

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, March 23, 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, Kara Charbonneau, and James Paul. 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, Debbie Bryant, and Edwina Rains. 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 Regular Meeting held on February 23, 2023, having been previously provided to the Trustees, were discussed. Trustee Bryant motioned to approve the minutes previously provided. Trustee Charbonneau seconded the motion. Motion passed unanimously.

TREASURER'S REPORT

Clerk Hirshey presented the Treasurer's Report for March 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 Bryant motioned to approve the Treasurer's Report and to pay the bills. Trustee Charbonneau seconded the motion. Motion passed unanimously.

PETITIONS, REQUESTS, AND COMPLAINTS

Lenora Atnip requested a **zoning change** to her property on the north side of Northeast Street, between 24975 and 24859 Northeast Street. Mrs. Atnip's son Brian Atnip appeared before the Zoning Commission on March 7, 2023 to discuss the request. The Zoning Commission motioned to recommend to the Board of Trustees to rezone the property on the north side of Northeast Street from A-1, Agricultural, to R-1, Single Family Residential. Mr. Atnip was present for the Public Hearing held at 6:00 p.m. that evening to answer questions from the Board of Trustees. A council bill had been prepared for the Trustees to rezone the property. Approval was held for later in the meeting.

Rodger Smith, 5 Star Food Equipment, 5154 N. Main Street Road, was on the Agenda, but was not present for the meeting. Trustee Rains stated Mr. Smith had contacted him about a robbery at his business on Friday, March 10, 2023. Someone had broken a window, stole their van, chemicals, and equipment. Deputy Kolbeck was no longer working in Airport Drive, and Deputy Henry did not notice the broken window, or the garage door open on Saturday. Prior to the meeting, Deputy Henry had told Trustee Rains that 5 Star used to have an alarm system. According to Trustee Rains, Mr. Smith was irritated that no one noticed the open garage door. The door was on the north side of the building and could only be seen by driving into the lot.

Jansen Adams, owner of **Gambino's Pizza** and contractor Mike Strickland, MacCo Builders, appeared before the Board to discuss the Gambino's Restaurant. The signage for the building had been approved by the Zoning Commission and installed on the building, with the understanding that if the Board of Trustees did not approve the signs, they would need to be taken down. Mr. Adams

asked the Board of Trustees to allow the lights for the signs to be turned on. The restaurant was scheduled to open in the first week of May. The HVAC units specified in the plans were on back order. Mr. Adams asked for a temporary Certificate of Occupancy to open the restaurant with two smaller units instead of the larger unit. They hoped to have a soft opening on April 25, 2023. Engineer Cristy requested a written statement from the architect to verify the smaller HVAC units would be sufficient for the building. Attorney Snyder said the temporary certificate of occupancy should note the smaller HVAC units. The Board should consider extending the date of the temporary occupancy permit until May 25 or June 1, 2023. Trustee Bryant motioned to issue a Temporary Certificate of Occupancy to Gambino's Pizza at 101 Village Landing, documenting the smaller HVAC units, only after receiving a compliance document from the project's architect and approval of all required inspections by Airport Drive's building inspector, to be valid until May 31, 2023. Trustee Charbonneau seconded the motion. Motion passed unanimously.

ENGINEER'S REPORT (continued from Work Session)

FIR ROAD PAVING - Engineer Cristy stated Blevins Asphalt should start the paving process on Fir Road soon. Blevins would start on Black Cat Road, and then move to Fir Road. The price of asphalt was down a little this year. Joplin Special Road District asked Engineer Cristy to ask the Trustees to consider paving the area between the Dollar General area and the area east of the railroad towards Highway 171. Engineer Cristy estimated the additional area would cost approximately \$20,000.00 to pave. He guessed the area had been overlaid in the last three or four years. Trustee Bryant stated three to four-year-old asphalt was not very old. Chairman Myers stated the Board should stay with the original plan.

SCP AGENCY - 499 W. Fountain Road - no new information.

TABOR WOODS WATERLINE – No update on any plans to update the waterlines. Attorney Snyder stated he had not corresponded with the attorney for the water district. Engineer Cristy stated the water board meetings were on the second Thursday of each month.

