

MINUTES  
Regular Meeting  
Cameron Planning & Zoning Commission  
September 14<sup>th</sup>, 2009  
City Council Chambers, Cameron, Missouri

**Item 1. Call to Order**

Chairman Michael O'Donnell called the meeting to order at 6:00p.m.

Commissioners Present:

Chairman Michael O'Donnell  
Mark Garges  
Jo Ann Hiner  
Tom Hamlet  
Stan Hendrix

Commissioners Absent:

Delvin Jackson  
George Pratt

Others Present:

Debbie Heavner  
Mary Jo Eiberger  
Cheryl Leffler ~ Director of Shelter Clients Services for Green Hills Women's Shelter of Trenton  
Cory Sloan ~ Cameron Chief of Police

**Item 2. Minutes from Previous Meetings**  
**July 13<sup>th</sup>, 2009**

*Chairman O'Donnell entertained motion to approve the minutes of July 13<sup>th</sup>; Motion made by Mr. Garges, to approve the minutes of July 13<sup>th</sup>; seconded by Mrs. Hiner. On voice vote the motion carries as follows; ayes-5, nays-0, abstentions-0, absent-2.*

**Item 3. Public Participation**

There was none.

Chairman O'Donnell stated that he would like to amend the agenda to the following order New Business Item A; Unfinished Business Item A; and finish with all other items in New Business.

*Motion made by Mr. Hendrix to amend the agenda as suggested by Chairman O'Donnell; Seconded by Mr. Hamlet; On voice vote the motion carries as follows; ayes-5, nays-0, abstentions-0, absent-2.*

**Item 4. New Business**

**A. Public Hearing, Group home Definition**

The current definition for Group Homes includes only facilities for mentally and physically handicapped persons. Nowhere is there a provision for victims of domestic violence. The importance of protecting the privacy of victims and their children who are often re-located is considerable and such locations are not publicized. The current definition also limits the number of persons housed to 8 and does not contemplate children of the residents, Group Homes are permitted in the R-2 and R-3 zoning districts.

*Entertain Motion to Enter Public Hearing; motion made by Mr. Hendrix; seconded by Mrs. Hiner; On voice vote motion carries as follows; ayes-5, nays-0, absent-2*

Mary Jo Eiberger~ Chair of Clinton and Dekalb Green Hills Women Shelter~ addressed the Board stating the need for a shelter of this type in Cameron, and stating they were currently pursuing the location of a home in an R-2 zoning area. She stated that the main goal is to not only aid these victims in the support that they need, but also to be able to keep them in their own Community so they may continue to work and the children continue to attend school. Currently, and victims from the area are transported to Trenton, St. Joseph, or Chillicothe for shelter services. Ms. Eiberger also wanted the Board to know that this project would be serviced by the "Green Hills Administrative Agency".

Chairman O'Donnell informed the Board that there were two main issues they needed to discuss for this project. One was that the current code does not allow a facility of this type in an R-2 district; and the second issue was to look at this project as a "whole", not just this specific project, but how it would or could affect other projects of this type in the future.

Mr. Garges asked Mrs. Leffler about the amount of individuals the Trenton and Chillicothe shelters housed at one time, and how many she expected for the Cameron Shelter.

Mrs. Leffler stated that the Trenton Shelter was capable of housing 12, and the Chillicothe Shelter housed 20, she also stated that approximately 14 would be housed in Cameron.

Chairman O'Donnell asked Mrs. Leffler if the Trenton and Chillicothe shelters were only available to residents that lived in those towns.

Mrs. Leffler informed Chairman O'Donnell that these shelters covered a 13 county area.

Mr. Garges asked Mrs. Leffler if there was ever a parking issue in these communities with so many individuals in one dwelling.

Mrs. Leffler stated that there was not, as most of the individuals are transported to the shelters and do not own vehicles.

Mr. Hendrix asked Mrs. Leffler if the shelters in Trenton and Chillicothe are both in residential areas.

Mrs. Leffler stated that they are.

Mr. Hendrix questioned the number of staff members that would be employed at the Cameron Shelter.

Mrs. Leffler stated that they are currently looking at two staff members, plus volunteers.

Mr. Garges questioned the licensure of a project of this type.

