

### **OPEN MEETING**

Roll Call taken by Mayor Stephen Short

Dennis Roe PRESENT, Leon Beaty PRESENT, Jeffrey Danderson PRESENT, Ben Lord PRESENT, Richard Icenhower PRESENT, Sherry Veach PRESENT

Call to order at: 6:30 p.m.

**Approve Agenda.** Motion by Veach to approve agenda. Seconded by Beaty  
Roe AYE, Beaty AYE, Danderson AYE, Lord AYE, Icenhower AYE, Veach AYE

### **Public Forum**

Mason asks if he talks about fees now. Danderson said now is fine. He says the reason he thinks it should be a fee instead of a deposit is because he hires an engineer and Andy's job is to check it to protect the City.

Veach asks if Danderson was able to get prices from other places and he said he did. Roe says that him and Sara met with Andy twice regarding the floodplain and what his expenses are. When the permit is simple (building outside of the floodplain) \$250 covers the expense and that has been most applications. When building inside the floodplain, the engineer will have to review more paperwork and that will cost more. Mason states that Brandon Wolf has chose not to pull permits on lots he owns inside the floodplain. Lord asks Mason what he would set the fee at. Mason says he would set it at \$250 but we would need to see if our engineer would do it at a flat fee.

Danderson says him and Icenhower have agreed to disagree on this. The city cannot be compared to the county. The county has 4 full time employees that does just the floodplain stuff. If our engineer is involved, then it should be a deposit. He doesn't think the city should make money off of it but we shouldn't lose money either. As an Alderman, he is doing his due diligence for the tax payers.

Mason says that we shouldn't have to pay for it but it should be done one a flat rate fee schedule. If you build in the floodplain, you should have a fee. Danderson says that the contract with Anderson is an hourly fee contract. We cannot go back and change it. Mason asks when we renew our contract and Danderson says we do not have to change it because it is a professional service. Mason says that he would like everyone with the City to speak to Tim Davis with Greene County. Icenhower says that all we should do is send it to Andy and he will review it and send it back. When he started his business, a very smart businessman told him that you have to spend money to make money and Icenhower will not support a \$750 deposit. Lord said that it is a deposit and you will get back money if it isn't all used. Beaty asks if the deposit is \$500 and the bill is \$600, what happens. Danderson says that the builder owes \$100. All engineers are the same, we have to pay for their professional services. Icenhower says that he is about bringing builders in and he doesn't think we need to make it more complicated. Lord agrees but because we have to pay an hourly rate then we need to break even and that will require a deposit. Danderson says that we can't dictate what our attorney is going to charge us and we can't do that for our engineers either. He doesn't want to run anyone out of town, but the whole floodplain thing is just difficult and he isn't an expert on this. He is looking to put it in line with other

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permits and application that the city does and he thinks they should all be deposits. Anytime the engineer has to be involved, we charge a deposit.

Mayor says that for architects, surveyors and engineers, the city doesn't get the contract until after we decide which company to go with and then you get the pricing.

### **Old Business**

**SECOND READING OF BILL NO. 23-05 AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF FAIR GROVE, MISSOURI, AMENDING TITLE V OF THE CODE OF ORDINANCES OF THE CITY OF FAIR GROVE, MISSOURI BY DELETING CHAPTERS RELATING TO THE BUILDING, RESIDENTIAL, MECHANICAL AND OTHER INTERNATIONAL CODES AND ENACTING IN LIEU THEREOF NEW CHAPTERS RELATING TO THE SAME SUBJECTS. (Posted 2-6-2023)**

Motion by Roe to have the second reading of Bill No. 23-05 by title only. Second Veach  
Roe AYE, Beaty AYE, Danderson AYE, Lord AYE, Icenhower AYE, Veach AYE

MAYOR READ BILL NO. 23-05 BY TITLE ONLY.