Trustee Rains asked if Airport Drive could use the **American Rescue Plan Act** funds to pay for the **TREKK Designs** work. Engineer Cristy had not confirmed that, but said once TREKK completed the sewer study, Airport Drive would have a list of areas to work on.

Trustee Paul asked about **overlaying the roads in Tabor Woods**. Chairman Myers stated an Olsson Street Engineer would review the conditions of the roadways and report his assessment of their conditions.

Engineer Cristy asked if the Trustees would like him to have the **Fountain Estates lift station and detention area surveyed** prior to upcoming maintenance projects? Trustee Bryant motioned to have the lift station and detention areas in Fountain Estates Subdivision surveyed. Trustee Charbonneau seconded the motion. Motion passed unanimously.

Chairman Myers reported on his correspondence with Michael Bock with **Missouri Department of Transportation**. He questioned the intersections with **traffic light controls** in Webb City on Highway 171. Mr. Bock stated traffic lights in those intersections were installed before the new statutes. Chairman Myers reported Mr. Bock stated that if the three homeowners on the north side of Highway 171 did not agree to the use of portions of their properties, MODoT would not approve the roundabout for the Iron Horse development.

ATTORNEY'S REPORT

Attorney Snyder had prepared three council bills, one to rezone property on Northeast Street, one for the contract with Jasper County Sheriff's Office, and one to amend the Code for Adult Use Marijuana.

Attorney Snyder discussed a letter to Chairman Myers from **Tim Austin, Iron Horse Development** after the February meeting. Mr. Austin wanted the Board to understand that due to the changes in the economy, it was too risky to pay to construct a roundabout due to the considerable expense and uncertain market conditions. He was seeking the formation of a CID, Community Improvement District. Mr. Austin would welcome conversations with any of the Trustees, possibly in Closed Session. His reason: the discussions could be legal and/or proprietary in nature. Attorney Snyder would need to review the reasons Mr. Austin was requesting Closed Session before approving, but thought Mr. Austin was looking for the cooperation of the Board to get approval from MODOt. Chairman Myers questioned the plans for only one store. Engineer Cristy agreed, the property had been rezoned C-2 PD. Mr. Austin would need to submit plans for the entire development. Trustee Bryant asked whether Mr. Austin was open to building his entrance off Fir Road. Attorney Snyder doubted he would; and continued, typically a Board would look at the benefits a development would bring to the Village. Would this development produce a good purpose for the Village? The development could add services or goods to Airport Drive, but would it help beyond added sales tax dollars? Trustee Charbonneau had the same question, the Village wanted to be prosperous, but at what expense?

COUNCIL BILLS

Council Bill 06-23, a council bill **to amend the zoning Code of the Village from District A-1, Agricultural to District R-1, Single Family Residential District for property on the north side of Northeast Street, east of Highway 43**, was discussed. Trustee Bryant motioned to have the first reading of Council Bill 06-23 by title only. Trustee Charbonneau seconded the motion. Myers; yea, Rains; yea, Bryant; yea, Charbonneau; yea, Paul; yea. Attorney Snyder read Council Bill 06-23 by title only. Trustee Bryant motioned to approve the first reading of Council Bill 06-23 by title only and have the second reading of Council Bill 06-23 by title only. Trustee Charbonneau seconded the motion. Myers; yea, Rains; yea, Bryant; yea, Charbonneau; yea, James; yea. Attorney Snyder read Council 06-23 by title only. Trustee Bryant motioned to approve the second and final reading of Council Bill 06-23 by title only and adopt Ordinance 06-23. Trustee Charbonneau seconded the motion. Myers; yea, Rains; yea, Bryant; yea, Charbonneau; yea, Paul; yea. Ordinance 06-23 was adopted.