Mrs. Leffler stated that there is no specific "licensure" for the shelters, but there are rules and regulations set by the "Missouri Office of Victims Assistance" and that is what is followed for these shelters.

Mr. Garges asked Mrs. Leffler how many years she had been working at the shelters in Trenton and Chillicothe.

Mrs. Leffler stated she had been at Trenton for 14 years and the shelter in Chillicothe had opened in 2005.

Chairman O'Donnell asked if a shelter in Cameron would offer assistance to residents in other counties, or just in Clinton and Dekalb.

Ms. Eiberger stated that the shelter was originally for the Clinton and Dekalb counties because these 2 counties did not fall into any of the areas already included in the counties for the St. Joseph, Trenton, or Chillicothe shelters. But stated there could be residents from other counties that would utilize this shelter as well.

Mr. Hendrix questioned the capacity of the shelters and asked how often they were completely full.

Mrs. Leffler stated that currently both the Trenton and Chillicothe facilities were at full capacity.

Chairman O'Donnell asked Mrs. Leffler if the shelter in Cameron were to house 14 residents, approximately how many staff members and what hours would the staff members be at the location.

Mrs. Leffler stated that the shelters are a 24/7 operations, and there is always 1 staff member at the facility at all times.

Mr. Hendrix asked about the funding of the shelter.

Mrs. Leffler informed him that the funding has come from State and Federal agencies as well as private donations and fundraising.

Mr. Hamlet asked if security was ever an issue at the shelters.

Mrs. Leffler stated that in her 14 years at the shelters, security has never been an issue. She did state that twice there had been an incident with a spouse/significant other of a victim show up at the location, but they were never inside the location and the police responded quickly and removed them from the property.

Chief of Police Sloan addressed the P&Z informing them that from Jan 1, of this year until Aug 31<sup>st</sup>, there had been 137 domestic violence calls placed to the police dept. He also stated that these calls had come from all over the community area, not just specific areas of town. Chief Sloan stated that statistics have proven that only 1 in every 7 domestic incidents in every reported. He wants the P&Z to be aware of the definite need for a shelter in the Cameron area.

Chief Sloan also stated that victims will not get out of these situations unless the “Circle of Violence” can be broken, which is the purpose of a shelter facility. For the victims to be removed from that situation and become more self-sufficient and have positive influences around them are the shelters goal. He also stated that the State Law requires officers to take the victims to a shelter. However, since there is not one located in Cameron they are taken to Trenton or St. Joseph, or Chillicothe, making it impossible for the children to stay in school or for those victims that have jobs in Cameron to continue working.

Chairman O’Donnell asked what zoning area the shelters in Trenton and Chillicothe were located in.

Mr. Hende stated that he had called each Community to obtain that information, yet all he was able to find out was that they were both located in “residential” areas.

Mr. Hendrix commented that he felt the “permanent” changes that would happen if the placement of the shelter was in R-2 zoning needed to be considered. Also wanting to know how much difference there would be in the appearance and the traffic flow of a shelter versus a regular family residence.

Mrs. Leffler stated that the shelter would look like any other home in the area, and the main objective was to blend in with the area residents so as to not look like a “shelter” from the outside to protect the privacy and safety of those staying there. She also stated

that the traffic flow would be the same as any normal home. (Residents leaving for work, school, the store, etc.)

Mr. Hendrix asked what the average length of time was that people tended to stay at the shelter.

Mrs. Leffler explained that length of stays varied from situation to situation, depending on court issues, employment issues, and emotional issues. She did want to P&Z to know that they do set goals for each individual that comes into the shelter and they have very intensive group management to be certain these goals are met.

Chief Sloan commented that the main purpose of the shelter is to get the victim back into the society and have them be self-sufficient. He stated that the emotional abuse these victims have suffered is at times far worse than the physical abuse and it does take time for these victims to recover from this as well.

Mr. Hendrix asked Mrs. Leffler what type of dwellings the Trenton and Chillicothe facilities were, whether they were duplexes or single family homes.

Mrs. Leffler stated that the shelter in Trenton was originally a duplex that the interior walls were removed from to make it into one house, and that the Chillicothe shelter was a large Victorian house.

