

MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES OF AIRPORT DRIVE, MISSOURI

A Regular Meeting of the Board of Trustees of the Village of Airport Drive, Missouri was held on Thursday, January 26, 2023, at the Village Municipal Building. The meeting was open to the public.

Chairman Terry Myers called the Board of Trustees to order at 7:00 p.m. Members present were Mark Rains, Ray Bryant, and Kara Charbonneau. Trustee James Paul was absent. Village Clerk Sue Hirshey was present to take the minutes. Village Attorney Derek Snyder, Village Engineer Clayton Cristy, and Deputy Clerk Sharon Clark attended. In the audience were Residents Marvin and Debie Heckart, Carlene Johnson, Debbie Bryant, Steve Allgood, and Teresa Massa. Iron Horse Developer Tim Austin, Schuber Mitchell Homes Development Research Specialist Jacob Lett, and Mrs. Massa's Attorney Bruce Copeland also attended. All in attendance gave the Pledge of Allegiance to the Flag of the United States of America. Attorney Snyder gave the invocation.

MINUTES

Minutes of the Board of Trustees Special Meeting held on December 29, 2022, having been previously provided to the Trustees, were discussed. Trustee Rains motioned to approve the minutes previously provided. Trustee Bryant seconded the motion. Motion passed unanimously.

TREASURER'S REPORT

Clerk Hirshey presented the Treasurer's Report for January 2023. The Board was provided the Balance Sheets by Fund, Cash Receipts Control Report, Payroll Calculation Report, Accounts Payable Check Register, Accounts Payable Control Report, Currents Statements of Revenues and Expenditures, worksheets for Recap of Sales Tax Revenue, and Sewer Maintenance Charges Paid to Carl Junction, and Certificates of Deposits for Airport Drive. Trustee Rains questioned the payment to Sign Designs for repairs to the Village road sign. Clerk Hirshey provided the copy of the invoice from Sign Designs. The Board stated there was a five-year warranty on the sign. Clerk Hirshey would contact Sign Designs to ask why the repair was invoiced. Trustee Bryant motioned to approve the Treasurer's Report and to pay the bills, except the Sign Design invoice. Trustee Charbonneau seconded the motion. Motion passed unanimously.

PETITIONS, REQUESTS, AND COMPLAINTS

Chris Hampton, Springfield Sign, appeared before the Board regarding new signage for **6055 N. Main Street Road**, in the Stone's Corner Plaza. Mr. Hampton provided revised sign plans for the windows of the urgent care, following the recommendations of the Zoning Commission. Zoning Chairman Steve Allgood discussed all the Zoning Commission's recommendations: They recommended to approve the signs on the façade and the panel in the road sign as presented. They thought the originally presented signs on the windows were too busy, with too many dots and bars in the designs. The plans presented to the Board of Trustees were as suggested by the Zoning Commission. Trustee Rains motioned to approve the plans for signage for the GoHealth Urgent Care at 6055 N. Main Street Road as presented. Trustee Bryant seconded the motion. Motion passed unanimously.

Barbara Johnson and daughter **Quiana Johnson** appeared before the Board to discuss new panels in the existing **road sign** for **Margie's** at 5112 North Main Street Road. Barbara Johnson purchased the Margie's Herb Shop business. She planned to change the name to Margie's Herbs Naturally and to change the logo. Zoning Chair Allgood stated the Zoning Commission recommended to approve

the new panels for the sign as presented. Trustee Charbonneau motioned to approve the signs as presented. Trustee Bryant seconded the motion. Motion passed unanimously.

Jason Thompson, Royal Estate Sales, appeared before the Board to ask permission to place signage along Main Street Road at **5777 North Main Street Road** during the estate sale scheduled for dates February 9th, February 10th and February 11, 2023 in the southern unit at the Front Page building. Mr. Thompson had purchased a business license to work the Airport Drive. Trustee Charbonneau asked Mr. Thompson how many signs he planned to put up. Mr. Thompson said he would like to put out four or five 32" x 24" corrugated plastic signs. Trustee Rains asked Mr. Thompson how long he wanted to put the signs out? Mr. Thompson answered just the day of the sale, he also asked to put a banner on the building. Trustee Rains motioned to approve the sign requests. Trustee Charbonneau seconded the motion. Motion passed unanimously.

