

City of Troy, Missouri
Regular Board of Aldermen Meeting
Monday, December 18, 2017
6:30 P.M.

Present for the 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 called the Regular Board of Aldermen Meeting to Order, announced a Quorum present and led in the Pledge of Allegiance.

Alderman Eversmeyer made a motion, seconded by Alderman Anderson to Approve the Consent Agenda upon the removal of Item 3(D). Vote: Eversmeyer aye, Anderson aye, Curt aye, Detert aye, Walker aye, Sconce aye.

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

Christopher Groh requested the Board allow a special-use permit for residents within three miles of their primary residence for use of recreational off-highway vehicles according to Missouri Statute 304.033. Mr. Groh suggested the Board require safety equipment such as turn signals, headlights and brake lights along with insurance requirements in connection with this annual permit. Discussion ensued on safety equipment installed by the manufacturer, type of insurance policy and titling off-road vehicles.

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

*Approved Reports of Police, Public Works and Wastewater Departments

Treasurer Flinn stated that sales tax revenues were up by 6.5% as compared to last year due to the recent receipt of November 2017 tax revenues of approximately \$109,000.00 (delayed by the State's newly-implemented tax system). Alderman Sconce made a motion, seconded by Alderman Detert to Approve Finance Report. Vote: Sconce aye, Detert aye, Walker aye, Curt aye, Eversmeyer aye, Anderson aye.

*Approved Reports of Building Inspection, Parks Departments and Administration

*Approved Payment of Regular Monthly Bills

Mayor Cross read Bill No. 1269 as Ordinance ____ -- An Ordinance of the City of Troy, Missouri, Amending Section 210.2340 and Setting Forth Provisions for Fireworks Under Section 210.2340: Fireworks, first and second times by title only. Alderman Anderson made a motion, seconded by Alderman Sconce to Adopt Bill No. 1269 as Ordinance 1249. Vote: Anderson aye, Sconce aye, Eversmeyer aye, Walker aye, Detert aye, Curt aye.

City Attorney Granneman drafted for review comparison examples between current and proposed revisions to City ordinances regarding ATV, Utility Vehicle, Recreational Off-Road Vehicle, Motorized Scooters, and other related motorized vehicles. Alderman Anderson stated that the proposed revisions clarify the motorized vehicle definitions. She further stated that the Board needed to decide whether to allow use as requested by Mr. Groh or to remain restrictive in its ordinances. Alderman Sconce gave a copy of the proposed revisions to Mr. Groh.

City Attorney Granneman requested discussion in closed session regarding the Contract and Addendum to the Lincoln County Dispatching Contract.

Mayor Cross encouraged the Board to ask non-contractual questions to the Lincoln County Commissioners or Captain Pirtle who were present at the meeting. Alderman Detert asked why residents in the City of Troy were being charged double on their landlines (and again via contract) for the same 911 service received by everyone in Lincoln County. Presiding Commissioner Colbert clarified that the contract was for dispatching and law enforcement services and not for 911. Mayor Cross added that tax revenue for 911 services was collected separately. Cross continued that dispatching services equate to non-emergency users who do not look up police numbers but instead call 911.

Alderman Sconce asked why the massive increases in dispatching costs when call volume did not go up. Colbert responded that rates were frozen since 2007 until 2011 or 2012. After first taking office, Colbert reviewed the FY2011 budget and noted that municipalities were using \$100,000 worth of services but only paying \$25,000. The 911 Board has been working towards assessing actual rates. In the meantime, Lincoln County general revenues had been making up the differences in the gap.

Alderman Anderson said she had not seen the math. Colbert handed out a worksheet that had been shared with Mayor Cross and Alderman Sconce already. The worksheet reflected the gap subsidized by Lincoln County after 911 landline tax revenues were applied to everyone's benefit. Colbert said that a 2001/2002 rate study based on the 2000 Census population figures was performed by Boonslick Regional Planning. Captain Pirtle read 911 Board Minutes from June 1997 when the Center was first opened that the 911 Board determined then that rates only covered 40-45% of the operating cost.

Mayor Cross stated that entities fell behind almost immediately paying less than what they used. Colbert said taxing districts balked at paying rates proposed by the rate study. The Commissioners agreed to start there and raise rates every year. The entities fell further behind even though increases were imposed due to unaccounted for population growth.

Mayor Cross asked if the problem had been presented to the entities but it was unknown to Colbert if it had been presented. Captain Pirtle stated that the Commission notified all entities and were advised from the start that user fees would have to increase. Alderman Anderson said that she had been an alderman for ten years and she did not recall any notice.

