

City of Troy, Missouri
Regular Board of Aldermen Meeting
Monday, October 16, 2017
6:30 P.M.

Present for the meeting were Aldermen Detert, Sconce, Curt, Walker, Eversmeyer and Mayor Cross. Alderman Anderson was absent. Also present were Public Works Superintendent Cunningham, Police Major Floyd, Building Official Lindsey, Treasurer Flinn, City Attorney Granneman and City Clerk Schneider.

Mayor Cross opened the Public Hearing for citizen comment on a Request for Approval of a Zoning Amendment from "I-2" Heavy Industrial District" to "C-3" Highway Commercial District, and a Conditional Use Permit for a new auto sales business to be located southeast of the intersection of Bueneman Lane and John Deere Drive submitted by Bax Engineering, on behalf of the applicant and property owner, Mountain Top Motor Company.

There was no citizen comment.

Mayor Cross called the Regular Board of Aldermen Meeting to Order, announced a quorum present and led in the Pledge of Allegiance.

Mayor Cross relayed information from a recent meeting with Missouri Department of Transportation ("MoDOT") regarding improvements to the Highway 47 overpass at Highway 61. MoDOT plans to seek traffic studies, engineering, surveying and conceptual design services on the existing interchange and ramp for projected traffic through the year 2041. The approximate construction cost would be \$8,160,000.00.

Alderman Eversmeyer made a motion, seconded by Alderman Detert to Approve the Consent Agenda upon the removal of Items 7(A), (D) and 7(E). Vote: Eversmeyer aye, Detert aye, Sconce aye, Walker aye, Curt aye.

*Approved the Minutes of Regular Board of Aldermen Meeting dated September 18, 2017

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

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

*Approved Payment of Regular Monthly Bills

City Attorney Granneman relayed that all parties to the Care Trak Services agreement have signed. Alderman Detert made a motion, seconded by Alderman Curt to Approve and Authorize Mayor to Sign Aid Agreement for Care Trak Services among Lincoln County Health Department, City of Troy, Missouri, Lincoln County Ambulance District, Lincoln County Fire Protection District No. 1 and Lincoln County Sheriff's Department. Vote: Detert aye, Curt aye, Sconce aye, Walker aye, Eversmeyer aye.

Discussion ensued whether or not to grant one-half day on Christmas Eve or a full day for the City's 2017 holiday schedule. City Clerk Schneider offered that the City had mirrored Lincoln County offices' holiday schedule historically. Troy Chamber also mirrored their holiday schedule. Alderman Eversmeyer made a motion, seconded by Alderman Walker to Approve Christmas Holidays on Friday, December 22, Monday December 25th and January 1, 2018 New Year's Day. Vote: Eversmeyer aye, Walker aye, Curt aye, Detert aye, Sconce aye.

*Approved Zoning Amendment from I-2 to C3 and a Conditional Use Permit for Mountain Top Motor Company, to be located Southeast of the intersection of Bueneman Lane and John Deere Drive as recommended by Planning & Zoning Commission

*Approved Site Plan and Building Permit for Mountain Top Motor Company as recommended by Planning & Zoning Commission

Alderman Sconce requested clarification of the change order submitted by Double J Roofing. City Clerk Schneider explained the change order consisted of items missed initially by the claims adjuster, discovered by Double J Roofing, and submitted by final invoice to the insurance company. Alderman Sconce made a motion, seconded by Alderman Curt to Approve Change Order submitted by Double J Roofing on emergency roof repair in the amount of \$1,328.30 for missing pipe jacks and detaching/resetting the screens of the gutter. Vote: Sconce aye, Curt aye, Detert aye, Eversmeyer aye, Walker aye.

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to Approve Final Invoice submitted by Double J Roofing on emergency roof repair in the amount of \$71,355.73. Vote: Sconce aye, Eversmeyer aye, Walker aye, Curt aye, Detert aye.

*Approved Liquor License Application for Brown's Around the Block Butcher Shop, LLC, 185 E. Cherry Street

*Approved and Authorized Mayor to Sign Jani-King Cleaning Services Annual Agreement through November 2018

David Berneking of DeWitt Insurance, insurance broker for the City, relayed the results of insurance quotes requested for the City's personal property and vehicle insurance

policies. Generally speaking, Berneking said that insurance companies quote based on population which limited the amount of carrier choices for the City. Of the three carriers quoted, two declined to bid (Columbia and Trident). Travelers recently released their pricing but it was not competitive to Missouri Rural Services Corp. Alderman Sconce made a motion, seconded by Alderman Curt to Approve Insurance Broker Recommendation of Missouri Rural Services Corp. for City of Troy Personal Property/Vehicle Insurance Policies effective 12/20/2017 through 12/20/2018. Vote: Sconce aye, Curt aye, Detert aye, Walker aye, Eversmeyer aye

