

City of Troy, Missouri
Public Hearings/Regular Board of Aldermen Meeting
Thursday, January 18, 2018
6:30 P.M.

Present for the Public Hearings/Regular Board of Aldermen Meeting were Aldermen Detert, Sconce, Curt, Walker, Eversmeyer, Anderson and Mayor Cross. Also present were Public Works Superintendent Cunningham, Police Chief Taylor, Building Official Lindsey, Parks Director Howell, Wastewater Superintendent Peasel, Treasurer Flinn, City Attorney Granneman and City Clerk Schneider.

Mayor Cross opened the Public Hearings for the purposes of citizen comment on the following:

- (a) A designation application submitted by the Historic Preservation Commission for Bonfils Auditorium to be a Landmark outside the Historic District; and
- (b) Request for approval of a Zoning Amendment from "P-R" Park & Recreation District to "R-2" Single Family Residential District submitted by Mark Cross, Applicant, on behalf of property owner, City of Troy. This property is located at 650 Cap Au Gris.

Scott Green, 655 Cap Au Gris, asked what the City had planned for the property. Mr. Green did not want a duplex. Alderman Sconce said a duplex would be an option under R-2 on a 10,000-square foot lot. Building Official Lindsey confirmed that the lot was over 10,000 square feet. Mr. Green was concerned that anything less than single-family residence would lessen the value of his property. It was discussed that other lots east and west of the City's property and across the street are already zoned R-2. Mr. Green asked why the City does not keep the property for Parks. Alderman Sconce responded that the ground had no value as a park and there was a cost to demolish the house. Mayor Cross also stated that there was asbestos in the house. Mr. Green asked the City to be mindful. Mayor Cross responded that a builder would have to come to the Board before constructing a duplex which offered Mr. Green another opportunity to be heard.

Dan (and Mabel) Walton of 630 Cap Au Gris asked if the City was rezoning just the original lot. Mayor Cross confirmed that it was the original property (lot) and the City had surveyed off any additional area. Mr. Walton said the original lot would be better to go back to residential and take care of asbestos and the house.

Mayor Cross called the Regular Board of Aldermen Meeting to Order at 6:40 p.m., announced a Quorum present and led in the Pledge of Allegiance.

Alderman Eversmeyer made a motion, seconded by Alderman Detert to Approve the Consent Agenda. Vote: Eversmeyer aye, Detert aye, Sconce aye, Walker aye, Curt aye, Anderson aye.

*Approved the Minutes of Regular Board of Aldermen Meeting dated November 20, 2017

Mark Schaefer, 70 Nottingham Drive, requested a third-dog variance for an eleven-year old Chocolate Labrador. Mr. Schaefer was moving in with his girlfriend who already had two dogs (German Shepherd and Husky). He would not get another dog when this one passes. Alderman Anderson made a motion, seconded by Alderman Walker to Allow a Third-Dog Variance for one (1) year at which time Mr. Schaefer would come back and update the Board on status. Vote: Anderson aye, Walker aye, Sconce aye, Curt aye, Detert aye, Eversmeyer aye.

*Approved Reports of Park, Planning & Zoning/Board of Adjustment, Historic Preservation Commission, Troy Convention and Visitors Bureau

*Approved Reports of Police, Public Works, Wastewater, Finance, Building Inspection, Parks and Administration Departments

*Approved Payment of Regular Monthly Bills

Mayor Cross read Bill No. 1270 as Ordinance ____ -- An Ordinance of the City of Troy, Missouri, Amending Section 340.110 All-Terrain Vehicles – Prohibited – Exceptions – Operation Under an Exception – Prohibited Uses – Penalty. Alderman Detert requested more time to review the proposed changes in Bill No. 1270 due to late receipt of the document. Alderman Anderson replied that there were no changes since last month's review except that it was in official form. Alderman Detert made a motion, seconded by Alderman Walker to Table Bill No. 1270 as Ordinance until next meeting. Vote: Detert aye, Walker aye, Curt aye, Eversmeyer aye, Anderson nay, Sconce nay. Motion carried 4-2.

Alderman Detert made a motion, seconded by Alderman Walker to Table Bill No. 1271 as Ordinance ____ -- An Ordinance of the City of Troy, Missouri, Amending Section 340.113 Recreational Off-Highway Vehicles, Operation on Highways Prohibited, Exceptions – Operation within Streams and Rivers Prohibited, Exceptions – License Required for Operation, Exception until next meeting. Vote: Detert aye, Walker aye, Eversmeyer aye, Curt aye, Anderson nay, Sconce nay. Motion carried 4-2.

Alderman Detert made a motion, seconded by Alderman Walker to Table Bill No. 1272 as Ordinance ____ -- An Ordinance of the City of Troy, Missouri, Amending Section 340.115 Driving Regulations for Bicycles, Motorized Bicycles, Go-Carts, and Unlicensed

Vehicles until next meeting. Vote: Detert aye, Walker aye, Sconce nay, Curt aye, Eversmeyer aye, Anderson nay. Motion carried 4-2.

Alderman Detert made a motion, seconded by Alderman Walker to Table Bill No. 1273 as Ordinance ___ -- An Ordinance of the City of Troy, Missouri, Amending Section 340.125 Utility Vehicles, Operation on Highway and In Streams or Rivers Prohibited – Exceptions – Passengers Prohibited – Violations, Penalty until next meeting. Vote: Detert aye, Walker aye, Anderson nay, Curt aye, Eversmeyer aye, Sconce nay. Motion carried 4-2.

