

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, October 28, 2021, at the Village Municipal Building. The meeting was open to the public.

Chairman James Paul called the Board of Trustees to order at 7:05 p.m. Members present were Terry Myers, Mark Rains, Reed Thompson, and Ray Bryant. Village Clerk Sue Hirshey was present to take the minutes. Also present were Village Attorney Derek Snyder, Village Engineer Clayton Cristy, Deputy Clerk Kristy Hoggatt, Residents Debbie Bryant, Marvin and Debie Heckart, and Edwina Rains. Jasper County Sheriff's Officers Sergeant Melissa Roughton, and Deputies Justin Henry and Andy Albertson were absent. All in attendance gave the Pledge of Allegiance to the Flag of the United States of America. Attorney Snyder gave the invocation.

MOMENT OF SILENCE

Chairman James Paul requested a Moment of Silence to honor the passing of Ken Kellogg, owner of 4 State Floor business in Airport Drive.

MINUTES

Minutes of the Board of Trustees Meeting held on September 23, 2021, having been previously provided to the Trustees, were discussed. Trustee Rains motioned to approve the minutes previously provided. Trustee Thompson seconded the motion. Motion passed unanimously.

TREASURER'S REPORT

Clerk Hirshey presented the Treasurer's Report. The Board was provided the Balance Sheets by Fund, Cash Receipts Control Report, Payroll Calculation Report, Check Register, Accounts Payable Control Report, Current Statement of Revenues and Expenses, Recap of Sales Tax Revenue Year to Date, worksheet of Sewer Maintenance Changes paid to Carl Junction and Certificates of Deposits worksheet. Trustee Bryant motioned to approve the Treasurer's Report and to pay the bills. Trustee Rains seconded the motion. Motion passed unanimously.

PETITIONS, REQUESTS, AND COMPLAINTS

Kyle and Kylin Smith appeared before the Board to request to rezone the property at 5356 North Main Street Road and the adjoining parcel to the south on Main Street, currently owned by David Oheim. The Smiths appeared before the Zoning Commission on Monday, October 25, 2021. The Zoning Commission recommended to rezone the area of 5356 N. Main Street Road currently zoned A-1, Agricultural, to I-1, Light Restricted Industrial District; and the area of the southern parcel zoned A-1 to R-3, Multi-family Residential. The Smiths planned to build self-storage units on the north tract and later, duplexes on the south tract. The Zoning Commission recommended the front 200 feet of both tracts remain C-2, General Commercial. Attorney Snyder stated if the Trustees agreed with the Zoning Commission's recommendations, they would have to approve a motion to authorize Attorney Snyder to prepare a council bill for the November 2021 meeting. He also reminded the Board that if the property were rezoned, the Smiths would have six months to begin the new use. Trustee Myers suggested the Smiths continue to inform the Board of the status of the project, communication will be key. The Smiths stated their offer to purchase the properties was contingent on rezoning the properties. Trustee Myers motioned to rezone 5356 N. Main Street Road to I-1, Restricted Light Industrial

District, after receipt of legal description showing the first 200 feet of property to remain C-2 and the remaining property to be I-1, and contingent of closing of property and proof of sale. Trustee Rains seconded the motion. Motion passed unanimously.

