

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

A regular meeting of the Board of Trustees of the Village of Airport Drive, Missouri was held on Thursday, January 28, 2021 at the Village Municipal Building. The meeting was open to the public.

Chairman Pro Tem Terry Myers called the Board of Trustees to order at 7:00 p.m. Members present were Mark Rains, Reed Thompson, and Ray Bryant. Chairman James Paul was absent. Village Clerk Sue Hirshey was present to take the minutes. Also present were Village Attorney Derek Snyder, Olsson Engineer Clayton Cristy, Sergeants Melissa Roughton and Tom Crossley, and Deputy Clerk Kristy Hoggatt. Other attendees were Residents Marvin and Debbie Heckart, Debbie Bryant, Edwina Rains; and Schuber Mitchell owner, Dan Mitchell, and contractor Eric Polley. 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 Meeting and Public Hearing held on December 17, 2020, having been previously provided to the Trustees, were discussed. Trustee Bryant motioned to approve the minutes previously provided. Trustee Thompson seconded the motion. Motion passed unanimously.

### TREASURER'S REPORT

Clerk Hirshey presented the Treasurers Report. The Board was provided the Balance Sheet by Fund, Cash Receipts Control Report, Check Register, Accounts Payable Control Report, Payroll Calculation Reports, Current Statement of Revenues and Expenses, Recap of Sales Tax Year to Date, Statement of Deposits and Expenditures of the Schuber Mitchell replat of Briarwood, and Certificates of Deposits for Airport Drive. Trustee Thompson motioned to approve the Treasurer's Report and to pay the bills. Trustee Bryant seconded the motion. Motion passed unanimously.

### PETITIONS AND COMPLAINTS

**Rodney Lester** appeared before the Trustees to discuss his plan to rent the property at **5174 N. Main Street Road for a construction shop**. The property was owned by John Tullis. Mr. Lester hoped to build and **display pergolas and small decks** for outdoor spaces and patios. He hoped to be able to display three or four items, the largest would be 10' by 12', most decks were 8' by 12'. Mr. Lester said he would only keep enough material on hand for ongoing projects, supplies could be stored behind the building. He owned a remodeling business and the Tullis property was close to his home and in a high traffic area. Attorney Snyder asked if Mr. Lester would be assembling the items on site. Mr. Lester responded that due to the size of the garage doors, he could only partially assemble structures there. Attorney Snyder advised Mr. Lester he would need to go before the Board of Adjustment to request a Special Use Permit for this type of use of the property. Mr. Lester could apply to the Board of Adjustment, but property owner John Tullis would need to sign the application. Mr. Lester thanked the Trustees.

Dan Mitchell, owner of **Schuber Mitchell Homes** and proposed Briarwood Subdivision, appeared before the Board. Trustee Rains had contacted Mr. Mitchell after the December 17, 2020 Board of Trustees Meeting to attempt to work out an arrangement that would work for contractors and adjoining Fountain Estates Residents. Trustee Rains thought they had a gentleman's agreement regarding contractors not **working on Sundays**, but the following Sunday construction continued. Dan Mitchell said that he did what Trustee Rains asked, but that he could not tell subcontractors when they could or could not work. Trustee Thompson, a resident of Fountain Estates, had received **numerous complaints** from his neighbors: large

trucks and equipment driving through Fountain Estates, construction crews working on Sundays, and noises and dust from equipment working in Briarwood. Dan Mitchell said Contract Labor Laws were clear; the Village would need to pass laws regulate construction hours; and that every law will bring opposite and equal problems. Mr. Mitchell stated he would abide by the Code and communicate regulations to the trades. Trustee Myers asked if Schuber Mitchell had set a date to be finished with the infrastructure for the subdivision. Contractor Eric Polley stated that they planned to start building houses by May 7, 2021; the final plat should be approved 45 days prior to May 7, 2021.

### **OTHER BUSINESS**

Resident Donald Gurley came before the Board to ask if at least **one more streetlight** could be installed on **Skyway Drive**. There was one light on Skyway, at the intersection of N. Main Street Road and Skyway Drive. The Board instructed Clerk Hirshey to contact Liberty Utilities to see if more streetlights could be added.

The owners of **Cutting Loose Graphics**, Damien and Scott Hallacy, attended the December 17, 2020 Board of Trustees Meeting to ask about **adding a structure** to connect their two existing buildings. Engineer Clayton Cristy reviewed the plans created by Scott Hallacy after the meeting and informed them that the plans needed to be prepared by a licensed engineer.

Clerk Hirshey asked Attorney Snyder whether **businesses** in Airport Drive had to **collect sales tax** on their sales. The question was related to a business selling and installing windows and home improvement items. Attorney Snyder would research the question.

### **COUNCIL BILLS AND RESOLUTIONS**

Attorney Snyder had prepared Council Bill 21-20 for the December 17, 2020 meeting. The council bill would amend Section 210.750(B)(2), **Excessive or Unnecessary Noise**, to limit construction noises and times construction was allowed. The council bill was tabled during the December 17, 2020 meeting to give the Trustees additional time to consider the bill. Trustee Thompson wanted to better define excessive noise, commercial construction, and contractors. Trustee Bryant was concerned the bill was too restrictive to property owners. Council Bill 21-20 failed for lack of a motion.

