

City of Troy, Missouri
Board of Aldermen Meeting
Monday, April 21, 2008
6:30 P.M.

Present for the meeting were Mayor Kemper, Aldermen Detert, Bass, Hechler, Cottle, Colbert, and Clarkson. Also present were Attorney Grewach, Engineer Hembrock, Police Chief Taylor, Maintenance Supervisors Clint Cunningham and Jeff Burkemper, Building Commissioner Lindsey, Ritchie Minor from Alliance, Bob Simmons of the Lincoln County Journal, and City Clerk Hotfelder.

Mayor Kemper called the meeting to order and declared a quorum present.

A motion was made by Alderman Colbert and seconded by Alderman Cottle to accept the Certification of Election Results as follows:

Ward I	Matt Bass	326
	Kathy Kitchen	64
Ward II	Carl Gulotta	37
	Robert (Bobby) Watt	34
	Julia (Judy) Hechler	181
Ward III	Dennis Detert	423
	Dennis Dunn	193
	Nick Treadway	16
	Caleb Downs	37

Vote: Colbert aye, Cottle aye, Bass aye, Clarkson aye, Detert aye, Hechler aye.

City Clerk Hotfelder swore in the new Aldermen: Matt Bass, Judy Hechler, and Dennis Detert.

Alderman Hechler made a motion, seconded by Alderman Bass to appoint Alderman Colbert as President of the Board of Aldermen and as the Planning and Zoning Commission Member. Vote: Hechler aye, Bass aye, Cottle aye, Colbert aye, Clarkson nay. Motion carried 5-1.

Alderman Cottle made a motion, seconded by Alderman Detert to approve the Consent Agenda upon the removal of items 3G – Administration Report, 7D – Approve MO Hwy and Transportation STP Urban Program Agreement – Table to next meeting, 7E – Adopt Loss Control Program Manual, 7F – Approve Personnel

Policy Change – Adding Discretionary Unpaid Leave of Absence, and 7G – Approve Personnel Policy Change – Revising Limited/Modified Duty (Light Duty) Vote: Cottle aye, Detert aye, Clarkson aye, Colbert aye, Hechler aye, Bass aye.

*Approved minutes of the March 17, 2008 Board of Aldermen Meeting

Charles H. Kemper, Jr. – 650 Second St. – left the Board Table and spoke to the public as a citizen. He gave the history of his family, education, political background, and community activities. “Pheeze” noted that the recent article in the St. Louis Labor Tribune had portrayed the City of Troy as a “one-horse town” due to interviews by a couple of the Aldermen. He stated that he felt that there could have been shoddy workmanship in the past but due to our strong building department and planning and zoning, these problems were being corrected. Putting Troy first should be the goal of the elected officials, being proud and working together to improve. Elected officials should not micro-mange the employees as they are well-trained and professional. Mayor Kemper stated that he works with the employees, put aside our personal agendas, even vendettas and work for the good of the entire City.

Scott Griggs – 2513 Oak Forest – reported that two weeks ago he heard what he thought was a shotgun blast outside his home. He found that a 2-3 pound rock had been thrown at his door and heard kids running away, accessing his yard from a sewer main that crosses the creek. He contacted the Troy Police and his Alderman. He wants a barrier put up to stop the kids from crossing the sewer main.

Chris Horst – 2519 Oak Forest – spoke on the same issue. Engineer Hembrock will check into the situation. He also reported that debris was trapped on the line. Clint Cunningham will look into removal of the blockage. Chief Taylor will have the night officers keep an eye on and would put up “no trespassing” signs.

Darrell Williams – 2459 Oak Forest – was present to note that he has had sewer problems for the past nine and a half years. He stated that every time it rains, he checks the manhole to make sure the water isn’t getting too high so that his basement will not flood. He believes it is caused by sump pumps draining into the sewer mains and wants the problem fixed. Engineer Hembrock reported that the cameras had been sued along with flo-meters and surveying. He will have a report to the Board at the July meeting addressing the problem and possible remedies.

Bob Brodt – B & B Electric – asked what can be done to prevent this insult to contractors. Alderman Clarkson showed photos with wrong electrical connectors on furnaces and transformers on the floor at 261 Stonebridge on April 20. Clarkson also stated that Tom Reynoso’s home had stapled Romex and that B & B had installed it. Dave Lindsey noted that Reynoso’s home had been built before there were inspections in the City and that his department has jumped by leaps and bounds to

improve their inspections. Brodt wants the individual contractor to be dealt with and not publicized in a local newspaper.

Laurie Clarkson – 164 Gorget – Alderman Clarkson’s wife – spoke on the necessity of licensing.

The Mayor called for a five minute recess.

Dale Menne – local contractor- stated that he had been working in the Troy area since 1975. He felt that the article in the Tribune had blown the problem out of proportion. Alderman Detert said that the story was supposed to be about the Bill Uptegrove home and the problem he had with mold. Detert also stated that he had not proof read the article before it was published but that he had talked with 1800 people and that there is a problem. He feels that it is his duty to help the citizens. Nick Martin of Cannon Builders explained that they install a humidistat in each new home and then it is up to the owner to maintain the humidity level.