Tim Austin, Iron Horse Development, appeared to share updates with the Board of Trustees for his development of property at **25308 and 25384 Demott Drive**. Mr. Austin provided a worksheet identifying the process in a detailed way. Mr. Austin had purchased the property, secured a local person to mow hay on the property. The site plans had been presented to businesses; the slowing economy was not helping secure businesses to build in the development. Chairman Myers stated the Missouri Department of Transportation had not approached the Board of Trustees with details about a roundabout on Highway 171. Mr. Austin stated some of the Trustees attended a Zoom Meeting with MODoT in March of 2022. Engineer Clayton Cristy stated Airport Drive had not received an official letter from MODoT about their plans for a roundabout. Mr. Austin stated that he had requested a letter from MODoT. Recent discussions were to slide the proposed roundabout to the south, off of the residents' properties on the north side of Highway 171. There was a gas line on the north side of the highway as well that would need to be avoided. A final survey of the utilities and determination of ownership of the rights-of-ways would need to be done to figure out the location of the roundabout. Mr. Austin stated the costs of a roundabout could be \$1.5 million, the costs for a traffic light could be \$500,000.00, he needed to see if this was a profitable venture. Trustee Rains discussed the attendees of the MODoT meeting: him, Jim Paul, Representative Bob Bromley, and representatives from MODoT. MODoT said no way to a traffic light, it would be too close to the light at Fir Road, but they could approve a roundabout, and they would dictate any changes and plans for the highway. Attorney Snyder confirmed that MODoT controls the ingress and egress of the highway, and any plans for the highway must be approved by MODoT. Chairman Myers asked Mr. Austin if the property owners on the north side of Highway 171 had been told their land would not be taken for the project. Mr. Austin stated he had not told them. Trustee Rains asked how the Board can know what is going on with the projects. Mr. Austin stated he would update Engineer Cristy. The Board could contact State Representative Bob Bromley or the local MODoT office. Attorney Snyder stated MODoT had total control of the highway, but anyone could have input to MODoT. Engineer Cristy stated a traffic light at the proposed entrance would meet MODoT separation specifications; that was his understanding from the meeting with MODoT representatives. Resident Teresa Massa asked if MODoT had approved the roundabout. Mr. Austin stated MODoT's approval was subject to final plans, geometrics, flow, utilities, water drainage, and more. Teresa Massa asked if eminent domain applied. Mr. Austin stated that he did not have legal right to, it was not his intent to do that. Mr. Austin said he was working with Missouri American Water to bring water service to the development. Any building over 20,000 square feet would need a water suppression system.

Matthew Ridpath, TREK's representative, left during the Work Session. Trustee Rains asked if the Board needed to wait until next month to approve TREK's proposal to complete an I&I study on Airport Drive's sewer system. Attorney Snyder said they did not. Trustee Rains motioned to accept

TREK's proposal for the I&I study; the complete system, sounds, CCTV, and smoke, to be paid for by the American Rescue Plan Act Fund, and if needed out of Airport Drive's Sewer or Capital Improvement Funds. Trustee Bryant seconded the motion. Motion passed unanimously.

Jacob Lett, Schuber Mitchell Homes, appeared before the Board to discuss the **Briarwood Subdivision** and the bond in place for infrastructure improvements. Engineer Cristy, Zoning Chair Steve Allgood and Trustee Ray Bryant reviewed the infrastructure improvements on November 30, 2022. Mr. Lett suggested releasing some of the Bond. Engineer Cristy stated the retention area looked good except for grass. He would like some assurances that if all of the houses are not built by a certain date that the sidewalks be completed. Mr. Lett stated the problem was that sidewalks could be destroyed by the equipment needed to build new houses. The Trustees wanted the sidewalks, curbing, and the hammerhead completed. Attorney Snyder said he would get the Board's input and work with Engineer Cristy to come up with a plan to present next month.

ENGINEER'S REPORT (continued from Work Session)

DOLLAR GENERAL – Blevins will be contacted in early spring for paving on Fir Road.

SCP AGENCY - Waiting on additional on-site wastewater disposal information. The temporary Certificate of Occupancy would expire on February 25, 2023.

TABOR WOODS WATERLINE – The water district had installed all new meters for their entire water system and was evaluating the impacts to their system. They did not have plans at that time to update the water lines in Tabor Woods.

101 VILLAGE LANDING – The Gambino's Restaurant was still under construction.

25408 LEFFEN LANE STORM INLET – Materials ordered. Missouri One Call locates renewed. Resident Gary Roney approved the plans.

PEARL AND WEST BLAND RADIUS WIDENING – Asbell contracted to widen the inside radius at Pearl Street and West Bland. MO One Call locates renewed.

