

#### **4.1.2024**

In Attendance: Kerry Divine (April 2021-2024), Rick Gamboa-Sec (April 2021-2024), Ray Brown-Chair (Dec 2022-2026), Denny White (Sept 2021-2025), Gary Jackson (Dec-2022-2026), Sherry Lawrence-Vice Chair (Dec 2021-2025), Courtney Denney (Jan 2023-2027) MAYOR Bill Sherman

**Call to Order:** 6:01pm by Brown

**Approve Amended Agenda:** White/Denney 7-0

**Approve Reg Meeting Minutes Dated 3.4.2024 Amended 3.19:** Denney/Devine 7-0

**Public hearings:** 6:04pm

Fred Smith Special use permit for Off Grid Solar. 3014 E 13<sup>th</sup> Spoke. Does not plan to hook the system up to the Liberty Grid. Andrea Arzet 4609 N Black Cat Rd, Joplin representing Power Synch as contractor. Jacob Moore 2012 Highlander Drive, Joplin stated that he is a foreman for Liberty and recommends that Liberty be consulted prior to installation. He felt that Liberty would not approve as electricity could be sent back into the grid. Jacob said it would be the same as a gas generator being plugged into a wall outlet which would put electricity back into the grid. Gamboa said that it was his understanding that the solar system would not be plugged into any socket that would feed back into the grid and that only items would be plugged into the solar system directly and never into the grid. Gary Heilbrun 4015 E 20<sup>th</sup> said he thought the electric company should sign off on this with no problem. Gary thinks it would be safer to ask Liberty to approve. Motion to recommend approval to BofA. White/Denney 7-0.

Jake Moore 1001 S Duquesne Rezone Request rezoning from R-1 to R-3. Jake states that the city has found a letter confirming that 10<sup>th</sup> St. belongs to the city which will allow him access to a city street from all the structures he plans to build. Divine asked if we knew where 10<sup>th</sup> St is. Sherman said the exact location of the road has not been determined but that the city agrees that it owns 10<sup>th</sup> St near the current paved road. Jake stated that his building plans are set back far more than any location change of the current paved road. Lawrence asked if his plans were changed from four units to three. Answer was yes. Motion to recommend approval to BofA. Denney/Lawrence 7-0.

Jerry Sparks 1201 South Duquesne spoke on 1206 Wood St rezone R-1 to R2. He submitted all required items in the last meeting for information only. Devine asked if this was advertised in a newspaper. City clerk said yes. Devine said the legal description is missing on the application. Devine said the form for adjacent land use is missing. Denney said the legal description is on the lot line adjustment form. The adjacent land use form is missing. Sparks said to the north is the McBride property. To the south is vacant land. To the west is Duquesne Road. To the east is a church. Divine asked if we got a map of the way the property is now. Sparks said the

survey attached is current and existing as proposed. Motion to recommend approving BofA. Denney/White 7-0.

Public hearing closed at 6:44pm

Lot Split Jerry sparks 1201 S Duquesne Road. No comments made.

Lot Split Schuber Mitchell 13<sup>th</sup> and Hervey. Divine asked if this lot had ever been split before. Sherman said a split was presented at one time but never completed. Divine asked if this being split to make two lots. Oscar Sarceno 2030 Mia Faith spoke for Schuber answered yes. Oscar said the lot has been vacant for years. He said all gas and sewer are on the property. Plans are to add one house. Divine said the application shows existing zoning is R-2. Brown asked how the two houses would have access to the roads. Oscar said both homes will face each other and Schuber will make separate driveways to the Hervey Street. Divine says the application shows the north property as C-1. Oscar said the house in question shows commercial, but it is a residence. Divine asked about Sewer. Oscar said each lot will have its own sewer hookup. Gary Heilbrun said the lot had already been split and it is in the minutes of May 5<sup>th</sup>, 2019. Gary said there is an error date on the application. The city clerk said the wrong application was provided and she corrected that.

**Mid-South Building Plan Review** Danny Ark 812 N. Broadway, Pittsburg KS. Would like to build a storage building behind their existing building. Brown asked about water run-off. Ark said he left 4 sets of plans. Sherman said he had them. Denney said she would like to see them. Divine said there were 3 lot splits involved and a strip of land. Ark said it has all been resurveyed and made into one lot. Divine said we did not do this. Sherman said the recorded deed for this property shows one lot. Sherman said if the building plans are approved, he knows of no way of preventing them from getting a building permit. The storm water plans have been reviewed by Alger Martin and recommendations made which have been addressed except for one point which has to do with a drainage easement on another person's property. The response was sent which showed a small ditch to connect was recommended. Alger Martin did not object to this proposal. Motion to approve the plans. White/Denney 6 approved, Divine abstained. Divine said she was not against the project, but the lot splits were handled illegally.

**New Business:** Brown asked the mayor that since Tom Johnston had stepped down, who was taking on the fire hydrant issues. Denney nominated Brown to take up this cause. Gamboa mentioned that in a BofA meeting the city agreed to install two fire hydrants per calendar year. In the past Tom got a list from the Duenweg fire chief of the recommended priority. Sherman said the thought 2 were installed last year. Brown said he would contact the Duenweg fire department and get a current recommended list.

**Old Business:** Divine asked what happened with 20<sup>th</sup> St lots. Sherman said the lots were rezoned as R-4 but Platt was never accepted by the city. Sherman said his position and the city attorney was that all the Schuber Mitchell homes are single family and, in an R-4 zoning.

**Public Comments:** Jerry Sparks said in the March minutes his address is listed incorrectly, and it should be 1201 S. Duquesne Road. Gamboa said he would put the correction in public

comments. Gary Heilbrun said the Schuber Mitchell plat was never approved and so the R-4 zoning is in question and should be addressed by the city attorney. Sherman will advise the city attorney.

**Other business Deemed necessary:** None.

**Schedule next meeting:** May 6<sup>th</sup> at 6 PM

**Meeting Adjourned:** 7:39 pm White/Denney 7-0

Submitted by Rick Gamboa