Chairman O'Donnell addressed Mrs. Leffler and the other stating that the P&Z was asking for information to see where they thought the best fit in the Community would be. He stated that he felt the P&Z needed to ask and obtain the most information they could to justify the placement of a shelter facility in the community and wanted to be able to give answers to any questions that might arise from other community members. He wanted Mrs. Leffler to be aware that the P&Z decision would be made on all information that was given at this meeting.

Chairman O'Donnell then stated that by "definition" as of current zoning regulations, a conditional use permit (CUP) could be granted for the shelter, or the shelter could be placed in an R-3 (multi-family) district. He commented that he felt, from his stand point, that the shelter would fit more into an R-3 zoning area but it was open for discussion.

Mr. Hendrix again questioned the stay of the individuals at the shelter. Asking if they tended to be in and out in a week, 2 months, 6 months.

Mrs. Leffler stated there has never been a case where a resident was gone within a week, but there has also never been a case where anyone has stayed as long as 6 months.

Chairman O'Donnell commented that he was trying to find a similar type of facility to compare to something that houses as many people as the shelter would, thus being his reasoning for R-3 zoning.

Mrs. Hiner stated that if the main goal of the shelter is to get these individuals back on their feet and into society, she feels an R-2 zoning area would be a better environment for the rehab (so to speak) of the individuals.

Chairman O'Donnell stated that he agreed with Mrs. Hiner on that stand point, however R-2 zoning has an 8 person, 2 staff member limit.

Mrs. Hiner asked when this limit was set, and if it was prior to the need of domestic violence shelters.

Chairman O'Donnell stated that it was, but since that is the restrictions set in the R-2 area, that is the guidelines that the P&Z must look at.

Chief Sloan addressed the P&Z informing them that he would not be able to stay for the rest of the meeting. He did however want to clarify for the P&Z that he was attending the meeting as a "factual member" only, but that there is a definite need in the Community for this shelter.

Mrs. Eiberger again stated to the P&Z that both Trenton and Chillicothe shelters are single family homes, with the owner of the properties being "Green Hills Action Agency."

Chief Sloan then stated that the shelter would be no different than any other home. It would not be like a "group home", where residents do not leave without being accompanied by staff members.

Mr. Hendrix stated that a shelter facility would fit into an R-3 district and if P&Z were to consider allowing it in an R-2, they would need to think about the impact it may have on the neighborhood.

Mrs. Eiberger stated that there would be no noticeable impact in a neighborhood as the comings and goings of the residents would be the same as any other home owner.

Mrs. Leffler stated that there would be a fenced area on the property to allow the children of the victims to go outside and play while still being on the property.

Chairman O'Donnell thanked Mrs. Leffler for that information, as he knew one of the main questions from other Community members would be if the children would be out running around unsupervised.

Mrs. Leffler stated that all the shelters have a fenced play area for the safety of the children.

Mr. Garges asked if the shelter would need to be adapted in any way, such as sprinkler systems, alarms, things of that nature.

Mrs. Leffler stated that the shelters all have to pass inspection with the Fire Dept, as well as the Health Dept. and have a State inspection. She said that smoke alarms and carbon monoxide detectors were in place, but they were not required to have a sprinkler system.

Mr. Hendee asked if the State had licensed the shelter for a certain number of people, and if so, how many.

Mrs. Leffler stated that they would not know the exact number until the building is acquired.

Ms. Eiberger stated that there is no certain sq. ft. per person set, as there are with daycares, that the number would be set by her and Mrs. Leffler depending on the safety and privacy needs of the residents.

Mr. Garges asked if there was an approximate number that would be housed at the shelter.

Ms. Eiberger stated approximately 12-14 people, this included children.

Mrs. Hiner commented that she felt R-2 would be a better zoning area when looking at the safety and privacy issue of the residents.

Chief Sloan commented that based on 18 years on the police force, his educated guess would be that there are more calls (domestic) in multi-family areas than in the single family areas, and that the overall crime rate is higher in those areas as well.

Ms. Eiberger questioned the amount of availability for a shelter in R-3 versus R-2.

Chairman O'Donnell stated that at least 80% of the community is R-2, with only a limited amount, (less than 10%) being R-3.

Ms. Eiberger stated that she was afraid if the shelter could only be in R-3, they would not be able to find an available location for it.

Chairman O'Donnell stated that if the shelter were to be limited to R-3, there would more than likely be nothing available that already existed.