Council Bill 07-23, a council bill **approving a contract by and between the Village of Airport Drive and the Jasper County Sheriff's Office for police protection and enforcement of the Ordinances and regulations in Airport Drive and authorizing the Chairman of the Board of Trustees to execute said contract by and on behalf of the Village of Airport Drive**, was discussed. Trustee Bryant motioned to have the first reading of Council Bill 07-23 by title only. Trustee Charbonneau seconded the motion. Myers; yea, Rains; yea, Bryant; yea, Charbonneau; yea, Paul; yea. Attorney Snyder read Council Bill 07-23 by title only. Trustee Bryant motioned to approve the first reading of Council Bill 07-23 by title only and have the second reading of Council Bill 07-23 by title only. Trustee Charbonneau seconded the motion. Myers; yea, Rains; yea, Bryant; yea, Charbonneau; yea, James; yea. Attorney Snyder read Council 07-23 by title only. Trustee Bryant motioned to approve the second and final reading of Council Bill 07-23 by title only and adopt Ordinance 07-23. Trustee Charbonneau seconded the motion. Myers; yea, Rains; yea, Bryant; yea, Charbonneau; yea, Paul; yea. Ordinance 07-23 was adopted.

Council Bill 08-23, a council bill **amending Title IV “Land Use”, Chapter 405 of the Code of Ordinances of the Village of Airport Drive to enact regulations for marijuana facilities and the action related thereto**, was discussed. Trustee Charbonneau motioned to have the first reading of Council Bill 08-23 by title only. Trustee Bryant seconded the motion. Myers; yea, Rains; yea, Bryant; yea, Charbonneau; yea, Paul; yea. Attorney Snyder read Council Bill 08-23 by title only. Trustee Charbonneau motioned to approve the first reading of Council Bill 08-23 by title only and have the second reading of Council Bill 08-23 by title only. Trustee Bryant seconded the motion. Myers; yea, Rains; yea, Bryant; yea, Charbonneau; yea, James; yea. Attorney Snyder read Council 08-23 by title only. Trustee Charbonneau motioned to approve the second and final reading of Council Bill 08-23 by title only and adopt Ordinance 08-23. Trustee Bryant seconded the motion. Myers; yea, Rains; yea, Bryant; yea, Charbonneau; yea, Paul; yea. Ordinance 08-23 was adopted.

OTHER BUSINESS

Two sign permit applications from Sign Designs for the **Gambino’s Pizza Restaurant** at 101 Village Landing were discussed. The Zoning Commission had recommended to approve the signs on March 7, 2023. Trustee Charbonneau motioned to approve the two sign permit applications for signage on the front and side wall of the building and to turn the signs on. Trustee Bryant seconded the motion. Motion passed unanimously.

An email from a **Tabor Woods** resident regarding **cats roaming off their owner’s property** was discussed. Attorney Snyder stated the Trustees could pass an ordinance to restrict the number of animals a resident could keep. Trustee Charbonneau explained barriers could be added to fencing to keep cats off fences. The Board suggested a letter be sent to the Millers on Tabor Main Road.

Clerk Hirshey shared emails from **Eddie and Carlene Johnson** regarding removing the **camping trailer** from the property at **25153 Marion Avenue**. On February 7, 2023, the Board of Adjustment denied the request for a variance to allow the trailer to remain on the property but did not give a deadline to remove it. Trustee Bryant said the trailer needed to be removed. Attorney Snyder stated a citation could be given. The trailer was in violation of the Code. The Board instructed Clerk Hirshey to send a letter to the Johnsons to remove the trailer.

Airport Drive’s **subscription for Beacon** had expired. The discounted rate charged to municipalities was no longer available. Clerk Hirshey attended a webinar for EagleView, a high-resolution oblique imagery service for Beacon. The cost for the service, \$810 per year, was based on the area of Airport Drive, two square miles. Trustee Charbonneau motioned to approve the EagleView service for the Beacon subscription. Trustee Bryant seconded the motion. Motion passed unanimously.

Chairman Myers had been looking into the **intensity levels of lights on signs**. He asked Attorney Snyder if the Village could incorporate a lux level (a basic unit of illumination in the SI and MKS systems, equal to one lumen per square meter) into the Code? Attorney Snyder thought so. Airport Drive could set limits primarily for safety purposes; and to regulate light being cast beyond a business’s boundaries. Trustee Charbonneau liked the idea of not allowing lights to be too bright. Chairman Myers agreed to write up suggestions for guidelines and send to Attorney Snyder, for future Board consideration.