*Approved the reports of the Park Board, Planning & Zoning/Board of Adjustment, Police Department, Maintenance Department, Park Department, Building Inspection Department, Engineering Department, and Alliance Report.

Alderman Bass stated that the Administration Department Report noted that an Adult Business was recently issued a Business License and would be located next to the tattoo parlor on W. Cherry. Pastor Rhea from the First Baptist Church of Troy read statistics on pornography and criminal behavior, etc. He quoted Supreme Court rulings regarding addiction to pornography. Alderman Bass made a motion, seconded by Alderman Clarkson to revoke the Business License of the Adult Store. Vote: Bass aye, Clarkson aye, Hechler aye, Cottle aye, Colbert aye, Detert aye.

*Approved payment of the regular monthly bills – Obligation #s 38751 – 39089

A motion was made by Alderman Cottle, seconded by Alderman Clarkson to approve the following purchase requests: Mosquito fogger for Maintenance Department, Meter Reading for Computer Tablet for Water Department, and the LAGERS Study. Vote: Cottle aye, Clarkson aye, Detert aye, Hechler aye, Bass aye, Colbert aye.

Mayor Kemper read Bill #1062 – Ordinance 1059 – An Ordinance Adding Chapter 606 Relating to the Regulation of Pay Day Loan Businesses first and second times by title only. Alderman Hechler made a motion, seconded by Alderman Clarkson to adopt Bill #1062 as Ordinance 1059. Vote: Hechler aye, Clarkson aye, Colbert aye, Detert aye, Bass aye, Cottle aye.

Mayor Kemper read Bill #1063 – Ordinance 1060- An Ordinance Amending Section 405.810 Relating to the Definition of Adult Businesses first and second times by title only. A motion was made by Alderman Hechler, seconded by Alderman Clarkson to adopt Bill #1063 as Ordinance 1060. Vote: Hechler aye, Clarkson aye, Detert aye, Cottle aye, Colbert aye, Bass aye.

Mayor Kemper read Bill #1064 – Ordinance 1061 – An Ordinance Amending the Municipal Code Repealing Chapter 235 “Board of Health” As No Such Board Exists in the City first and second times by title only. Alderman Colbert made a motion, seconded by Alderman Hechler to adopt Bill 1064 as Ordinance 1061. Vote: Colbert aye, Hechler aye, Cottle aye, Bass aye, Clarkson aye, Detert aye.

Mayor Kemper read Bill #1065 – Ordinance 1062 – An Ordinance Amending the Municipal Code Adding a New Subsection I to Section 380.140 Concerning Prohibiting Certain Vehicle Noise first and second times by title only. Alderman Clarkson made a motion, seconded by Alderman Cottle to adopt Bill #1065 as Ordinance 1062. Vote: Clarkson aye, Cottle aye, Bass aye, Hechler aye, Detert aye, Colbert aye.

Mayor Kemper read Bill #1066 – Ordinance 1063 – An Ordinance Amending the Municipal Code Amending Section 600.050 Concerning License Application for Alcoholic Beverages first and second times by title only. A motion was made by Alderman Cottle and seconded by Alderman Hechler to adopt Bill #1066 as Ordinance 1063. Vote: Cottle aye, Hechler aye, Detert aye, Colbert aye, Bass aye, Clarkson aye.

Mayor Kemper read Bill #1067 – Ordinance 1064 – An Ordinance Amending the Municipal Code Adding a Section 605.180 Concerning Persons Not To Be Charged for Business License first and second times by title only. Alderman Clarkson made a motion, seconded by Alderman Cottle to adopt Bill #1067 as Ordinance 1064. Vote: Clarkson aye, Cottle aye, Hechler aye, Detert aye, Bass aye, Colbert aye.

Mayor Kemper read Bill #1068 – Ordinance 1065 – An Ordinance Amending the Municipal Code Adding a New Subsection 620.130 (C) Concerning Prohibitions for Peddlers first and second times by title only. A motion was made by Alderman Colbert and seconded by Alderman Hechler to adopt Bill 1068 as Ordinance 1065. Vote: Colbert aye, Hechler aye, Cottle aye, Bass aye, Clarkson aye, Detert aye.

John Drewel – 160 Gorget – read a prepared statement asking for compensation of damages for his sewer backup upon a second rejection from MOPERM. David Williamson – 162 Gorget – stated that he spoke with the Aldermen regarding the fact that his complete conversation with the Board was not reflected in the minutes. Alderman Bass wants the City to have a policy to protect the citizens. Engineer

Hembrock contacted MSD who pays by a formula, insurance covers most cities, St. Peters pays for some but not others based on maintenance record. Alderman Detert went to both of the houses at the time of the backup. Alderman Detert made a motion, seconded by Alderman Clarkson for the City to pay \$4826.00 to the Williamsons and \$7928.58 to the Drewels. Vote: Cottle nay, Bass aye, Hechler aye, Detert aye, Colbert nay, Clarkson aye. Motion carried 4-2. Alderman Hechler asked to change her vote to nay until a policy is established. This created a 3-3 tie. Mayor Kemper broke the tie by voting nay. Motion fails 4-3. Engineer Hembrock will have policy recommendations ready for a Work Session before the next Board Meeting.