Mr. Hendrix asked if a "CUP" was still an option to allow the shelter in R-2, rather than only being allowed in an R-3 district.

Chief Sloan stated that Law Enforcement had voiced their concerns about applying for a "CUP". He commented that with a "CUP" that address and purpose of the "CUP" are disclosed in the paper, fearing that an abuser will look for an individual. Therefore, Law Enforcement did not want to see this information publicized.

Chairman O'Donnell addressed the other members of the P&Z, stating that there would be approximately 14 people living in this dwelling, and they needed to figure out what they wanted to do from here. Wondering if P&Z would want to limit the number of people that could be housed at the shelter, stating it would not be a single family home. Or even a multi-family, it would be lots of families all together in one dwelling. He also reminded the Board that whatever they decided at the meeting tonight is "set", not stating there will be an issue in the future, but still something that needs to be considered for future projects.

Chairman O'Donnell stated that he did not feel comfortable changing the zoning laws because of factors down the road, and if a neighborhood with \$250,000 – \$300,000 houses had no say and had a facility of this type next to them without their knowledge these neighbors would not be happy about it. He felt there needed to be a limit set on the amount of individuals that could be housed there to possibly eliminate this problem. He again stated that he would not have a problem if the facility had been brought forth with a "CUP", and does feel there is a need for this type of project. However, he is just not comfortable changing zoning laws to fit the need of the project.

Mr. Hendee then asked about the possibility of just changing the definition of "group home" in the City regulations.

Mrs. Hiner asked Mrs. Leffler if they have set a limit for the specific location they are considering and how that limit is set.

Mrs. Leffler stated that the limit is set by the number of bedrooms available in the house and that each family is housed in a separate bedroom as that seems to be more conducive for the families.

Chairman O'Donnell stated that he understands this is a great project and is not against it. However, the P&Z must be careful in the decisions that it makes when those in the neighborhood surrounding the shelter purchased their homes prior to a shelter being placed there and the fact that none of these home owners were made aware enabling them to attend the meeting and have their say. He stated that if it were done through the use of a "CUP" the neighbors would be made aware of the situation, therefore allowing them to have their say at the P&Z meeting.

Mr. Hamlet asked if the facility were to be placed in an R-2 area, if that would place limitations on the number of individuals allowed there.

Chairman O'Donnell stated that it would not, unless the P&Z designated it with limitations, he stated that only "group homes" have limits.

Mr. Hamlet asked Mrs. Leffler if there would a rise a need for more space at the shelter, if they would add on to the existing shelter.

Mrs. Heavner informed Mr. Hamlet that additions to that property would not be allowed under the law the shelter would be adhering to, and that they would have to buy a different house. She also stated that under these laws, the facility would be limited to 27 individuals which included children.

Chairman O'Donnell then questioned those attending for the shelter project, questioning the limit of 27 individuals.

Mr. Hendrix questioned the square footage of the dwelling at the proposed locations.

Mrs. Heavner said it was approximately 4,000 sq. ft. stating that she couldn't remember the exact amount.

Chairman O'Donnell asked again about the limits per the house, stating that what was proposed was housing 14 individuals but now stating that there could be as many as 27.

Mrs. Heavner stated that 27 individuals for the shelter was not feasible, but according to the funding, it could house up to that many. She also informed the P&Z that part of the stipulation for the funding was that they had to go door-to-door and inform the neighbors of the possibility of the shelter being placed at that location and get the feedback from the neighbors.

Chairman O'Donnell asked if the door-to-door communication had been done.

Mrs. Heavner stated that it was not complete, but had to be done before they could receive the funding necessary for the shelter.

Chairman O'Donnell questioned if there was any "financial" reason why a "CUP" could not be done for this project.

Mrs. Leffler and Ms. Eiberger stated there was not.

Chairman O'Donnell stated that if a request for a "CUP" had been submitted, and ad would be run in the local paper only, and it would run 1 time. He then asked Mrs. Leffler and Ms. Eiberger if they felt this would cause a compromise on the safety of an individual.

They stated that they were unsure.

Chairman O'Donnell stated that only the resident owners within 180 ft, from the lot of the location being discussed would receive letters about the "CUP" from the City, and there were probably fewer letters that would be sent to people out than those people that would be contacted door-to-door by Mrs. Leffler, Mrs. Heavner, and Ms. Eiberger.

