by Mr. Pratt to approve the minutes of the September 8, 2014 meeting; seconded by Mr. Garges. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 0, absent – 3.

Item 3: Public Participation

Citizen Input

Mr. Han reported that no letters or emails were received during the month of August.

Mr. Han provided a review of 15 court cases that have been ruled on regarding zoning issues provided by the Missouri Municipal League. Mr. Han asked that the Board review the cases as they contain good information.

Item 4: Unfinished Business

A: Public Hearing – Continued: Comprehensive Plan

Mr. Han stated that he has not received the requested maps from MODot; however he is still in contact with them.

Chairman O'Donnell stated that he will provide his digital copies of the maps to Mr. Han to see if any of them can be used in the Comprehensive Plan.

The Board discussed closing the public hearing so the updated Comprehensive Plan can be assembled and brought to the Board for approval.

Mr. Garges made a motion to close the public hearing on the Comprehensive Plan; seconded by Mr. Jackson. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 0, absent – 3.

Mr. Han will begin assembling the Comprehensive Plan. A sample ordinance will be placed in the Board packets for review.

The Comprehensive Plan will stay on the agenda until it is ready to be presented to City Council.

Item 5: New Business

A: Public Hearing: Conditional Use Permit – Multiple Dogs

Mr. Garges made a motion to enter public hearing; seconded by Mr. Pratt. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 0, absent – 3.

~ Public Hearing ~

A request for a conditional use permit was made by Daniel and Penny Kincaid located at 734 S Walnut. Mr. and Mrs. Kincaid have requested a conditional use permit for multiple dogs. Their daughter and granddaughter have moved in with them and brought a small dog which brings the total of dogs at the home to three.

Animal Control has had several complaints about the Kincaid's previous two dogs barking. Mr. and Mrs. Kincaid have tried several remedies including a bark collar, bark house and beeper to control the barking. It has been expressed that the third dog has not been a source of the complaint.

A letter from the families "Child and Family Therapist" stated that it is best interest of the granddaughter if the dog stays in the home.

The Animal Control officer has required all three dogs to be registered with the City of Cameron which has been completed.

Two neighbors have responded to the request for the conditional use permit. One neighbor is in agreement that the Kincaid's should be able to keep all three dogs; however, one neighbor is against the conditional use permit.

Jamey and Amy McVicker have expressed that the Kincaid's should not be allowed to keep three dogs as they bark constantly and are a nuisance.

Mr. Han stated that the ordinance will be presented to City Council the first meeting of November.

Mr. Garges asked if the new dog is the nuisance.

Mr. Han stated that according to animal control, the new dog is not an issue.

Chairman O'Donnell asked if there have been any recent complaints about the dogs.

Mr. Han stated that there have not been any recent complaints of barking.

Daniel Kincaid stated that the animal control officer, Kathy Turner, has not contacted them for approximately one year on a barking complaint.

Mr. Garges asked Mr. Kincaid if they have thought of adding a privacy fence to help distract the dogs from barking.

Mr. Kincaid stated that anything causes the dogs to bark including leaves and squirrels. They have considered constructing a privacy fence; however, financing does not allow for this.

Mr. Kincaid stated that since the Yorkie has come to stay with them, it has not caused a problem. The barking problem is strictly linked to the original two dogs and would still exist if the Yorkie is removed from the home.

Mr. Kincaid has been working with the neighbors to help cut down on the barking. This includes bringing the dogs inside if there are people outside and not leaving them outside if no one is home.

Mr. Kincaid stated that the Yorkie belongs to the Kincaid's granddaughter and is recommended by the Child Therapist that it stays in the home. This will be temporary until their daughter finds another place to live.

Chairman O'Donnell asked if it was normal to bring the dogs inside at night.

Mr. Kincaid stated that the dogs are usually brought in before dark and it is rare if they are out after dark.

Chairman O'Donnell asked if there was an issue with having the dogs inside by 6:00pm.

Mr. Kincaid stated that they do not usually get home until after 5:00pm and he would like to let the dogs play outside for a while before they are brought in for the night.

Chairman O'Donnell asked Mr. Han if the barking continued could there be other violations with the City.

Mr. Han stated that there could possibly be barking violations if additional complaints were made.