Dollar General's Project Manager Torrey Herd and Construction Foreman Jesse Adams appeared before the Trustees to request to agreement to allow the **new Dollar General Store at 25994 Fir Road** to receive a **temporary Certificate of Occupancy** and to open for business the next day, October 29, 2021. Trustee Rains welcomed Dollar General to the Village of Airport Drive. Village Engineer Clayton Cristy read his list of deficiencies found during his site review of the project on October 22, 2021: 1. Overall Site Erosion Control, erosion control BMPs are not per plan. 2. Sod Areas, final grading and sod is not complete. 3. Grass Areas, final grading and seeding was not complete. 4. General Site Grading, the final grading including large rock removal was not complete. Grading along east side of the site needs to be revised adjacent to the fence. 5. Landscaping, the proposed site landscaping was not complete. 6. Pavement Widening, the overall road width was 35' instead of 36'. The outer edge of the widening did not have a smooth profile. The edge of the widening adjacent to the existing asphalt was higher than the existing asphalt. 7. Pavement Widening, all testing reports for soil, aggregate and asphalt needed to be submitted for review. 8. Aggregate Shoulders, the aggregate adjacent to the widening needed to be graded per plan. 9. Ditch and road Slope Grading, the ditches and roadway fill slopes needed to be graded and stabilized per plan. 10. Ditch Drainage, the ditch east of the Dollar General Drive did not drain per plan. A revised plan needed to be developed for this ditch grading. 11. Driveway Culvert (Private Drive east of entrance), the private driveway culvert was removed and not replaced. This needed to be addressed as part of the revised plan for ditch drainage (see previous item). 12. Detention, the detention and outlet structure appeared to be shifted north. This was reported to be due to a utility conflict. Verification of volume and elevations shall be provided by the engineer for the revised detention. 13. Detention Outfall Pipe, the riprap needed to extend and turn the water west to avoid erosion of the roadway slope. 14. Roadway Pipe, the roadway pipe extensions needed to be reviewed after final grading of roadway slopes. 15. Sewer Extension, Pavement Repair (Sewer Extension) and Roadway Widening North Side: approval of these items should be coordinated with the City of Carl Junction.

Attorney Snyder read the noncompliant items noted by Building Inspector Greg Coats during his final inspection on October 26, 2021: 1. HVAC detector wiring shall be labeled. 2. All fire extinguishers shall be at a maximum 60" in height. 3. Exterior sewer clean out required to be a two way. 4. Backflow testing shall be submitted and secure backflow to wall. 5. Pop-off line missing on water heater. 6. Submit letter from engineer of record pertaining to all deviation reports from Terracon. Attorney Snyder stated that a hard-wired smoke detector system would be required for the building and discussed issues of safety. Airport Drive's concern was for the general welfare of the community.

Engineer Clayton Cristy discussed Carl Junction's Engineer Kurt Higgin's comments regarding the sewer line: 1. When would the sewer lines and manholes be tested? 2. Waiting on compaction test results for the subgrade, base, and asphalt for the road widening on the north side of Fir Road. 3. How and when was the stormwater runoff going to be addressed draining from the east detention basin as it was currently directed and flowing over Fir Road. A drawing with comments from the engineering review of the plans was included.

Mr. Herd and Mr. Adams gave estimated finish dates for each item. All deficiencies must be corrected by November 26, 2021. Engineer Cristy advised Mr. Adams that if unexpected delays happen, to come back to the November 18, 2021 Board of Trustees Meeting to talk to the Trustees. Mr. Adams felt 30 days would be enough time to correct deficiencies. Trustee Thompson motioned to allow a temporary Certificate of Occupancy is be issued, with an expiration date of November 26, 2021, for the new Dollar General Store at 25994 Fir Road, contingent upon receiving a signed Performance Bond agreement and a Surety Bond in the amount of \$50,000.00, the estimated amount to complete unfinished items, and a letter from the City of Carl Junction authorizing use of the sewer system prior to final inspection of line and manholes; and to authorize Chairman Paul to sign and execute the Performance Bond agreement. Trustee Rains seconded the motion. Motion passed unanimously.