Marvin Heckart asked about the **speed hump on Leffen Lane**. The stripes on the hump were fading. Engineer Cristy would check MUTCD regulations for guidance. Trustee Rains suggested waiting for Olsson’s recommendations for paving before striping. Mr. Heckart agreed; and added that he planned to clean out Elm Street drains.

Trustee Rains wanted to discuss the **Jasper County Sheriff's Officers**. Trustee Bryant suggested the Board have a conversation with Sheriff Kaiser.

CLERK'S REPORT

The Zoning Commission met on March 7, 2023 to discuss a rezoning request for property on Northeast Street, signage for Gambino's Pizza, and Code changes due to passage of Amendment 3 in November of 2022.

The office received an application to the Zoning Commission on March 23rd from Harold Coffman to request rezoning of his property on Northeast Street from A-1, Agricultural to R-1, Single Family Residential.

A Draft version of the update of the Comprehensive Plan for Airport Drive was received on March 22nd. A copy was given to each Trustee for review. Clerk Hirshey planned to review the plan and have it ready for Zoning to discuss in April.

Carl Junction Clerk Wright shared contact information for their contact person for Optic Communications. Clerk Hirshey called Rodney Oels and left a message. Mr. Oels had not returned the call by the meeting time.

MOSA Hibachi and Sushi reported driveway problems, customers leaving the lot were driving into the ditch. Clerk Hirshey spoke with Marvin Morris from MODOT. Mr. Morris promised to send Michael Christian, a right of way specialist to investigate options to help. The business owner was notified that the exterior lights on the food truck needed to be aimed downward. He said he would aim them more towards the ground.

MML was offering a City Officials Training Seminar in Republic Missouri and May 5th and Lebanon Missouri on May 12, 2023. Information about the class was shared with the Trustees.

Connell Insurance sent notification that Trident/Travelers would be non-renewing Airport Drive's insurance package at the end of 2023. Connell would find coverage with another carrier later in the year. The Board agreed to put the insurance policies out to bid.

The Front Page planned to hold outdoor events in 2023. So far, they scheduled events for March 25th, May 13th, June 10th, August 12th, September 16th, and October 14th.

Spring Institute was great! Clerk Hirshey attended the following classes: Ethics, Effective Interviewing & Detecting Deception, Conflict Capable Leadership, Crafting Legislation, a question & answer session with the Greene County Election Authorities, How to Lead an Incredible Life, Advanced Sunshine Law, First Amendment Auditing, Retention Schedules, Video Lottery Terminal information, and Staying Out of the Weeds. Clerk Hirshey thanked the Trustees for allowing her to attend.

Deputy Clerk Clark and Clerk Hirshey asked the Trustees for permission to close the office Friday, March 24th at 1:15 pm to attend Mark Rains' Mother's funeral service. The Board okayed closing the Municipal Building during the service.

Deputy Clerk Sharon Clark requested vacation days for Friday, March 31, 2023 and Friday, April 14, 2023.

The Board set a date for the Special Meeting after the April 4th election. The Trustees will meet at 6:00 pm on Thursday, April 13, 2023.

Clerk Hirshey contacted Paul Fenske regarding the damage to the ditch at Marion and Joplin Streets intersection. He was informed the ditch would need to be smoothed back out.

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

REMINDERS

The General Municipal Election would be held at the Municipal Building on Tuesday, April 4th from 6 a.m. to 7 p.m. for school board member elections and a county wide question.

The office would be closed Friday, April 7, 2023 in observance of Good Friday.

The next Board of Trustees Work Sessions and Regular Meetings were scheduled for Thursday, April 27, 2023, at 6:30 pm and 7:00 pm respectively.

ADJOURNMENT

With no other business to come before the Board, Trustee Bryant motioned to adjourn the meeting. Trustee Charbonneau seconded the motion. Motion passed unanimously. Meeting adjourned at 8:45 p.m.

Respectfully Submitted,

Sue Hirshey, MRCC-C
Village Clerk