Benjamin Kuhn was present to request a Home Occupation permit for firearms sales. Alderman Sconce asked if any complaints were received by neighbors upon receipt of his notice of intent. Mr. Kuhn replied no. Mr. Kuhn offered explanation that the business was a wholesale online-based business, and inventory was limited to one firearm usually received and shipped within twelve hours to the buyer. Mr. Kuhn continued that foot traffic to the house was limited to 2-3 customers a month to transfer firearms and there would be no outdoor signage and no orders would be placed at the door. Alderman Sconce made a motion, seconded by Alderman Walker to Approve a Home Occupation Permit by Benjamin Kuhn, applicant, for "T-Rex Small Arms Sales" located at 180 Cottonwood Lane, Troy, Missouri for Firearms Sales. Vote: Sconce aye, Walker aye, Eversmeyer aye, Curt aye, Detert aye.

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to Approve Change Order No. 3 submitted by Cannon Companies for TAP-9900(383) Main Street Sidewalk Project for differences on bid quantities versus actual quantities for Base Bid and Alternate Bids #1 and #2 totaling \$10,736.06 and (\$5,079.95). Vote: Sconce aye, Eversmeyer aye, Curt aye, Walker aye Detert aye.

Alderman Sconce made a motion, seconded by Alderman Detert to Award Request for Qualifications for engineering/construction inspection services to Cochran Engineering on the Mennemeyer Road Improvement Project and Authorize the Mayor to Negotiate a Contract. Vote: Sconce aye, Detert aye, Curt aye, Walker nay, Eversmeyer nay. Motion carried 3-2.

*Approved Change Order No. 3 submitted by Wehmeyer Farms, Inc. for Harris Street and Hwy 47/Carrington Water Main Replacement for Boring Asphalt in the amount of \$3,000.00

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

City Attorney Granneman advised the Board that further negotiations occurred since its approval and authorization to sign the Sanitary Sewer Extension Contract was given on

August 24, 2017. City Attorney Granneman explained the revised terms. Those terms include splitting the cost of the project which is approximately \$277,000 (or \$138,057 each). The City would pay engineering, survey work and MDNR costs directly with a contingent to Cannon Companies of \$37,000 if hit rock during excavation (if no rock is hit, then one-half of that amount will apply to the City's/Cannon's final payment).

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to Approve and Authorize the Mayor to Execute Sanitary Sewer Extension Construction Contract signed by Cannon Properties, Inc. on October 16, 2017. Vote: Sconce aye, Eversmeyer aye, Detert aye, Curt aye, Walker aye.

City Clerk received a Summons in The Real Estate Store Holding Company, LLC v. Jack Val Spencer, et al., Case #17L6-CC00120. This quiet title action is a tax sale wherein the City of Troy is named due to the City's utility easement on the property. Alderman Walker made a motion, seconded by Alderman Curt to Authorize the City Attorney to File an Entry of Appearance and Consent Judgment of No Interest in the Property. Vote: Walker aye, Curt aye, Detert aye, Eversmeyer aye, Sconce aye.

Alderman Sconce made a motion, seconded by Alderman Detert to Take No Action on Cannon Companies proposal to purchase 61 acres on the other side of the creek of the City's Industrial ground. Vote: Sconce aye, Detert aye, Eversmeyer aye, Walker aye, Curt aye.

City Attorney Granneman relayed discussions with MO Nut, a mobility small cell site company, based on its request to place small white power poles on top of Ameren poles in the City of Troy. Ameren entered into a global agreement to allow and install five-six foot cell power poles onto its utility poles. The City's Historic Preservation Commission had received letters regarding placement of the cell phone power poles in the rights-of-way at Third and Wood Streets.

City Attorney Granneman relayed two proposals to amend the City's current agreement with American Tower. The difference between proposals included the dollar amount of the one-time sign-on bonus and the monthly rental payments. Alderman Walker made a motion, seconded by Alderman Curt to Approve and Authorize the Mayor to Enter Into Amendment Agreement with American Tower to Include a \$30,000.00 One-Time Sign-On Bonus and an Increase to Monthly Rental Payment of \$1,800.00 beginning June 2018. Vote: Walker aye, Curt aye, Eversmeyer aye, Detert aye, Sconce aye.

City Attorney Granneman advised the Board on Legal and Real Estate Matters.

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

Alderman Sconce made a motion, seconded by Alderman Curt to Adjourn the Meeting.
Vote: Sconce aye, Curt aye, Walker aye, Eversmeyer aye, Detert aye. Meeting
adjourned at 8:35 p.m.

ATTEST:

City Clerk

Mayor Mark Cross

*Approved on Consent Agenda