### **OTHER BUSINESS**

Harrison, French and Associates submitted **color changes** for the remodeling plans for the **Walmart Neighborhood Market** at 25145 Demott Drive. After reviewing the drawings, Trustee Rains motioned to approve the color changes. Trustee Thompson seconded the motion. Motion passed unanimously.

Haynes Equipment Company submitted a quotation for a **maintenance agreement** to service the Isco 350 A/V **Flow Meter** on Highway 171. The agreement was for the time period commencing on January 15, 2021 thru January 14, 2022, to service the meter four times at year at a cost of \$750.00 per trip. Trustee Rains motioned to approve the agreement but to service the meter **twice a year**. Trustee Thompson seconded the motion. The motion passed unanimously.

Blue Valley Public Safety Inc. submitted a **Maintenance Agreement** to service the two **storm sirens** in Airport Drive. The contract included maintenance for two sirens, the Two-Way Control for both and 8 batteries for the sirens, at an annual cost of \$1,584.00. Trustee Rains

motioned to approve the contract with Blue Valley Public Safety Inc. Trustee Thompson seconded the motion. Motion passed unanimously.

Clerk Hirshey requested approval to attend the **2021 MOCCFOA Spring Institute**. The cost for the Spring Institute, which would be held in person or virtually this year was \$455.00. The two-day Master Academy was on Sunday, March 7<sup>th</sup> and Monday, March 8<sup>th</sup>. Spring Institute would be Tuesday, March 9 thru Thursday, March 11, 2021. Clerk Hirshey preferred to attend virtually. Trustee Rains motioned to allow Clerk Hirshey to attend the 2021 Spring Institute online. Trustee Thompson seconded the motion. Motion passed unanimously.

Both pumps at the **Fountain Estates Lift Station** stopped working on January 20, 2021. Crews from the **City of Carl Junction** had difficulties pulling the pumps pulled out. Hillbilly Pumping Service had to pump out the lift station tanks from January 20<sup>th</sup> until January 28, 2021. They pumped out 14 loads at a cost of \$3,500.00. Trustee Rains stated Airport Drive paid the cost of a pump to have the tanks emptied. He instructed Clerk Hirshey to contact Enviroline and make sure that the Village could call them the next time a pump went down. Engineer Cristy stated several cities were having problems due to wipes and rags in sewer lines. He would get ideas how to avoid this problem.

### **CLOSED SESSION**

Notice had been given that the Board of Trustees as authorized by 610.021(3) would conduct a Closed Session to discuss Personnel. Trustee Rains motioned to go into Closed Session. Trustee Bryant seconded the motion. Myers; yea, Thompson; yea, Rains; yea, Bryant; aye. The Board went into Closed Session at 8:30 p.m.

At 8:45 p.m., Trustee Rains motioned to return to Open Session. Trustee Thompson seconded the motion. Myers; yea, Thompson; yea, Rains; yea, Bryant; aye. The meeting reconvened in Open Session.

### **COUNCIL BILLS AND RESOLUTION**

Council Bill 01-21, an ordinance authorizing additional payment to the Village Clerk for service provided in 2020 was discussed. Trustee Bryant motioned to have the first reading of Council Bill 01-21 by title only. Trustee Rains seconded the motion. Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Attorney Snyder read Council Bill 01-21 by title only. Trustee Bryant motioned to approve the first reading of Council Bill 01-21 by title only and have the second reading of Council Bill 01-21 by title only. Trustee Rains seconded the motion. Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Attorney Snyder read Council Bill 01-21 by title only. Trustee Bryant motioned to approve the second and final reading of Council Bill 01-21 by title only and adopt Ordinance 01-21. Trustee Rains seconded the motion. Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Ordinance 01-21 was adopted.

Council Bill 02-21, an ordinance establishing an annual salary and year end compensation for the position of Village Clerk was discussed. Trustee Bryant motioned to have the first reading of Council Bill 02-21 by title only. Trustee Rains seconded the motion. Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Attorney Snyder read Council Bill 02-21 by title only. Trustee Bryant motioned to approve the first reading of Council Bill 02-21 by title only and have the second reading of Council Bill 02-21 by title only. Trustee Rains seconded the motion. Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Attorney Snyder read Council Bill 02-21 by title only. Trustee Bryant motioned to approve the second and final reading of Council Bill 02-21 by

title only and adopt Ordinance 02-21. Trustee Rains seconded the motion. Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Ordinance 02-21 was adopted. Clerk Hirshey thanked the Board.

### **ADJOURNMENT**

With no other business to come before the Board, Trustee Rains motioned to adjourn the meeting. Trustee Bryant seconded the motion to adjourn. Motion passed unanimously.

Meeting adjourned at 8:50 p.m.

Respectfully Submitted,

*Sue Hirshey, MRCC*  
Village Clerk