

CITY OF WILLARD
PLANNING & ZONING
MAY 22ND, 2007
7:00 P.M.

Commission present: Mayor Jamie Schoolcraft; Aldermen Charles Whitehead; Chairmen Dale Duvall; Executive Secretary, Lucille Murray; Bradley Dalton; Valorie Simpson; and Robert Taylor. Vice Chairmen Jeff Bowers and Charles Gugel were not present.

Also in attendance: City Administrator, Fred Gress; City Clerk, Kathy Blakemore; Director of Development, Randy Brown; Director of Public Works, Charlie Jones; and Aldermen Gordon O'Quinn.

Guest present: Doug Jones, Evans Ross, Jacki Gamble, Kevin Tyler, and Dave Snider.

Chairmen Dale Duvall opened the PUBLIC HEARING TO CONSIDER THE FOLLOWING AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS:

1. ADDING TO THE LAND DEVELOPMENT REGULATIONS THAT DEVELOPERS BE REQUIRED TO POST AN IRREVOCABLE BOND, IT WOULD REQUIRE TWO SIGNATURES, ONE FROM THE CITY AND ONE FROM THE DEVELOPER BEFORE THE BOND HOLDER COULD RELEASE.

Chairmen Dale Duvall asked if anyone wished to speak in favor or opposition. No one spoke.

2. TO ADDRESS WHAT A TAVERN IS AND WHERE A TAVERN SHOULD BE LOCATED.

Chairmen Dale Duvall asked if anyone wished to speak in favor or opposition. No one spoke.

3. HOW ADULT ENTERTAINMENT SHOULD BE ADDRESSED.

Chairmen Dale Duvall asked if anyone wished to speak in favor or opposition. No one spoke.

4. LIQUOR LICENSES IN THE CITY.

Chairmen Dale Duvall asked if anyone wished to speak in favor or opposition. No one spoke. Dale closed the Public Hearing.

Chairmen Dale Duvall opened the PUBLIC HEARING TO CONSIDER THE ANNEXATION OF RIGHT-OF-WAY LOCATED IN THE MEADOWS SERVICE AREA ON FARM ROADS 101, 103, AND 106.

Doug Jones: I only have a few questions. My name is Doug Jones. We own some property on 106, 103 and virtually all the roads that you're talking about. My main question was, why annex just the road right-of-way? Is it a reason of being able to run sewer lines, waterlines, whatever, things like that or is it a matter of extending the fingers of Willard so that future annexation could occur? And why limit it only to those roads if

that's the case? If it's a matter of trying to annex roads that current water facilities run down, there are many other roads that are included. So I just had a few questions as to that. And I'm not sure if now is the time to ask them or not.

Chairmen Dale Duvall: Now is the time. Fred could you address that?

City Administrator, Fred Gress: I can address it. Missouri has unique annexation laws. There is basically two ways an annexation can occur. One is friendly annexation where the property owner petitions for annexation, basically asked a governing unit to annex. That's the easy way. The hard way is hostile where an entity tries to annex an area and has to go through an election process. People within the area to be annexed and in this case the City of Willard both have to approve that annexation. Currently the Board of Aldermen have a policy, no hostile annexation. The reason we're annexing the road right-of-ways is to get into the Meadows area to start protecting our right-of-ways.

Doug Jones: So you answered one question it's a matter of extending a finger.....

City Administrator Fred Gress: You have a very good description of it. We're just extending a finger into the area.

Doug Jones: In other words it is my understanding that Willard also has, Missouri also has a policy of no leapfrogging, so to speak. In other words you can't skip a piece of property to annex a piece of property. You have to adjoin.....

City Administrator, Fred Gress: All land has to be contiguous.

Doug Jones: Right. And so for that matter.....

City Administrator, Fred Gress: The reason we're not doing AB and double E at the same time is because Missouri Department of Transportation has administrative rules in place that say that any other corporate government within five (5) miles has to agree with either the annexation of that right-of-way.

Doug Jones: So Springfield does not?

City Administrator, Fred Gress: Well we haven't had those negotiations yet. We will be in the future setting down to develop what is called Urban Growth Area. And at that point we are anticipating that we will annex AB from the southern boundary all the way to double E and beyond and double E towards Springfield toward the airport where it is being built.

Doug Jones: O.k. So it's not just a matter of obtaining the right-of-way to extend future utilities?

City Administrator, Fred Gress: Well once we have the right-of-way.....

Doug Jones: It's not just that though it's.....

City Administrator, Fred Gress: If we use that for right-of-way extension yes. I mean we do have a five (5) year self-supervised water plan, master plan in place and is under DNR review and one of those particular construction items were asking for is to extend a large line down 103 all the way from the Meadows to the interconnect that we currently have with the Meadows System. It would be a ten (10) or twelve (12) inch waterline. It is extending really.....