*Approved Change Order 1 submitted by Cochran Engineering in the amount of \$1,580.00 for a Cultural Resource Survey for the Troy Industrial Ground Sanitary Sewer Extension

*Approved Liquor License Application for Naturally Designed LLC at 451 Main Street

*Approved Request by Historical Society for Cemetery Tour, Boone Street, on Thursday, June 7, 2018 from 4-9pm (with a rain date of June 14, 2018)

*Approved Budget Amendment – Sewer Fund: Construction 41-70-09-6450
+\$180,000.00

*Approved Budget Amendments: Bond Proceeds 31-00-00-4920 \$2,108,300.00 31-80-01-6811 Bonds: Cost of Issuance \$68,835.00 31-80-01-6812 Payment to Escrow Agent \$2,039,500.00

Alderman Sconce relayed to the Board that the designation application of Bonfils Auditorium as a historic landmark was approved by the Lincoln County School Board. The auditorium meets the historical and architectural criteria of a historic landmark and it was recommended by the Historic Preservation Commission. Alderman Anderson made a motion, seconded by Alderman Sconce to Approve Designation Application submitted by the Historic Preservation Commission for Bonfils Auditorium to be a Landmark outside the Historic District. Vote: Anderson aye, Sconce aye, Eversmeyer aye, Walker aye, Detert aye, Curt aye.

Alderman Anderson made a motion, seconded by Alderman Sconce to Approve Zoning Amendment from “P-R” Park & Recreation District to “R-2” Single Family Residential District submitted by Mark Cross, Applicant, on behalf of property owner, City of Troy. This property is located at 650 Cap Au Gris. Vote: Anderson aye, Sconce aye, Detert aye, Eversmeyer aye, Curt aye, Walker aye.

The Board of Alderman agreed to reschedule February’s meeting due to the holiday conflict to Wednesday, February 21, 2018 at 6:30 p.m.

Alderman Detert proposed amending Section 110.010 Board of Aldermen – Meeting Time due to the inability of Planning & Zoning and Historic Preservation Commission to set public hearings within the fifteen and forty-five days' notice requirements. It was agreed to remedy the matter by setting the January and February meetings several months in advance and then placing the meeting date on the consent agenda the month prior pursuant to City ordinance rather than amending the ordinance.

Parks Director Howell proposed increasing the non-resident aquatic center fee by \$1.00 (from \$4.00 to \$5.00) after reviewing other municipal pool facilities and added that fees have not increased since the pool opened. Alderman Walker made a motion, seconded by Alderman Eversmeyer to Approve Increasing Non-Resident Aquatic Center Fees by \$1.00. Vote: Walker aye, Eversmeyer aye, Anderson aye, Curt aye, Detert aye, Sconce aye.

Dan Sanders, 111 N. Main, Clarkton, Missouri, of MACO Development Company, LLC requested Board support for the Walnut Creek Estates development. MACO was a Missouri-based development, construction and management company. MACO proposed to build an eight-acre greens-standard, development consisting of fifty 2-bedroom adaptable/accessible units with amenities for senior citizens (55 years of age and older) on Menemeyer Road. The rent would be income-restricted but not Section 8. The monthly rent would range from \$450-\$550 (\$380 for special needs) and include water and trash services. Once all applications for funding are approved, the construction was slated to begin in early 2020. Alderman Anderson made a motion, seconded by Alderman Detert to Adopt Resolution 2018-1, Resolution of Support for Walnut Creek Estates, a Proposed Development for Senior Citizens. Vote: Anderson aye, Detert aye, Eversmeyer aye, Walker aye, Curt aye, Sconce aye.

Alderman Eversmeyer made a motion, seconded by Alderman Curt to Go Into Closed Session in compliance with 610.021 of RSMo., for the purposes of discussing Legal and Personnel. Vote: Eversmeyer aye, Curt aye, Walker aye, Sconce aye, Anderson aye, Detert aye.

Public Works Supervisor Cunningham entered the meeting and requested to hire Brian Mudd as a full-time Street Maintenance Worker for Public Works. Alderman Sconce made a motion, seconded by Alderman Walker to Hire Brian Mudd as a full-time Maintenance Worker at Grade 11, Step 5 of \$15.33 per hour. Vote: Sconce aye, Walker aye, Detert aye, Curt aye, Anderson aye, Eversmeyer aye. Cunningham left the meeting.

City Attorney Granneman advised the Board of receipt of Notice to Terminate Lease received from Houghton, Mifflin, Harcourt (formerly Harcourt) on Third Street Property housing water tank.

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to Deny Business License Application of CCDF, LLC-Flexicash and Stand on Payday Loan Regulations, Chapter 606 of City Code. Vote: Sconce aye, Eversmeyer aye, Walker aye, Curt nay, Detert aye, Anderson aye. Motion carried 5-1.

City Attorney Granneman advised the Board on Legal matters.

Alderman Sconce made a motion, seconded by Alderman Anderson to Go Out of Closed Session. Vote: Sconce aye, Anderson aye, Curt aye, Eversmeyer aye, Detert aye, Walker aye.

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to Adjourn the Meeting. Vote: Sconce aye, Eversmeyer aye, Curt aye, Anderson aye, Walker aye, Detert aye. Meeting adjourned at 8:28 p.m.

ATTEST:

City Clerk

Mayor Mark Cross

*Approved on Consent Agenda