NEW DRIVEWAY ON RIDGE ROAD – Engineer Cristy would need to review plans. He had reviewed the site and did not see any issues with the driveway.

FEMA MEETING – Engineer Cristy attended a FEMA meeting Wednesday, December 21, 2022. FEMA was in the process of updating Jasper County Maps. Engineer Cristy provided a comment to the FEMA website, and added a detailed study of the main drainage channel that ran east of Elm Street, crossed Highways 171 and 43 and continued north of Tabor Woods subdivision.

QUICK SIP STORE – Additional information had been requested to determine viability of the store. Engineer Cristy needed to see plans for parking spaces, utilities, ingress/egress and more.

EAST BLAND STREET IMPROVEMENTS – Working on a bid package for Spring.

ATTORNEY'S REPORT

Attorney Snyder discussed a notice from the Public Service Commission for a **rate increase of 14.45% for gas services from Spire** in our area. Municipalities would need to adjust franchise fees. A council bill was prepared so Airport Drive could continue to receive a 3% franchise fee.

Attorney Snyder prepared a letter for the Board of Trustees dated January 19, 2023 to share information regarding the **legalization of Marijuana for recreational sale and use**. He also provided an informational sheet, Missouri Marijuana Law Summary for Municipal Government. Some nearby cities planned to place a question on upcoming election ballots to add an additional 3% sales tax on marijuana sales. Businesses with licenses to sell medical marijuana will be first in line to receive licenses to sell recreational marijuana. Rules still had to be written by the State of Missouri. Chairman Myers asked if the distance restrictions that currently apply to medical marijuana dispensaries would apply to recreational sales. Attorney Snyder thought so. Trustee Rains suggested Airport Drive add the sales tax increase question to the August ballot. Attorney Snyder agreed to prepare a council bill for the February meeting. Due to the passage of Amendment 3, zoning regulations and the Code requirements for medical and adult use marijuana would have to be reviewed. Zoning would need to discuss these items and the public will have to be notified of the meetings. The Trustees could submit to voters the question to ban non-medical marijuana dispensaries and forgo any additional related local tax. This question could only be asked on a presidential year ballot and required 60% voter approval.

Attorney Snyder reported he would attend a hearing to Quiet Title the property at 5883 Wall Street on January 30, 2023 at 2:45 p.m.

COUNCIL BILLS

Council Bill 01-23, a council bill to **reaffirm gross receipts tax to be imposed upon public utility gas corporations conducting business within the Village** was discussed. Trustee Bryant motioned to have the first reading of Council Bill 01-23 by title only. Trustee Rains seconded the motion. Myers; yea, Rains; yea, Bryant; yea, Charbonneau; yea. Attorney Snyder read Council Bill 01-23 by title only. Trustee Bryant motioned to approve the first reading of Council Bill 01-23 by title only and have the second reading of Council Bill 01-23 by title only. Trustee Charbonneau seconded the motion. Myers; yea, Rains; yea, Bryant; yea, Charbonneau; yea. Attorney Snyder read Council Bill 01-23 by title only. Trustee Bryant motioned to approve the second and final reading of Council Bill 01-23 by title only and adopt Ordinance 01-23. Trustee Charbonneau seconded the motion. Myers; yea, Rains; yea, Bryant; yea, Charbonneau; yea. Ordinance 01-23 was adopted.

OTHER BUSINESS

Blue Valley Public Safety submitted their **contract for 2023** for maintenance for two storm sirens. The amount of the contract was \$1,782.00. The contract included the replacement of eight batteries. Trustee Bryant motioned to approve the contract with Blue Valley Public Safety for \$1,782.00 for 2023. Trustee Charbonneau seconded the motion. Motion passed unanimously.

Debie Heckart asked the Trustees to purchase a **new vacuum** during the Work Session. Trustee Rains motioned to allow the Heckarts to purchase a new vacuum cleaner. Trustee Charbonneau seconded the motion. Motion passed unanimously. Debie had also discussed the trash cans at the Municipal Building. The trash cans in the restrooms had already been repainted and were rusty again. The trash cans the Heckarts priced were expensive and did not have closing lids. Trustee Bryant agreed to look through a Uline catalog for trash cans.

CLERK'S REPORT

The Jasper County Clerk's Election office reminded the Village the ordinance allowing Airport Drive to not hold elections if the number of candidates equaled the number of open positions, was only valid for six years. Ordinance 02-18 was adopted on March 22, 2018.