Lance Adams appeared before the Board to discuss plans to build a **restaurant** on Lot #1 of Airport Landing Subdivision, across Fir Road from Harp's Food Store. Mr. Adams would not purchase the property until confirmation that the detention area between Harp's Food Store and the railroad served Lot #1 as well. Engineer Cristy and Clerk Hirshey were unable to find the stormwater report showing what properties were served by the detention area. Engineer Cristy noted that the engineers for the development had passed away, but that Zoning Commission Chairman Steve Allgood thought Lot #1 was included in the use of the detention area. Trustee Myers questioned if the size of the detention area would determine if it was large enough for all of the lots. Engineer Cristy stated a study would have to be performed to know for sure. Mr. Adams stated the property owner had advertised the lot as "build ready". Attorney Snyder stated if the plat was legally approved, stormwater detention areas would be part of the plat. He questioned how different this proposed use was from the original plan. Trustees Bryant and Myers felt that if the plat was approved for the subdivision, the detention area would serve the entire development. Engineer Cristy added there was a box under Fir Road for water to flow to the detention area. The Trustees were in agreement the detention area approved in the final plat drawing served the entire subdivision, no additional detention area would be required. Attorney Snyder stated the Board by consensus agreed the plan approved the detention area for use by Lot #1. The next step would be to have the proposed business' plan reviewed and approved by the Zoning Commission, followed by approval by the Board of Trustees. Mr. Adams said Mr. Cummins still owned the area where the roadway to his property would be and did not plan to build a road for Mr. Adams property. He questioned who would own, build, and maintain the roadway off of Fir Road to his proposed property? Attorney Snyder stated Airport Drive could adopt the roadway if it were built to Airport Drive's Code standards.

Resident Debie Heckart asked the Trustees if a dog kennel business had been approved to be built on property at 5380 North Main Street Road. Attorney Snyder stated that nothing had been decided.

COUNCIL BILLS

Council Bill 14-21, a council bill **amending Title IV, Land Use, Chapter 405 Zoning Regulations, Sections 405.5000 and 405.510 and 405.420, to add requirement of monument signs for business and approval of signs by the Zoning Commission and the Board of Trustees** was discussed.

Trustee Bryant motioned to have the first reading of Council Bill 14-21 by title only. Trustee Thompson seconded the motion. Paul; yea, Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Attorney Snyder read Council Bill 14-21 by title only. Trustee Bryant motioned to approve the first reading of Council Bill 14-21 by title only and have the second reading of Council Bill 14-21 by title only. Trustee Thompson seconded the motion. Paul; yea, Myers; yea, Rains; yea, Thompson; yea,

Bryant; yea. Attorney Snyder read Council Bill 14-21 by title only. Trustee Bryant motioned to approve the second and final reading of Council Bill 14-21 by title only and adopt Ordinance 14-21. Trustee Thompson seconded the motion. Paul; yea, Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Ordinance 14-21 was adopted.

Attorney Snyder would have a council bill prepared for the November 18, 2021, Board of Trustees Meeting to amend the code for fees for Peddlers Permits.

OTHER BUSINESS

The **Budget Committee** met Tuesday, October 19, 2021. The proposed Budget for 2022 was presented to the Board of Trustees. The Trustees discussed the budgeted expenses in the Street Fund. All street improvement projects currently under consideration were included in the expenses. The Safety Tax Fund was discussed, should a fourth Jasper County Sheriff's Officer be considered? The Board instructed Clerk Hirshey to ask Sergeant Roughton for a copy of the schedule for the three officers; and to invite Sheriff Randee Kaiser to the February 2022 Board of Trustees Meeting to discuss the next contract starting April 1, 2022. Trustee Myers motioned to accept the 2022 Budget as proposed. Trustee Thompson seconded the motion. Motion passed unanimously.

John Motazedi, owner of SNC², met with Chairman Paul and Trustee Thompson on Thursday, October 21, 2021, to discuss **upgrading the current level of service** to Airport Drive for a better firewall, complete back up service with Cloud Storage, back up and system restoration, and endpoint protection software licenses for all three machines, providing antivirus, malware and spyware protection. The monthly fee would increase from \$289.00 to \$505.00. This did not include the remote access software or the Office 365 Business Premium agreement for two workstations. Trustee Rains motioned to approve the new contract with SNC². Trustee Bryant seconded the motion. Motion passed unanimously.

The **2022 contract** with **Carl Junction Fire Protection District** for fire protection and emergency services was discussed. The amount for 2022, \$95,679.00, was an increase from \$83,679.20 in 2021. Trustee Rains motioned to approve the payment of \$95,679.00 to Carl Junction Fire Protection District for fire protection and emergency services in 2022. Trustee Thompson seconded the motion. Motion passed unanimously.

Chuck Dudley's bucket truck parked at his residence at 25319 Demott Drive was discussed. The Board had no complaints about the truck.

