

**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, August 22, 2019 at the Village Municipal Building.

Chairman James Paul called the Board of Trustees to order at 7:00 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 Jerald Norton, Deputy Clerk Kristy Hoggatt, Jasper County Officer Justin Henry, and Residents Marvin and Debbie Heckart, and Debbie Bryant. Sergeant Melissa Roughton was absent. All present 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 held on July 25, 2019, 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 Treasurers Report. The Board was provided the Balance Sheet by Fund, Cash Receipts Control Report, Check Register, Accounts Payable Control Report, Payroll Calculation Report, Current Statement of Revenues and Expenses, Recap of Sales Tax Year to Date, and worksheets for Carl Junction Sewer Costs, Building Permits in Progress and Certificates of Deposits for Airport Drive. Trustee Rains motioned to approve the Treasurer's Report and to pay the bills. Trustee Bryant seconded the motion. Motion passed unanimously.

OTHER BUSINESS

Engineer Jerald Norton submitted **Pay Request No. 2** for the **Central Avenue Pump Station Rehabilitation** in the amount of **\$49,595.49**. Trustee Rains motioned to approve Pay Request No. 2 and pay Southard Construction Company \$49,595.49. Trustee Bryant seconded the motion. Motion passed unanimously. After this payment, balance due for the contract would be \$67,553.69.

COUNCIL BILLS

After publication of due notice as provided by law, the Zoning Commission held a public hearing on August 6, 2019, to receive public comments and to consider amendments to Airport Drive's **land use regulations related to Medical Marijuana**. After due notice as provided by law, a Public Hearing was held at 6:00 p.m. on August 22, 2019, prior to the work session for public questions and comments regarding the proposed council bills prepared by Attorney Snyder according to the Zoning Commission's recommendations. Attorney Snyder reminded the Trustees that Airport Drive had no choice but to allow the uses as stated in Article XIV of Amendment 2 of the Missouri Constitution. Municipalities were allowed to regulate issues of time, place and manner.

In Section 2, Chapter 405, Zoning Regulations, Section 405.440, the Zoning Commission recommended to allow no more than a total of three (3) Medical Marijuana Dispensary Facilities within Airport Drive's limits. The Trustees agreed to allow no more than a total of one (1) Medical Marijuana Dispensary Facility, one (1) Medical Marijuana Cultivation Facility, one (1) Medical Marijuana-Infused Product Manufacturing Facility, one (1) Medical Marijuana Testing Facility within the Village Limits.

The Zoning Commission recommended placing no distance limitation between any Medical

Marijuana operation and any other Medical Marijuana operation, schools, child daycare centers and/or places of worship. The Board of Trustees decided to not allow any Medical Marijuana related uses to be operated or maintained within one thousand (1,000) feet of any school, child day-care center or place of worship; no Medical Marijuana Dispensary or Testing Facility could be operated or maintained within one thousand (1,000) feet of another Medical Marijuana related use except when Medical Marijuana sales represented less than 5 percent of the dollar volume of business in a state or federally licensed pharmacy. No Medical Marijuana related cultivation or in-fused products facility could be operated or maintained within one thousand five hundred (1,500) feet of another Medical Marijuana related use. No Medical Marijuana related cultivation or manufacturing facility could be located, operated or maintained on property that was less than seven (7) acres in size.

The Zoning Commission recommended Medical Marijuana Dispensary Facilities be limited to the following hours of operation: Monday through Friday, 8:00 am to 7:00 pm; Saturday and Sunday, 10:00 am to 5:00 pm. and be closed on federally recognized holidays. The Trustees decided to allow Medical Marijuana Dispensary Facilities to be open 8:00 a.m. to 7:00 p.m. Monday through Sunday, regardless of federal holidays. Hours of Medical Marijuana Testing Facilities were limited to 8:00 a.m. to 6:00 p.m. Monday through Friday and closed on federally recognized holidays.

The Zoning Commission recommended Medical Marijuana Dispensaries be allowed on properties Zoned C2-PD, C3-PD or C4-PD. The Board decided Medical Marijuana Dispensary Facilities would be allowed in C-2 General Commercial District and C-3 Commercial Planned Shopping Center District, but subject to the Regulations Relating to Overlay Districts-“PD” Planned Development Overlay Districts set forth in Section 405.240 and to Medical Marijuana Facilities set forth in Section 405.440.