Motion by Danderson to approve the second reading of Bill No. 23-05 by title only and assign it Ordinance No. 246. Second Roe  
Roe AYE, Beaty AYE, Danderson AYE, Lord AYE, Icenhower AYE, Veach AYE

### **DISCUSS AND/OR APPROVE FEES FOR FLOODPLAIN DEVELOPMENT PERMIT/APPLICATION.**

Motion by Danderson to set Floodplain Development Permit/Application at \$750 deposit.  
Roe AYE, Beaty AYE, Danderson AYE, Lord AYE, Icenhower NO, Veach AYE

### **New Business**

**APPROVE OR DENY RECOMMENDATION FROM PLANNING AND ZONING COMMISSION TO APPROVE BUZHDUGA MINOR SUBDIVISION # MN-22-04-01, 13.87 ACRES OF VACANT LAND LOCATED OFF MAIN STREET NEAR SADDLE CLUB ROAD, OWNERS PAVEL AND VLADAMIR BUZHDUGA AND ELIZABETH BOSOVIK.**

Danderson says that he read the Planning & Zoning minutes and it didn't look like they had any issues. Roe says that they didn't. Owner is aware that they can't split the property again.

Motion by Roe to accept Planning and Zoning Commission's recommendation to **approve** Buzhduga Minor Subdivision # MN-22-04-01, Owners Pavel and Vladamir Buzhduga and Elizabeth Bosovik. Second Veach

Roe AYE, Beaty AYE, Danderson AYE, Lord AYE, Icenhower AYE, Veach AYE

**APPROVE OR DENY RECOMMENDATION FROM PLANNING AND ZONING COMMISSION TO APPROVE TEXT AMENDMENT CASE # TX23-04-01; AMENDING TEXT TO THE FAIR GROVE MUNICIPAL CODES IN CHAPTER 405 ZONING**

**REGULATIONS, ARTICLE V ZONING DISTRICT REGULATIONS, SECTION 405.330, E. DESIGN REQUIREMENTS, 7. C-2 HISTORIC BUSINESS DISTRICT, BY STRIKING ~~HISTORIC SITES BOARD~~ AND ADDING PLANNING AND ZONING COMMISSION**

Roe explains he would like it to go back to Planning & Zoning because the way it is currently written makes it sound like Planning & Zoning makes the final decision and that isn't the case. Motion by Roe to table Planning and Zoning Commission's recommendation to approve Text Amendment case # TX23-04-01. Second Veach

Roe AYE, Beaty AYE, Danderson AYE, Lord AYE, Icenhower AYE, Veach AYE

**DISCUSS AND/OR APPROVE REQUEST FROM PLANNING AND ZONING COMMISSION**

Roe says that this is in regard to a letter from Chandra. Planning & Zoning is asking them to approve Planning & Zoning engage SMCOG for home occupation ordinance. Mayor says that there are 3 more days left for the legislative session. There is a house bill that changes some of the home occupation. Beaty says it will need to be signed by the Governor and we shouldn't change anything until that is done. MML has marijuana ordinances. Danderson suggests we table it and wait until there are clear guidelines.

Our ordinances are home grown and we haven't copied them from anyone else. Icenhower wants to now why the Mayor met with SMCOG. Roe explains that he was in that meeting as well and that it was in regards to the comprehensive plan.

Danderson says we need to wait until the legislative session is done and look at what other cities have done and then decide. Mayor asks if we can have attorney review our ordinances. Danderson says have attorney look at home occupation section. There is no guideline on marijuana. It is very open-ended at the moment. City of Springfield is waiting at the moment so that they can make sure to cover all loopholes. Chief suggests how close to school and do you want a dispensary here are things we need to look at. Icenhower says he visited with two representatives and a senator and that this is a wide-open deal. A lot of our medical marijuana is invalid. Alcohol and marijuana are about the same.

**UPDATE ON TAP SIDEWALK PROJECT**

Roe says that this is in regards to the sidewalk project on 125. Icenhower's have signed. Teals are going to sign after reduction of permanent easement and Beyer's have agreed to sign after the others have signed. Tristin asked what needs to be done to close out demo permit and they know what all they need to do. Septic tank hasn't been pumped.

**Mayor Report**

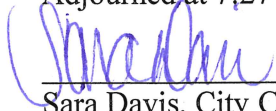
Roe and the Mayor met with Jason Ray and Jake Phillips from SMCOG. Discussed outline of process on the comprehensive plan. County has reduced project timeline. The city needs 5-15 citizen stakeholders to comprise a committee to work with the planners. There will be community forums similar to the 2016 events held at the school. Mayor asks if Planning & Zoning should come up with stakeholders and Danderson said yes.

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**Adjournment**

Motion by Danderson to adjourn the meeting at 7:27 pm. Seconded Roe  
Roe AYE, Beaty AYE, Danderson AYE, Lord AYE, Icenhower AYE, Veatch AYE

Adjourned at 7:27 p.m.



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Sara Davis, City Clerk