Alderman Eversmeyer asked what percentage rate was trying to be recouped. Colbert replied a rate representing cooperation and mutual benefit of the operation as a whole, starting with everyone paying one dollar on a dollar versus fifty cents on a dollar. Colbert wanted to establish a reserve fund and place the first \$10,000 collected for equipment purchases, etc., then budget surplus in forms of general revenue and get rolled back in.

Alderman Detert asked about generating tax revenue on cell phones for 911 shortfalls. Colbert said that State legislators placed it on both 1998 and 2002 ballots but it was defeated. Colbert continued that a ½ cent sales tax would generate \$2 million dollars but it would require a ¾ cent sales tax to run 911 itself. Colbert stated that the current \$1.3 million dollars budget does not include the 911 building.

Colbert said the sales tax rate in the City would be up over 10 cents if ¾ cent increase occurred, a property tax increase would not pass and if Lincoln County passed a capital improvement sales tax then 911 Center would be under the Commissioners, with limited expenditures and no additional staff.

Alderman Anderson wanted to know how much it cost to operate and not how much we paid. Colbert replied that the 911 Advisory Board meets monthly and could offer nuts/bolts information and not just dollars. Colbert continued that the 911 Center hits their budget too between \$350,000 and up to \$900,000.

Colbert said the study performed by Boonslick Regional Planning was static and did not account for high population growth. The 911 Center budget is as small as it can be with no debt service, skeleton landline off the top of the building, janitorial, have not depreciated building, etc. The budget needs to be higher to operate efficiently.

*Approved 2018 IRS Mileage Rate of \$0.54.5¢

*Approved Final Pay Application 13 submitted by Cannon General Contractors in the amount of \$158,285.60 for Main Street Sidewalk Project TAP No. 9900(383)

*Approved Pay Application 3 submitted by M & H Concrete Contractors, Inc. in the amount of \$105,379.32 for 2017 Slab Replacement Program

Public Works Superintendent Cunningham received notice that a seasonal employee quit and another employee was planning to give notice today that would leave public works short-handed on pushing snow. Cunningham requested Treasurer Flinn to review employee budget costs comparing the cost of hiring a full-time maintenance worker as opposed to staffing three seasonal employees. Alderman Sconce stated that the \$35,000 budgeted for seasonal employees through the end of the fiscal year could be used for a full-time employee but a decision would need to be made next budget year whether to appropriate funds for the full-time maintenance worker position or let someone go. Alderman Anderson clarified and Cunningham confirmed that public works will be down two snow plow drivers. Alderman Curt asked if one full-time employee can do the work of three seasonal employees and Cunningham responded that is the way they had operated this past season.

Alderman Sconce made a motion, seconded by Alderman Walker to Approve Request for Full-Time Maintenance Worker Employee in Public Works Department. Vote: Sconce aye, Walker aye, Eversmeyer aye, Curt aye, Anderson aye, Detert aye.

The Board set January's Regular Board Meeting for Thursday, January 18, 2018 at 6:30 p.m. due to the federal holiday occurring on January 15th.

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to Approve Transfer and Budget Amendments from General Fund 01-90-01-6999 \$180,000.00 to Sewer Fund 41-00-00-4910 (\$180,000.00) for Whitetail Crossing Lift Station Project and Industrial Ground Sanitary Sewer Extension. Vote: Sconce aye, Eversmeyer aye, Anderson aye, Detert aye, Walker aye, Curt aye.

Alderman Anderson made a motion, seconded by Alderman Sconce to Award and Authorize Mayor to Sign Whitetail Crossing Lift Station Improvements Project No. M16-7299 to Cannon General Contractors, Inc. as the lowest and best bid in the amount of \$305,635.00 (Base Bid) and \$41,250.00 (Alternate No. 1). Vote: Anderson aye, Sconce aye, Detert aye, Curt aye, Eversmeyer aye, Walker aye.

Mayor Cross relayed that private donations were obtained and paid to a landscaping contractor without the City's involvement for a Welcome to Troy landscaping and sign. The placement of the landscaping and sign on MoDOT's right-of-way though necessitated a license agreement for Board consideration. Alderman Sconce made a motion, seconded by Alderman Walker to Approve and Authorize Mayor to Sign

Missouri Highway and Transportation Commission License Agreement for City Monument – “Welcome to Troy.” Vote: Sconce aye, Walker aye, Anderson aye, Curt aye, Eversmeyer aye, Detert aye.