Medical Marijuana Testing Facilities, Dispensary Facilities, Marijuana-Infused Projects Manufacturing Facilities and Cultivation Facilities would be allowed on properties zoned I-1 Restricted Light Industrial District and subject to the performance standards set forth in Section 405.440. Uses permitted in I-2, Light Industrial District included uses permitted property and building in the I-1 District were permitted in the “I-2” District except to allow Medical Marijuana Cultivation facility, even if not entirely within an enclosed building.

The Trustees agreed with the Zoning Commission’s recommendation that any signage must be approved by the Board of Trustees after a public hearing and recommendation by the Zoning Commission.

Trustee Thompson motioned to have the first reading of Council Bill 09-19 by title only with the approved proposed changes. Trustee Rains seconded the motion. Paul; yea, Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Attorney Snyder read Council Bill 09-19 by title only and listed all changes made and approved by the Board of Trustees. Trustee Thompson motioned to approve the first reading and have the second reading of Council Bill 09-19 by title only, with all changes made and approved by the Board of Trustees. Trustee Rains seconded the motion. Paul; yea, Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Attorney Snyder read Council Bill 09-19 by title only, with all changes made and approved by the Board of Trustees. Trustee Thompson motioned to approve the second and final reading of Council Bill 09-19 by title only, and with all changes made and approved by the Trustees and adopt Ordinance 09-19. Trustee Rains seconded the motion. Paul; yea, Myers; yea, Rains; yea, Thompson; yea, Bryant; yea.

Ordinance 09-19 was adopted.

Council Bill 10-19, an ordinance amending Chapter 605 of the Code of Ordinances, amending **605.040 License Fees to add Service and License Fees for Medical Marijuana Facilities.**

Trustee Rains motioned to have the first reading of Council Bill 10-19 by title only. Trustee Thompson seconded the motion. Paul; yea, Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Attorney Snyder read Council Bill 10-19 by title only. Trustee Rains motioned to approve the first reading and have the second reading of Council Bill 10-19 by title only. Trustee Thompson

seconded the motion. Paul; yea, Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Attorney Snyder read Council Bill 10-19 by title only. Trustee Rains motioned to approve the second and final reading of Council Bill 10-19 by title only and adopt Ordinance 10-19. Trustee Bryant seconded the motion. Paul; yea, Myers; yea, Rains; yea, Thompson; yea, Bryant; yea. Ordinance 10-19 was adopted.

Attorney Snyder said he would prepare a council bill for the September meeting to add professional landscapers and lawn maintenance services to the list of contractors requiring Contractor's Licenses.

OTHER BUSINESS

Clerk Hirshey requested permission to attend Local Government Day hosted by Missouri State Auditor Nicole Galloway, CPA, on Thursday, September 12, from 9:15 a.m. to 4:00 p.m. in Jefferson City. The event would be the day after the MML Conference in St. Charles. There were no fees for the classes but lodging and travel expenses would be incurred. Trustee Rains motioned to allow Clerk Hirshey to attend the Local Government Day on September 12, 2019. Trustee Bryant seconded the motion. Motion passed unanimously.

Deputy Clerk Hoggatt requested a vacation day on Friday, September 6, 2019. Trustee Rains motioned to approve Deputy Clerk Hoggatt to use a vacation day on September 6, 2019. Trustee Bryant seconded the motion. Motion passed unanimously.

Trustee Bryant stated trees and bushes were growing into the streets, blocking driver's views in many areas of Airport Drive. The Board instructed Clerk Hirshey to contact Coss Tree Service to trim back trees and overgrowth. Trustee Bryant suggested to have Airport Drive trim everything back away from the streets. Going forward, residents should maintain their own property.

Marvin Heckart had been spraying weed killer at the roundabout at Highways 43 & 171. He said there were weeds growing along the outer edges also. The Trustees asked Marvin to take care of any grass issues he sees at the roundabout.

Two Certificates of Deposits at Guaranty Bank would mature on September 14, 2019. Trustee Rains stated the funds should be moved to Southwest Missouri Bank, to keep the funds inside Airport Drive. The Trustees agreed with Trustee Rains. Two Trustees would need to go to Guaranty Bank to cash out the CDs after September 14, 2019.

ADJOURNMENT

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

Meeting adjourned at 8:50 p.m.

Respectfully Submitted,

Sue Hirshey, MRCC
Village Clerk

August 22, 2019