Mrs. Heavner stated that they have never run into a Community that has had an issue with the opening of a shelter and does not understand why Cameron does.

Mr. Hendrix addressed Mrs. Heavner stating that they (P&Z) do not have an issue with the facility itself. But, the P&Z will be setting a precedent for further down the road, and the definition of “group home” as set in the City regulations does not fit for this type of facility.

Chairman O’Donnell asked again if the publicizing of a “CUP” in the local paper would compromise safety, stating he felt it was unfair to overlook homeowners for a project. He again stated that he felt it is a great project, but cannot make a zoning law change when all those that it affects are no able to have their say in the matter.

Ms. Eiberger asked if the definition of “group home” could just be changed to add “domestic violence shelter”.

Mr. Hendrix stated that the “group home” definition specifically states “8 individuals with 2 more possible”. He then stated that he felt a “CUP” would be of better use in this situation well, commenting that a “CUP” allows for the weighing of “both” sides, not just that party that is interested in the project.

Ms. Eiberger stated that she did not know if an ad run in the paper would compromise safety or not, but it was just not a chance they were willing to take.

Chairman O’Donnell asked about the facilities in Trenton and Chillicothe, questioning if family members knew where these locations were.

Mrs. Leffler stated that in fact some families were aware of the locations, mainly because they are such small communities.

Chairman O’Donnell commented that was the point he was trying to get across, if someone wanted to know badly enough where these locations were, they would find them regardless of what they had to do.

Mr. Hendrix stated that if this project had been brought forth with a “CUP” that stricter and more detailed limitations could be set which would make things easier on both the P&Z and those pursuing the project.

Chairman O’Donnell stated that if the shelter facility were to be limited to 8-10 such as a “group home”, it would not be fair to anyone. It would definitely limit what the project could do in the way of helping the victims. However, if changed to 20 (or whatever) in the definition of “group home”, it is not fair to the neighbors that are not here to have their say.

Chairman O’Donnell asked the P&Z members if they had anymore questions for Mrs. Leffler, Mrs. Heavner, or Ms. Eiberger.

They did not.

*Entertain Motion to Leave Public Hearing; motion made by Mr. Hendrix; seconded by Mrs. Hiner; On voice vote motion carries as follows; ayes-5, nays-0, abstentions-0, absent-2.*

Leave Public Hearing.

Chairman O'Donnell entertained motion to make a recommendation to Coty Council

Mr. Hendrix made a motion to make a recommendation to City Council to add to the definition of "group homes"....."and dwelling for the purpose of support of victims of domestic violence. Mr. Garges seconded;

Mrs. Hiner asked if there were going to be any limitations set with the motion.

Mr. Hendrix stated that he felt if the definition were going to be re-written then they also needed to address limitations and parking.

It was stated that duplexes are required a minimum of 2 parking places per unit, and this parking must be off street.

Mr. Hendrix stated that he wondered if it needed to be addressed in the definition as it was not addressed in the current definition of "group home".

Mr. Garges stated that the term "group home" makes one think of a licensed agency, and this is not a licensed agency. Therefore, he stated he had an issue just changing a definition when he did not feel it fell into the same category. Mr. Garges then asked the other members of the P&Z if it would be possible to add an entirely new definition that would just address "domestic violence shelters."

Mr. Hendee stated that in order for the P&Z to add this definition, it would need to be done at a public hearing, which would have to be listed in the paper and would take approximately 2 weeks at the earliest before another meeting could be held to discuss the subject.

Chairman O'Donnell stated that they had all learned a lot more about the project, and at this point were down to voting on the recommendation of adding on to the definition of "group home"

Mrs. Hiner questioned where the addition would be place in the definition.

Mr. Hendrix stated that possibly at the end.

Mrs. Hiner asked about placing it between the first and second sentence in the definition.

Chairman O'Donnell commented that he felt if it was going to be defined, that it needs to be defined by itself, as its own definition and not grouped together.

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

Mrs. Hiner asked if the P&Z were to add a whole new definition for the term "Domestic Violence Shelter" if that in fact did require another meeting and public hearing.

