

**PLANNING AND ZONING MEETING
ASHLAND, MO. 65010
TUESDAY, AUGUST 9, 2022**

1. REGULAR MEETING:

Chairman Sapp called the meeting to order August 9 , 2022 at 7:00 p.m. Commissioners in attendance were Jeff Sapp, Cynthia Wills, Jerrod Bryan, Scott Dooley, Cory Bergthold and Nicki Rinehart

Commissioners absent:

City Staff Present: Building Inspector Darin Ratermann, Mayor Dorise Slinker, Administrative Assistant Leslie Martin, and Todd Smith City Attorney

Guests: Mike Goins-TMG Construction Management, Mike Frese, and Tony Lovasco-State Representative

2. Approval of Agenda:

Chairman Sapp called for a motion to approve the August 9 , 2022 agenda.

Commissioner Bryan made a motion to approve the August 9 , 2022 agenda, seconded by Commissioner Bergthold. Motion carried.

3. Approval of Previous Minutes:

Chairman Sapp called for a motion to approve the previous minutes dated June 14, 2022. Motion made by Commissioner Bryan to approve the previous minutes as presented dated June 14, 2022, seconded by Commissioner Wills. Motion carried.

4. Public Hearing:

Amend Chapter 9, Planning and Zoning, of the Code of City of Ashland, adding Article VI Home Occupation- Todd Smith, City Attorney, gave a staff report and stated this will come into effect in late August. He stated that he and his firm drafted this ordinance with certain provisions. Tony Lovasco, State Representative, gave feedback on the ordinance that Todd and his firm came up with. He stated he had a few points he wanted to touch on. He stated those areas were: the limitation on the percentage of floor area, max occupancy to be required to be checked by the fire department, regulating things that might be hazardous, requiring an affidavit, and the business license requirement. Commissioner Wills questioned about advertising she stated the code says you can tell them they can not have a sign. Commissioner Rinehart asked what the definition of the home business is.

Sara Walsh, State Representative stated some of the proposed ordinances seems to have gone too far. She also wanted to thank the committee for their service and serving Ashland.

5. Public Comments:

6. OLD BUSINESS:

7. NEW BUSINESS:

A. Taco Bell Site Plan - Darin Ratermann, Building Inspector, gave the staff report. Motion made by Commissioner Bryan and seconded by Commissioner Bergthold. Commissioner Bergthold questioned if this meets the city code due to the detention issue. Mike Goins, TMG Construction Management general contractor stated he thought it was part of the master plan that this lot had the proper detention but they are willing to look back at it and reconfigure. He asked Darin Ratermann, Building Inspector, about the reconfiguring for detention and what lots it covers. Chairman Sapp stated that he thinks that a traffic study should be done again because it would not have included the growth that is there now. Commissioner Bryan is concerned with how people are supposed to cross over the overpass. Commissioner Dooley stated the design is not intended to go over the overpass. He stated people can cross over at their own risk. Commissioner Bryan stated he is concerned this is keeping the East going to the West and Vis versa. Commissioner Bergthold stated the north side looks like there would be an area of ponding and the grading needs to be looked. Commissioner Bergthold made a motion to amend the motion and to approve when storm water requirements/improvements meet city code, and seconded by Commissioner Wills. Commissioner Dooley asked the city attorney if they should wait and bring this back to the board to look at again before approving. Commissioner Bryan asked if they are on a certain timeline. Mike Goins, TMG Construction Management, stated yes they are wanting to be operating by the end of the year. Roll call vote was taken on motion, Commissioner Wills-yes, Commissioner Dooley-no, Commissioner Bryan-no, Commissioner Bergthold-yes, Commissioner Rinehart-yes. Roll call vote was taken on amended motion, Commissioner Wills-yes, Commissioner Dooley-no, Commissioner Bryan-no, Commissioner Bergthold-yes, Commissioner Rinehart-yes. Motions carried.

B. Article VI Home Occupation- Motion made by Commissioner Bergthold and seconded by Commissioner Rinehart. Commissioner Dooley stated to table until the changes are made that were suggested by the state representatives. Todd Smith, city attorney, stated he will do whatever the board wants him to do by making the changes or to keep how it is. Commissioner Wills had questions about the affidavit and what the purpose for having it was. He stated it is giving some control for the city to know what businesses are operating in the city. He also stated the affidavit will help the city know more of what is going on without violating the statute. Commissioner Bergthold asked if there is a reason the wording doesn't match. Todd Smith stated every city will

have to come up with their own ordinance and you cannot just take the statute and use the exact wording. The board had a discussion about the ordinance and what should be in it or not and to approve or not. Chairman Sapp stated he thinks it should follow closer with what the state statute says and be less restrictive. Mike Frese, 5575 Charlotte, stated the current business license is not being enforced. He also stated there is a file that can be uploaded on what business are operating in the city through the state website. He stated this should be tabled. Commissioner Bergthold asked if the sign allowance is in compliance with the city sign code. He stated he doesn't really like the thought of the affidavit. He stated he doesn't feel like there should be restrictions on floor area. Commissioner Rinehart asked how the floor area would be enforced. Commissioner Bergthold made a motion to table, and seconded by Commissioner Bryan. Roll call vote was taken; Commissioner Wills-yes, Commissioner Dooley-yes, Commissioner Bryan-yes, Commissioner Bergthold-yes, Commissioner Rinehart-yes, Motion carried to table.

8. DISCUSSION:

9. Mayor's Report:

None

10. City Administrator's Report:

None

11. Building Department's Report:

None

12. Alderman Liaison's Report:

None

13. Commissioners' Report:

Commissioner Bryan - asked about paper packets due to the board being made up of volunteers

Commissioner Bergthold - none

Commissioner Wills - none

Commissioner Sapp - none

Commissioner Dooley - asked if the Public Works Department can go and repair a hump at West Oaks and Marina because it exploded.

Commissioner Rinehart - none

Chairman Sapp called for a motion to adjourn the August 9, 2022, Planning and Zoning Meeting. Commissioner Bergthold made a motion to adjourn the August 9, 2022, Planning and Zoning Meeting seconded by Commissioner Dooley. Motion carried. Meeting adjourned at 8:46 pm.

Minutes prepared by Leslie Martin