*Approved the 7-Day Beer and Wine License for Troy Grab-N-Go at 309 S. Lincoln Dr.

Don Collier – Triad Development – was present to request City water for the John Henry Farm located on Adelhardt Rd. He is proposing to put in 3 acre lots and the fire department is requiring him to connect to public water if available. Attorney Grewach said that a preannexation agreement needed to be signed and City building codes were be required. The property is contiguous to the city limits but he does not want to annex into the City limits. Alderman Cottle made a motion to deny the request, seconded by Alderman Clarkson. Vote: Cottle aye, Clarkson aye, Hechler aye, Colbert aye, Bass aye, Detert aye.

Engineer Hembrock presented the proposed 2008 Street Projects. The following streets are some of the worst and are slated to removal: Villa Dr., Wimbledon Ct., Mahogany Dr., Sommerset, and Persimmon. The Board will chose the streets at a later date but agreed to allow Engineer Hembrock to proceed with Villa Dr.

Alderman Clarkson asked Kerry Klump, Chamber Director, to contact MODOT regarding signage for Rivers Edge Pizza on Hwy 61.

Alderman Detert would like to see some revisions made to the Safety Manual. It was decided to approve the manual tonight and amend it at a later date. Alderman Cottle made a motion, seconded by Alderman Bass to adopt the Loss Control Program Manual. Vote: Cottle aye, Bass aye, Hechler aye, Detert aye, Colbert aye, Clarkson aye.

A motion was made by Alderman Cottle and seconded by Alderman Colbert to approve the Personnel Policy Change Adding Discretionary Unpaid Leave of Absence, the Personnel Policy Change Revising Limited/Modified Duty (Light Duty) and the Resolution giving the authority to the Board of Aldermen on personnel decisions in the absence of a City Administrator. Vote: Cottle aye, Colbert aye, Clarkson aye, Hechler aye, Detert aye, Bass aye.

Alderman Clarkson made a motion, seconded by Alderman Detert to approve the pay request to Huey Construction for the MBR Headwork's Enclosure. Vote: Clarkson aye, Detert aye, Hechler aye, Colbert aye, Bass aye, Cottle aye.

Alderman Detert made a motion, seconded by Alderman Clarkson to award the Contract to St. Charles Piping Company for the Weston Sewer Project. Vote: Detert aye, Clarkson aye, Bass aye, Hechler aye, Colbert aye, Cottle aye.

Alderman Colbert made a motion, seconded by Alderman Detert to award the fending bid to KDG. Vote: Colbert aye, Detert aye, Bass aye, Hechler aye, Cottle aye, Clarkson aye.

The Budget Workshop is set for Monday, May 12, 2008 at 6:00 P.M. Food will be served.

Alderman Clarkson made a motion, seconded by Alderman Hechler to approve the Change Order to Cannon Contractors for the WWTP. Vote: Clarkson aye, Hechler aye, Colbert aye, Cottle aye, Bass aye, Detert aye.

Alderman Colbert made a motion, seconded by Alderman Hechler to go into Closed Session in compliance with 610.021 of RSMo, for the purpose of discussing legal actions, leasing, purchase, or sale of real estate and hiring, firing, disciplining, or promoting of particular employees. Vote: Colbert aye, Hechler aye, Detert aye, Bass aye, Cottle aye, Clarkson aye.

A motion was made by Alderman Detert and seconded by Alderman Clarkson to go out for sealed bids for the old Maintenance Shed on E. Cherry. Vote: Detert aye, Clarkson aye, Hechler aye, Colbert aye, Cottle aye, Bass aye.

A motion was made by Alderman Detert and seconded by Alderman Clarkson to approve the hiring of Daniel Pralle for Maintenance Worker I at Grade 11, Step 1, and Tim Thorough man for the Seasonal Cemetery Position at Grade 8 Step 5. Vote: Detert aye, Colbert aye, Hechler aye, Bass aye, Cottle aye Clarkson aye.

A motion was made by Alderman Colbert and seconded by Alderman Clarkson to hire Mathew Robinson and Lee Johnson as part-time Police Officers and Edward Striker and Brian Johnson as full-time Police Officers. Vote: Colbert aye, Clarkson aye, Hechler aye, Bass aye, Detert aye, Cottle aye.

Alderman Colbert made a motion, seconded by Alderman Hechler to return to Regular Session. Vote: Colbert aye, Hechler aye, Detert aye, Cottle aye, Clarkson aye, Bass aye.

Engineer Hembrock updated the Board on the condition of the Third Street Bridge. It was agreed that the employees could use the Maintenance Shed for personal vehicle repairs with the completion of a signed waiver of liability.

Motion to adjourn. Motion carried.

ATTEST:

CITY OF TROY

City Clerk

Mayor