Doug Jones: So it is what it is basically is a way for the City of Willard to extend a vein or a finger and so that.....

City Administrator, Fred Gress: Yes.

Doug Jones: Well I thought that's probably what it was and I've had several people asked me because they were concerned because they don't want to be in the city, but not all of them.

City Administrator, Fred Gress: We're not annexing any private property.

Doug Jones: Right, at this time. At this time. Now you mentioned awhile ago voters on both sides had to approve.

City Administrator, Fred Gress: If it's a hostile annexation.

Doug Jones: If it's a hostile?

City Administrator, Fred Gress: Yes.

Doug Jones: If the voters say the Meadows decided not to is there a 2/3's vote?

City Administrator, Fred Gress: We can't do it for two years. I believe it's simple majority but don't hold me to that I'm not an attorney.

Doug Jones: Right, by a simple majority. I thought it went from a simple majority to a 2/3's vote of the.....

City Administrator, Fred Gress: My understanding is that if we try to annex it hostile and one side or the other turns it down we could not try again for two (2) years.

Doug Jones: But at that time all it would take would be 2/3's from one side to get it in?

City Administrator, Fred Gress: No sir, I believe both side would have to approve it.

Doug Jones: O.k. that's what I was wondering.

City Administrator, Fred Gress: Now it doesn't prevent another governmental entity from coming around and trying to annex.

Doug Jones: Right, o.k. that's got it. Thank you.

Chairmen Dale Duvall asked if anyone else wished to speak. No one spoke. Dale closed the Public Hearing.

Chairmen Dale Duvall called the meeting to order.

Introduce new P&Z member

Chairmen Dale Duvall introduced new P&Z member Robert Taylor.

Agenda Amendments/Approval of agenda

Motion made by Charles Whitehead with second by Mayor Jamie Schoolcraft to approve the agenda. All votes yes. Motion carried.

Approve the Minutes 03/27/07

Motion made by Lucille Murray with second by Bradley Dalton to approve the Minutes of the Regular Meeting on March 27th, 2007. Charles Whitehead-yes. Dale Duvall-yes. Lucille Murray-yes. Bradley Dalton-yes. Mayor Jamie Schoolcraft-yes. Robert Taylor-yes. Valorie Simpson-abstained (was not present) Motion carried.

Citizen Input

None

Proposed Amendments to the LDR's

- a. Adding to the LDR's that developers be required to post an irrevocable bond, it would require two signatures, one from the city and one from the developer before the bond holder could release.

City Administrator, Fred Gress stated that he could put together guidelines for the irrevocable bond for the Planning & Zoning Commission to review before making a decision.

Motion made by Valorie Simpson with second by Bradley Dalton to table the proposed amendment listed above. All votes yes. Motion carried.

- b. Address what a tavern is, and where a tavern should be located.

Motion made by Valorie Simpson with second by Charles Whitehead to recommend to the Board of Aldermen to address a tavern like the City of Springfield's regulations, 50% of gross revenue liquor on premise sales and delete the part that addresses take out packaged liquor as an accessory use. All votes yes. Motion carried.

- c. How adult entertainment should be addressed.

Commission discussed how adult entertainment should be addressed. Commission agreed that the current regulations were adequate.

- d. Liquor licenses in the city.

Commission discussed liquor licenses in the city and agreed that the current regulations were adequate.

Proposed annexation of right-of-way located in the Meadows Service Area on Farm Roads 101, 103, and 106.

Motion made by Mayor Jamie Schoolcraft with second by Valorie Simpson to recommend to the Board of Aldermen to approve the proposed annexation of right-of-way located in the Meadows Service Area on Farm Roads 101, 103, and 106. All votes yes. Motion carried.

Sunset Meadows Sketch Plan

Commission discussed Sunset Meadows Sketch Plan. Valorie Simpson stated that a lot of the lots did not have the required setbacks. Variance requirements and process was discussed. Staff recommended that the Commission take the allowed thirty working days to make a decision of this issue. Then the Commission will notify the applicant within ten days of the action taken by the Commission.

Dave Snider Lot Split

Motion made by Charles Whitehead with second by Lucille Murray to recommend to the Board of Aldermen that Dave Snider Lot Split be approved. All votes yes. Motion carried.

Old Business

Chairmen Dale Duvall stated that at the last meeting it was decided that Cardinals Hills would be required to modify their covenants and restrictions before they could be filed. Dale asked if the covenants and restrictions had been modified. City Clerk, Kathy Blakemore stated that they were modified and recorded.

Motion made by Lucille Murray with second by Charles Whitehead to adjourn meeting. All votes yes. Motion carried.

Meeting adjourned.

Kathy Blakemore, City Clerk