The Zoning Commission met on Wednesday, January 25, 2023 at 6:00 pm to review signs for the Mercy GoHealth Urgent Care facility at 6055 N. Main Street Road; and a new road sign for Margie's Health Naturally at 5112 N. Main Street Road; the business has been sold. Zoning approved the Go Health Urgent Care signs, with conditions. They approved the new panels for the road sign at Margie's.

The Board of Adjustment would meet Tuesday, February 7, 2023 at 6:00 pm to discuss a request from Eddie and Carlene Johnson for a variance to allow the recreational vehicle to remain at 25153 Marion Avenue.

The agreement with Chris Gideon, Mowed Over, ended in 2022. Mr. Gideon said the fees to mow the Municipal Building lots, the lot at 5883 Wall Street, the entrances and triangle areas in Tabor Woods Subdivision were too low. He would need to increase his rates. Would the Board like the put the mowing job out to bid? Last year Mowed Over charged \$90 to mow the Municipal Building lots and areas in Tabor Woods; \$55 to mow the lot at 5883 Wall Street; \$15 to weed eat the ditch at 25357 Leffen Lane; and \$35 to mow the corner at 25178 Demott Drive. The Board instructed Clerk Hirshey to put the mowing job out to bid.

Clerk Hirshey mailed copies of 42 Building Permits to Jasper County Assessor's Office for building permits completed in 2022.

Schuber Mitchell Homes applied for three more building permits for new homes on Evergreen Drive. The office was waiting for all of the subcontractors to renew their licenses for 2023 before issuing the permits.

Work continued on the new Gambino's Pizza at 101 Village Landing. Owner Lance Adams was hoping to open the restaurant mid-to-late April.

Asbell completed demolition of the old Kum & Go building at 5958 N. Main Street Road. No plans had been received for the proposed car wash.

The office had not been contacted by the new owner of the north east corner of N. Main Street Road and E Bland Avenue.

The office was still receiving renewals for 2023 Business and Contractor's Licenses. Second notice letters were mailed out on January 16, 2023 to businesses not licensed for 2023. A list of businesses that had not received 2023 Licenses was provided to the Trustees. The Board said to give businesses 14 more days, then ask Sgt. Crossley to speak with the businesses.

Still had not received a draft of the Update to the Comprehensive Plan from HSTCC.

Village Auditor Gene Mense worked at the Municipal Building on Monday, January 23rd and Tuesday, January 24th to begin the Audit of 2022 on January 23, 2023.

The MOCCFOA Spring Institute would be held Monday, March 13th to Thursday, March 16, 2023 in Columbia Missouri. Cost for the event was \$330.00, plus expenses for lodging and meals not provided. Deputy Clerk Sharon Clark was willing to work to keep the office open 8:00 a.m. to 5:00 p.m. while Clerk Hirshey was gone. Trustee Rains motioned to approve the funds for Clerk Hirshey to attend Spring Institute. Trustee Bryant seconded the motion. Motion passed unanimously.

The Green Folder contained documents requiring the Chairman's signature.

REMINDERS

The Office would be closed Monday, February 20, 2023 in observance of Presidents' Day.

The Temporary Certificate of Occupancy for the SCP Agency at 499 W. Fountain Road would expire February 25, 2023

The next Board of Trustees Work Sessions and Regular Meetings were scheduled for Thursday, February 23, 2023, at 6:30 pm and 7:00 pm respectively.

Trustee Bryant states the exterior lights on the MOSA Food Truck at 24905 Demott Drive were too bright, possibly they could aim the lights more downward. Clerk Hirshey would ask one of the Jasper County Sheriff's officers to ask MOSA to aim the lights down.

Trustee Rains stated the City of Carl Junction would be holding a meeting with Optics Communications.

Resident Steve Allgood stated the storm water catch boxes on Elm Street were full of leaves and walnuts. Marvin Heckart said he would clean them out.

CLOSED SESSION

Notice was given that the Board of Trustees as authorized by 610.021(1), would conduct a Closed Session to discuss Legal matters. Trustee Rains motioned to enter Closed Session. Trustee Ray Bryant seconded the motion. Myers; yea, Rains; yea, Bryant; aye, Charbonneau; yea, The Board went into Closed session at 8:45 p.m.

The meeting reconvened in Open Session at 9:00 p.m.

ADJOURNMENT

With no other business to come before the Board, Trustee Rains motioned to adjourn the meeting. Trustee Bryant seconded the motion. Motion passed unanimously. Meeting adjourned at 9:02 p.m.

Respectfully Submitted,

Sue Hirshey, MRCC-C
Village Clerk