Chairman O'Donnell stated that it would require a separate meeting as the Public Notice only stated that changing of the definition "Group Home."

Mrs. Hiner stated that she felt this was an important enough issue that it should have its own definition.

Mr. Hamlet stated that he felt it would be doing a disservice by just adding it to "group home" if the limitations could not be changed.

Mr. Hendrix asked what the group (P&Z) as a whole felt would be an appropriate number for the limitation.

Mr. Hamlet stated that he felt 15.

Mr. Garges agreed with Mr. Hamlet.

Chairman O'Donnell stated that in his honest opinion, he felt it should be a completely separate definition. He commented that he felt the P&Z was doing a quick fix to get something done fast and he did not feel that was the proper way to go about it. He also reminded the members that there was a "motion" on the floor and that he was not ready to vote yet as he felt there was a solution.

Mr. Hamlet asked Chairman O'Donnell what he felt would be the best solution.

Chairman O'Donnell stated that he realized there was a timeline on the funding available for the project, however he did not feel that was the problem of the P&Z to worry about. He reminded them that whatever they decided on at the meeting would change code for the "whole" City. He again stated that he felt the proper way to have achieved what they were seeking for this project would have been a "CUP", to allow more time to review and figure correctly, but there was a "motion" on the floor and they needed to make a decision based on that motion.

Mr. Hendrix stated the he agreed a "CUP" would have been cleaner and easier, but commented that he did not feel that one small change to an already existing definition will open a "Pandora's Box" of issues in the future. He stated that by adding one small part it will add a much needed facility to the Community. Mr. Hendrix said he supported the small change because the existing definition is so narrow and the change it for the "greater good" of the Community. He also stated that he did not believe any problems

that might arise would outweigh the benefits of the project. Mr. Hendrix then stated that he would like to add to his original motion the number of individuals allowed.

*Mr. Hendrix retracts his original motion; Mr. Garges resinds his second;*

*Mr. Hendrix makes a motion to make a recommendation to Coty Council to add to the definition of "Group Homes" to read as:*

*Group Home: A dwelling in which eight (8) or less unrelated mentally or physically handicapped persons reside, and may include up to two (2) additional person acting as house parents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the home **OR dwelling for the purpose of supplying temporary shelter and support for the victims of domestic violence not to exceed a total number of 16 residents at one time**; the exterior appearance of the home must be compatible with the neighborhood on which it is located.*

*Seconded by Mrs. Hiner;*

Mr. Garges questioned if number of employees should be listed along with number of residents.

Mr. Hendrix stated that it was not listed in the original definition so he did not think it needed to be in the addition.

Chairman O'Donnell asked if there was any further discussion.

Mr. Garges stated that he still felt they were entirely two separate issues, and he was not comfortable mixing the two issue together into one definition. He stated that he was not against the project, but didn't feel this was the correct way to handle the issue.

Chairman O'Donnell stated that he had to justify how he votes, commenting that he still did not feel this was the correct way to handle the issue but he also knows that over time changes are made to codes and adjustments to articles. He also stated that this was more of a "special entity" and not an everyday project that would resurface a lot in the future and for that reason he can support it even though there was no one there except for those "for" the project itself. Chairman O'Donnell then stated that he or Mr. Hendee would more than likely have to stand up before council and let them know why he voted the way that he did and even though he still did not feel it was the proper way of handling it, he could justify his decision.

*On voice vote, motion carries as follows; ayes-4, nays-1, abstentions-0, absent-2.*

*Recommendation to be sent to City Council for the September 21<sup>st</sup> meeting.*

Due to the length of the meeting at this point, tabling all other items until the October meeting was brought up for discussion.

*Mr. Hendrix made a motion to table remaining items on the Sept agenda until the October meeting; Mr. Hamlet seconded; On voice vote, motion carries as follows; ; ayes-5, nays-0, abstentions-0, absent-2.*

Remaining items tabled until the October Meeting.

### **Item 5. Adjourn**

Mr. Garges made a motion to adjourn; Mr. Hendrix seconded. On voice vote, the motion carried as follows: Ayes-5, nays-0, abstentions-0, and absent-2

The meeting adjourned at 8:45 p.m.

Minutes submitted by:

*Ellie M. Milbourn  
Secretary Recorder  
Cameron, MO 64429*