Alderman Sconce made a motion, seconded by Alderman Anderson to Approve and Authorize Mayor to Sign Landesign Proposal/Contract dated May 11, 2016 and Amendment to Proposal/Contract dated May 11, 2016. Vote: Sconce aye, Anderson aye, Detert aye, Walker aye, Eversmeyer aye, Curt aye.

Mayor Cross stated that chances were slim that the Cherry Street Project would begin this budget year and recommended those budgeted monies be utilized instead to start on the Third Street Water Main Replacement Project. Alderman Anderson made a motion, seconded by Alderman Sconce to Approve and Authorize Mayor to Sign Cochran Engineering Proposal for Professional Services in the amount of \$5,880.00 Right of Way Survey, \$5,920.00 Topographic Survey and \$12,900.00 Civil Design and Reimbursable Expenses estimated at \$300.00 for Third Street Water Main Replacement. Vote: Anderson aye, Sconce aye, Eversmeyer aye, Curt aye, Detert aye, Walker nay. Motion carried 5-1.

Treasurer Flinn stated that the final FY2017 audited financial statements was almost complete except for a few minor housekeeping items such as the GASB explanation and attorney legal opinion letter. None of these items change the financial information. The Board’s pre-approval allows the final completed FY2017 audited financial statements be submitted by the December 31st deadline to all financial institutions. Alderman Walker made a motion, seconded by Alderman Sconce to Approve Draft of FY2017 Audited Financial Statements and Authorize Mayor to Sign Representative Letter. Vote: Walker aye, Sconce aye, Anderson aye, Curt aye, Detert aye, Eversmeyer aye.

City Attorney Granneman explained that Cochran Engineering’s contract had previously been approved but did not include preparation of easement legal descriptions, exhibits and title reports on the Mennemeyer Road Project. The contract separated out those services. Duplicative monies would be required if the City sought out another firm to again prepare surveys in order to prepare the easement legal descriptions, exhibits and title reports required for temporary construction and permanent construction easements for this project. Alderman Curt suggested that this work be bid out or negotiate reasonable rates. City Attorney Granneman responded that rates are quoted based on the project and the City had requested qualifications for engineering work already and it had been awarded to Cochran Engineering as a result. Alderman Eversmeyer commented that legal descriptions already recorded could be used. City Attorney Granneman responded that these were brand new easements for temporary and permanent construction similar to adding another layer of easement over an existing right-of-way easement. Alderman Anderson made a motion, seconded by Alderman Sconce to

Approve Cochran Engineering Preparing Easement Legal Descriptions, Exhibits and Title Reports on the Mennemeyer Road Project. Vote: Anderson aye, Sconce aye, Detert aye, Eversmeyer nay, Walker nay, Curt nay. Motion tied 3-3. Mayor Cross voted aye.

Alderman Sconce 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, Real Estate and Personnel. Vote: Sconce aye, Curt aye, Walker aye, Eversmeyer aye, Anderson aye, Detert aye.

City Attorney recommended the following changes to the Lincoln County dispatching and law enforcement services titled Addendum to Agreement of Contracted Services: page 2, Remove subparagraphs (c) and (d); page 4, Change thirty days to forty-five days and page 5, Change misspelling from budge to budget.

Alderman Sconce made a motion, seconded by Alderman Anderson to Authorize Mayor to Sign Agreement of Contracted Services Approved Contemporaneously with Addendum to Agreement of Contracted Services with Changes Recommended by City Attorney and Mayor. Vote: Sconce aye, Anderson aye, Curt aye, Eversmeyer aye, Detert aye, Walker aye.

Public Works Supervisor Cunningham entered the meeting and requested to hire Ethan House as a full-time Maintenance Worker for Public Works. Alderman Walker made a motion, seconded by Alderman Curt to Hire Ethan House as a full-time Maintenance Worker at Grade 11, Step 5 of \$16.26 per hour. Vote: Walker aye, Curt aye, Sconce aye, Eversmeyer aye, Detert aye, Anderson 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, Anderson aye, Eversmeyer aye, Detert aye.

Alderman Sconce made a motion, seconded by Alderman Curt to Adjourn the Meeting. Vote: Sconce aye, Curt aye, Detert aye, Anderson aye, Eversmeyer aye, Walker aye. Meeting adjourned at 8:42 p.m.

ATTEST:

City Clerk

Mayor Mark Cross

*Approved on Consent Agenda