Mr. Pratt asked if the issue of having three dogs would be resolved by a certain date.

Mr. Kincaid stated that they plan on having their daughter and extra dog living with them on a temporary basis.

Mr. Han stated that the Conditional Use Permit would be void once one of the dogs permanently leaves the premises.

Chairman O'Donnell stated that the purpose of the conditional use permit for multiple dogs was to accommodate more than two dogs when another party moved into the home. There is nothing in the ordinance that talks about the behavior of the animals, i.e. barking, with either the existing or new dogs.

Chairman O'Donnell stated that the medical situation was noted and reviewed by the Board and taken into consideration.

Chairman O'Donnell does not want to initiate a time frame for the additional dog at the home as that creates monitoring issues and extra work if the additional dog has not been *relocated* by the specified time frame.

Mr. Garges made a motion to leave public hearing; seconded by Mr. Pratt. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 0, absent – 3.

Leave Public Hearing

Mr. Garges made a motion to recommend to City Council that the conditional use permit be granted for multiple dogs at 734 S Walnut; Seconded by Mr. Jackson. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 0, absent – 3.

Chairman O'Donnell requested that Mr. Han reword the ordinance under section 2 item A to state: All three current dogs to be licensed with the City of Cameron.

Mr. Han will make the requested change and place the item on City Council's agenda for the first meeting in November.

B: Site Plan Review: Bible Baptist Church Accessory Building

The Bible Baptist Church located at 515 S Elm has applied for a permit to construct an accessory building to protect and store their church buses. The building will be 36 x 80 (2,880 Sq. Ft.) and will have a 30 x 80 gravel pad as a parking apron for the buses. The existing parking area is gravel and the parking apron will be an extension of the area.

The City's third party engineers have reviewed the storm water plan and determined that it conforms to the ordinance. City staff has also reviewed the plan and recommend acceptance of the storm water and building site plan.

Mr. Garges made a motion to approve the site plan review for the Bible Baptist Church located at 515 S Elm as presented; seconded by Mr. Jackson. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 0, absent – 3.

Item 6: Future

A: Site Plan for Cameron School Addition

Mr. Han reported that the site plan and storm water plans are still in process for the Cameron School addition.

Drew Bontrager, Public Works Director, has been in contact with the engineers on traffic flow.

Mr. Han stated that he will not be conducting inspections on the ground source heating. He has communicated this with the builder so they can stay within their deadlines.

Chairman O'Donnell asked where the water supply was coming from.

Mr. Han stated that the architect was planning on connecting to the 6 inch main running through Park Avenue. After looking into this, it was discovered that there is only a 4 inch main on Park Avenue.

John Carroll has been in contact with the architect and stated that a 6 inch main is located on the south side of the existing Middle School close to the agriculture building. They plan to connect to this 6 inch main.

Chairman O'Donnell expressed concerns about having enough water for the new school and enough water supply for the fire hydrants.

Chairman O'Donnell also expressed concerns about the proposed traffic flow and the bus traffic off of the main road.

Mr. Han stated that Drew Bontrager is working with the architect on the traffic concerns.

Chairman O'Donnell expressed concerns about emergency vehicle access to the back of the current Middle School. The plans need to be reviewed from a fire safety standpoint before the final plans are approved to make sure all of the buildings are safe in case of an emergency.

Mr. Han stated that he will relay the concerns to the architect.

Chairman O'Donnell stated that he does not want to hold up the process; however, the Board has a responsibility to make sure the building and occupants are safe.

Item 7: Miscellaneous/ Updates

A: Tree Ordinance

There are no updates on the tree ordinance.

Item 8: Adjourn

Chairman O'Donnell entertained a motion to adjourn. Motion made by Mr. Pratt to adjourn; seconded by Mr. Garges. On voice vote the motion carries as follows: ayes- 4, nays- 0, abstentions- 0, absent - 3.

Meeting adjourned at 7:38 pm.

Next scheduled meeting of the Cameron Planning and Zoning is November 10, 2014.

Minutes submitted by:

Chris Martin

Secretary Recorder

Cameron, MO 64429

Minutes of the October 13, 2014, Cameron Planning and Zoning Commission approved on Nov. 10, 2014



Chairman Michael O'Donnell