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**Call to Order**

- Chairman Thomas Scroggins called to order the Planning and Zoning Commission meeting at 6:36 p.m.

**Pledge of Allegiance**

- John Thompson led the Pledge of Allegiance.

**Roll Call**

- Present- Chairman Tom Scroggins, Vice-Chairman John Thompson, Scott Adair, Lawrence Gordon, and Dennis Kintzler
- Absent- Secretary L. E. Rubin
- Present- Deputy Clerk Amy Lopez, Code Enforcer Gordon Reeves

**Approval of Agenda**

- Tom Scroggins made the motion to approve the agenda for October 1, 2020. The motion was seconded by Lawrence Gordon. Vote: Chairman Thomas Scroggins - yes; Scott Adair - yes; Dennis Kintzler - yes; Lawrence Gordon - yes. With a 5-0 vote the agenda for the Planning and Zoning meeting was approved.

**Approval of Meeting Minutes from September 17, 2020**

- Tom Scroggins made the motion to approve the Meeting Minutes for September 17, 2020. The motion was seconded by Scott Adair. Meeting Minutes for the joint meeting with City Council on September 17, 2020 were signed. Vote: Chairman Thomas Scroggins - yes; Scott Adair - yes; Dennis Kintzler - yes; Lawrence Gordon - yes. With a 5-0 vote the agenda for the Planning and Zoning meeting was approved.

**General Commission Discussion**

- Code Enforcer Reeves said he would like the commission to think about semi-trucks parking in residential neighborhoods.
- John Thompson said he believes that is already addresses in an ordinance and began a discussion.
- Tom Scroggins said he is doing his therapy and so far, it is not making him sick, so he plans on attending the meetings.

**Public Comment**

- No comments were made.

**Non-Conformance and Consideration Action**

- John Thompson asked if there was any new information on the Non-conformance certificate.
- Tom Scroggins said last time it was not an action item, but he wrote a memo explaining why we would be able to agree to this non-conformance but maybe not others in the future.

- Scott Adair said for non-conforming use, something that was once legal but with updated code is no longer legal, this shed when in after the latest code, so it does not technically fall under nonconforming, but could possibly be a variance.
- Code Enforcer Reeves said if we allow this once but the next one should have been a variance.
- John Thompson asked how we should proceed, as a variance or a nonconformance.
- Lawrence Gordon said we should do it right and keep it going right.
- John Thompson asked if we continue with this tonight or act on it at the next meeting.
- Code Enforcer Reeves said to be honest the owner has sold the property and began a discussion.
- Code Enforcer Reeves said he would get the current property owner to handle this in time for the next meeting.
- Scott Adair said suggested we let the new owner know they should request a variance.
- Code Enforcer Reeves asked the commission to table this until we have new information, and he would let them know when the information is turned into him and then a hearing can be scheduled.
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### **Liens on Sub-standard buildings – Discussion**

- Scott Adair said he did redefine some substandard definitions for Code Enforcer Reeves.
- John Thompson said his problem with it was the amount of the fee, it is not enough because people are not taking care of it, he did not know if the severity of the case should be the deciding factor.
- Lawrence Gordon said maybe the first year it is a \$100 a month for the first year but raise it by \$100 every year until it was taken care of.
- Tom Scroggins said the problem with that with all the other liens, the liens would be worth more than the property and began a discussion.
- Tom Scroggins asked if we have an attractive nuisance ordinance, which would entail making the owner of the property liable if someone were to get hurt or die in a substandard building and began a discussion.
- John Thompson said the other issue is creating a substandard building and abatement ordinance to Council.
- Scott Adair said the lawyers are looking at it.
- John Thompson asked if it included the liens.
- Scott Adair said we can send an addendum to the lawyer.
- Lawrence Gordon made a motion to place a lien of \$250 plus a \$100 a month fine for the first year and add an additional \$100 a month for the next year.
- Tom Scroggins asked if 30 days was sufficient time to rectify the situation, or should we give the owner up to 90 days.
- Scott Adair said if after 30 days they are showing that they are working on it then we can reconsider placing the lien and began a discussion.
- Code Enforcer Reeves said this would allow him to post that the building is substandard and start the process to get the situation taken care of and began a discussion.

### **RV's Used as Residences**

- Code Enforcer Reeves said that there is nothing in the ordinance about living in an RV, he needs something to stipulated that there cannot be power to them, they should be winterized and stored and not constantly plugged in.
- Scott Adair did some research and found that it is highly discouraged to live in an RV, and you can always fall back on state statutes.

- Code Enforcer Reeves said people are getting away with is by hooking the trailers to trucks and parking in the street and moving it around because that is not against ordinance.
- John Thompson said do we want an ordinance to harass or for safety and began a discussion.
- Code Enforcer Reeves asked if we can include something to keep them from parking on the street because if there are quite a few of them parked on the street then it becomes a problem because it would obstruct emergency vehicles and ability to use the sidewalks and began a discussion.
- Scott Adair asked if there were a lot of complaints.
- Code Enforcer Reeves said we have two or three.
- Scott Adair said Council can be asked if they want this addressed by us and began a discussion.
- Code Enforcer Reeves said he needs something that says someone cannot live in the RV more than a given amount of time and began a discussion.
- Code Enforcer said there is a commercial property that has 4 RVs and people living in them and began a discussion
- Tom Scroggins asked if it would be permissible if it is an RV park and began a discussion.
- Tom Scroggins said we should present this issue to the Council and see what they would like us to do about it and if they decide that there needs to be an ordinance then we can research it and get it back to them.
- Scott Adair said at the very least they need to have proper hookups and began a discussion.
- Tom Scroggins said that decision should really be up to the Council, and maybe the Council has not thought about that and began a discussion.
- Code Enforcer Reeves said he would approach Council.

### **Animal Control**

- Scott Adair said a lot of places are using animal welfare instead of animal control to name the ordinance and the City should think about renaming its ordinance from animal control to animal welfare as well.
- John Thompson said he found that if you have a certain size piece of land that is irrigated, you can have 1 cow or livestock on it for 80 days on one acre or 80 cattle or livestock on the acre for 1 day.
- Tom Scroggins said we had talked about having someone come in and talk to us about the ordinance.
- John Thompson said there are ordinances out there with lot size to animal and he would start working on headings for the ordinance and began a discussion.
- Code Enforcer Reeves said he was able to enforce one of the issues and get the situation rectified through educating her with the ordinance and began a discussion.

### **Adjourn**

- Scott Adair motioned to adjourn and carry the neighborhood plan to the next agenda. Lawrence Gordon second the motion and the meeting adjourned at 8:05 p.m. with a 5-0 vote.

Respectfully submitted,

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Amy L. Lopez, Deputy Clerk

Date: \_\_\_\_\_

Approved:

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Thomas Scroggins, Chairman

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John Thompson, Vice-Chairman

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L. E. Rubin, Secretary

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Scott Adair

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Lawrence Gordon

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Dennis Kintzler