CLERK'S REPORT

Larry Buckmaster informed the office that his property at 25041 W. Bland did not sell. He still owed the property.

Liberty Utilities would not bill developers for installing streetlights in new subdivisions. Liberty billed a percentage of the total investment each month as part of the charges and the energy use was the other part. Depending on the type of pole for the light, the cost per light was estimated to be from \$24.95 to \$27.30 per light per month. Nathan from Schuber Mitchell said there would be five new lights in Briarwood. The annual cost to Airport Drive per year for the new lights would be \$1,497.00 to \$1,638.00.

The 2018 International Fire Code Book was purchased and received after the September adoption of the Code.

A developer from Wichita was looking at the Satterlee property at 25384 Demott Drive. Tim Austin's contact information was given to Residents Donald Gurley, Josh and Desi Sweet, and Aaron and Wynne Dogotch to discuss roadway and sewer access topics.

City Administrator Steve Lawver was contacted on October 15, 2021 about sewer rates. He said they would not worry about changing the rates until they start working on their budget in January 2022.

Connell Insurance was contacted about a cyber security policy. They sent a Cyber Liability Application for us to complete. John Motazedi suggested we forward the application to SNC² for them to complete cyber risk questions. The application had not been returned back yet.

The Zoning Commission met on October 5, 2021 to review the remodeling plans and usage of property at 499 W. Fountain Road as requested by Robin Wilson and Beverly Boatright. Engineer Clayton Cristy stated a Site Plan would need to be presented due to work changing the parking lot. Plans for the sanitary sewer line were still needed and ADA requirements were discussed. A temporary Certificate of Occupancy was issued, not to exceed 120 days, to allow the owners time to prepare a site plan, sanitary sewer line plans with easements, a lighting plan and plans to meet ADA requirements. The Zoning Committee approved the sign plans as presented. On October 28th, Beverly Boatright, co-owner of SCP Agency, reported they are working on the requested plans and plans for the additional bathrooms, but were not ready to present them to Zoning yet.

The Budget Committee met Tuesday, October 19, 2021. Resident Mark Johnson served as Chairman of the committee this year. Trustee Mark Rains, Residents Janie Liles and Carolyn Longerot created a proposed Budget for 2022.

The Zoning Commission met on October 25, 2021 to discuss ordinances regarding signage; Smartlock Self-Storage plans and signage; use of property and signage for Land Innovations at 5701 N. Main Street Road; and requests to rezone 5356 North Main Street Road and the adjoining parcel on the south for self-storage units and duplexes.

The Green Folder will contain documents requiring the Chairman's signature. There are also Items in Gray Folder will be for information and possible discussion.

REMINDERS

Candidate filing for the April 5, 2022 General Election will open on December 14, 2021, at 8:00 a.m. and end on December 28, 2021 at 5:00 p.m. In 2022, terms will end for Trustees James Paul, Mark Rains and Reed Thompson.

Leaf Pick Up was scheduled for the week of November 29, 2021.

The Office would be closed Thursday, November 11, 2021, in observance of Veterans Day, and Thursday, November 25th and Friday, November 26, 2021, for the Thanksgiving Holiday.

The next Board of Trustees Work Sessions and Regular Meetings were scheduled for Thursday, November 18, 2021, at 6:30 pm and 7:00 pm respectively.

The Green Folder contained documents requiring the Chairman's signature. There was also a Thank You card from Zoning Chairman Steve Allgood.

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 at 9:15 p.m. Trustee Thompson seconded the motion. Paul; yea, Myers; yea, Thompson; yea, Rains; yea, Bryant; aye. The Board went into closed session at 9:15 p.m.

Trustee Bryant motioned to go into Open Session at 9:25 p.m. Trustee Rains seconded the motion. Paul; yea, Myers; yea, Thompson; yea, Rains; yea, Bryant; aye. The meeting reconvened in Open Session.

ADJOURNMENT

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

Meeting adjourned at 9:26 p.m.

Respectfully Submitted,

Sue Hirschey, MRCC
Village Clerk