

**APPROVED**

**City of Duquesne, MO**  
Planning & Zoning Commission  
Meeting Minutes (DRAFT)  
December 5th, 2016; 6:00 pm

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Meeting called to order at 06:04 P.M. by President Ray Brown

In Attendance:

Ray Brown, President (2018)  
Kathy Hudson, Vice President (2017)  
Chris Ellsworth, Board of Aldermen Representative (2018)  
Gary Jackson (2017)  
Tom Johnston (2019)  
Mickey Sherman (2019)  
Steven Williams, Secretary (2018)

Approve Agenda:

Remove "Approve November Meeting Minutes", Ray Brown has the draft for the November meeting and will have those available for review at a later time. Remove "Public Hearing" from the agenda. A public hearing is not required for lot splits.

A motion was made by Tom Johnston and seconded by Mickey Sherman to accept the agenda as amended.

Ayes: Jackson, Hudson, Sherman, Johnston, Williams, and Ellsworth. Nays: None.

The Motion Passed.

Lot Split Application:

Brandi Miller (City Clerk for the City of Duquesne, MO) presented information to the Commission about a lot split for the property at 3715 E. 16th Street. Ray Brown noted that with the lot split each piece of the property will be roughly 2.5 acres. Brandi notated that this property is in the EDR area so with the lot split on the property will still meet all city ordinances and codes. Brandi also forwarded the lot split application to the city's engineer (Allgeier Martin) for their feedback. Chris Erisman has sent Brandi an email stating that the surveyor has looked over the application and has confirmed that the application meets all codes and ordinances. Allgeier Martin did inquire if a previous lot split had been submitted for this property previously, because a survey of this property had been done in the past. Brandi noted that a previous lot split has been successfully split once before in Sept. 2015, but was never recorded by the city. Brandi forwarded the information to the City of Duquesne attorney Mike Talley stated that the applicant of the previous lot split would have to file a legal document with the city abandoning the previously granted lot split. Bryan Stevenson has provided the City with a notarized affidavit on Dec. 5th, 2016.

- Bryan Stevenson (Attorney) representing JML Inc. (owners of the property) stated that the reason that the lot split was not recorded previously is because the current renters have been buying the house on a lease to own option till they could get their credit established. The current renters thought they were preapproved but for an unknown reason was not able to finalize the sale so the previous lot split was not recorded. The renters of the property have now been preapproved and financing is now in place for the larger section of the lot split and JML Inc. has a contract for the second section of the lot split. Tom Johnston inquired if the owners were anticipating the lots being split further. Mr. Stevenson stated no.
- Melissa Wakefield (3801 E. 16th St) presented the commission with a "thumb drive" containing 5 pictures of flooding on her property that had occurred within the last 4-5 years due to water runoff from the property to the west of her residence. Ms. Wakefield inquired if the property was going to connect to the cul de sac to the north of the smaller section of the lot split, Mr. Stevenson stated no that the only access to both properties would be off of 16th St. Ms. Wakefield stated that if someone builds on the property she fears that the water runoff is all going to run to her property and cause more damage. Ms. Wakefield also stated that at this time there is no acceptable water runoff in place at this time for this area. Kathy Hudson inquired if the city would have to do something if the water was running over the road like it shows in the pictures after we are responsible for the roads. Mrs. Hudson also inquired if the city had received any reports of flooding in this area before. Gary Heilbrun stated that this would have to be sent over to the engineers to be looked at. Tom Johnston inquired if at any time the water had reached the residence. Ms. Wakefield stated no, that is what she wants to avoid. Brandi Miller stated that the storm water issue is being looked at, but she is unsure if we could factor the lot split just on the water runoff due to it not being a deciding factor. Ms. Wakefield also stated that she has brought this to the Board of Aldermen's attention and she was referred to the Planning & Zoning Commission by the Mayor.
- Rick Gamboa (4005 E. 20th Pl.) stated that the protection for Ms. Wakefield should be in the building permit and a permit should not be issued without a water runoff plan. To keep any new construction from damaging Ms. Wakefield's property any further.
- Commission Comments- Kathy Hudson inquired why the Mayor would refer Ms. Wakefield to the Planning and Zoning Commission with this kind of problem. Brandi Miller stated that the Mayor recommended that Ms. Wakefield join the Planning and Zoning Commission so she could be notified of any pending situations after unless it's rezoning the city has no code or requirement to notify surrounding residence of these types of issues. Ms. Wakefield stated that this was true. The Mayor did not state that the Planning and Zoning Commission could fix this problem but joining the Commission would be a way to stay informed.

With no other comments a motion was made by Tom Johnston and seconded by Kathy Hudson to approve recommendation of the lot split.

Ayes: Jackson, Hudson, Sherman, Johnston, Williams, and Ellsworth. Nays: None.

The Motion Passed.

New Member Term:

The Commission set the term limit for member Steven Williams for 2018

Public Comments:

- Rick Gamboa (4005 E. 20th Pl.) stated that he has not received minutes for the last two meetings and it is causing all kinds of problems. The public is not aware of what the old business was so if something needs to be done, no one is aware that it needs to be done. Do to the lack of Meeting Minutes other members are not aware of the old business. Meeting minutes also do not state the terms for members, with the terms listed it helps the public and other members know the terms of each member.
- President Ray Brown stated for the record that Steven Williams will take the position of Secretary till the end of 2017.

Set Next Meeting Date and Time:

- January 2nd, 2017 @ 19:00Hrs (7:00 P.M.)