

City of Troy, Missouri
Regular Board of Aldermen Meeting
Monday, June 20, 2016
6:30 P.M.

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

Mayor Cross called the meeting to order, announced a quorum and led in the Pledge of Allegiance.

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to Approve the Consent Agenda upon the removal of Items 2C and 3B. Vote: Sconce aye, Eversmeyer aye, Walker aye, Curt aye, Detert aye, Anderson aye.

*Approved the Regular Board of Alderman Meeting Minutes dated May 16, 2016; Special Board of Aldermen Meeting/Budget Workshop dated May 19, 2016; and Regular Board of Aldermen Meeting/Budget Workshop dated June 6, 2016

Lifard and Mary Grace Mennemeyer were not present. Mayor Cross requested on their behalf to hook onto City water (outside City limits) at 61 Mennemeyer Road without incurring a hook-on fee (in exchange for utility easement). Alderman Sconce believed the intent when the sewer tap was granted in 2002 that a water tap had been included as well. Alderman Eversmeyer made a motion, seconded by Alderman Sconce to Approve Request for Water Hook-On (outside City limits), according to the City's ordinance requirements and billed at double the rates per outside City limit regulations. Vote: Eversmeyer aye, Sconce aye, Walker aye, Detert aye, Curt aye, Anderson aye.

Debbie Haynes and Nancy Johnston requested a second third dog variance at 900 Weston. Ms. Haynes stated the property is 3-1/2 acres and properly fenced off buffering their property from the subdivision behind it and containments were placed at each entrance/exit of the property. Their previous request for a variance included four Samoyed show dogs (two of which are deceased). Ms. Haynes said the dogs are aged ten and six and would like the variance for a six-month old Samoyed puppy. Aldermen Curt and Anderson asked if any complaints by neighbors or others had been received. The answer was no. Alderman Sconce made a motion, seconded by Alderman Detert to Grant a Third Dog Variance at 900 Weston Court. Vote: Sconce aye, Detert aye, Curt aye, Eversmeyer aye, Walker aye, Anderson aye.

Kim Gittinger requested to hold a 5K Run fundraising event to benefit families of babies placed in neo-natal intensive care hospital units by providing thermal totes filled with various supplies. In 2015, 96 NICU totes were delivered to Mercy Hospital. Ms.

Gittinger described the route of the 5K with its start/finish in Fairgrounds Park on October 15, 2016. The Board advised Ms. Gittinger that pre-registration was a necessity as no sales or money exchanges are allowed in City parks on the day of the race. Ms. Gittinger agreed. Chief Taylor stated the police department was working with a vendor to develop an official 5K route for future requests. There was concern that the event would coincide with soccer games held in Fairgrounds Park in October. Ms. Gittinger was willing to move to a different park. Alderman Sconce made a motion, seconded by Alderman Walker to Approve Request to Hold 5K Raising Hope for NICU Fundraising Event in a City Park/Streets Pending the Route and Park Approvals by Parks Director Howell and Chief Taylor. Vote: Sconce aye, Walker aye, Curt aye, Anderson aye, Detert aye, Eversmeyer aye.

*Approved Reports of Park, Planning & Zoning/Board of Adjustment

Alderman Eversmeyer stated that a correction was needed on the draft minutes dated June 7, 2016 of the Historic Preservation Commission which reflected that Alderman Eversmeyer voted affirmatively on meeting dates. Eversmeyer continued the Commission's Alderman representative does not vote unless required to break a tie vote. Alderman Eversmeyer made a motion, seconded by Alderman Anderson to Approve the Historic Preservation Commission Minutes dated June 7, 2016 Upon Removal of the Vote by Alderman Eversmeyer on Meeting Dates. Vote: Eversmeyer aye, Anderson aye, Curt aye, Detert aye, Walker aye, Sconce aye.

*Approved Report of Troy Convention and Visitors Bureau

*Approved Report of Police Department

Alderman Detert requested a follow-up to the report on Huntington culvert by Samantha Hollenberg, Army Corps of Engineers. Specifically, Detert requested that historical data be reviewed on the changes in the flow of the creek and erosion. Cunningham would request that information. Cunningham was also obtaining quotes for a structural engineering review. Alderman Detert made a motion, seconded by Alderman Eversmeyer to Approve Report of Public Works Department. Vote: Detert aye, Eversmeyer aye, Anderson aye, Walker aye, Sconce aye, Curt aye.

*Approved Reports of Finance, Building Inspection, Parks, Sewer and Administration

*Approved Payment of Regular Monthly Bills

Mayor Cross read Bill No. 1242 as Ordinance ___ -- An Ordinance Amending Chapter 700: Water System, Section 700.030: Regulation on Water Connection, first and second times by title only. City Attorney Granneman explained the proposed ordinance refers to an attached "Construction Specifications," document outlining permit costs and was structured to allow flexibility to adjust fees according to costs by department upon Board approval. Alderman Sconce made a motion, seconded by Alderman Anderson to Adopt

Bill No. 1242 as Ordinance No. 1224. Vote: Sconce aye, Anderson aye, Walker aye, Eversmeyer aye, Detert aye, Curt aye.

Mayor Cross read Bill No. 1243 as Ordinance ___ -- An Ordinance Amending Chapter 705: Sewer System, Section 705.040: Building Sewers, Connections and Fees, first and second times by title only. The explanation of this Bill is exactly as Bill 1242 above. Alderman Walker made a motion, seconded by Alderman Eversmeyer to Adopt Bill No. 1242 as Ordinance No. 1225. Vote: Walker aye, Eversmeyer aye, Curt aye, Anderson aye, Sconce aye, Detert aye.

Mayor Cross read Bill No. 1244 as Ordinance ___ -- An Ordinance of Chapter 620: Peddlers, Solicitors and Canvassers, Section 620.060: Application, read first and second times by title only. City Attorney Granneman conveyed the changes to the original ordinance as follows: Removal of (a) obtaining a physical; (b) reducing the background check requirement from 7 years for infractions, misdemeanors and felonies to 5 years for felonies only; (c) was modified that there was no requirement to give birth date/place and social security number if picture identification (e.g., driver's license) was given; and (d) no fingerprinting or local references were required. Alderman Sconce made a motion, seconded by Alderman Anderson to Adopt Bill No. 1244 as Ordinance No. 1226. Vote: Sconce aye, Anderson aye, Curt aye, Eversmeyer aye, Walker aye, Detert aye.

*Approved 2016 Liquor License Renewals: Big Sticky's BBQ LLC, 180 E. Cherry Street; Walmart #60, 101 Hwy 47; Straight Home Sports Bar & Grill, 100 Frenchman Bluff; Good Timez, LLC, 474 Main Street; Troy Development Company d/b/a Woods Fort Golf Course, 1 Country Club Lane; A. Weber LLC d/b/a Hilltop Phillips 66, 201 S. Lincoln Drive; Georgee's LLC d/b/a One More Shot, 103 A N. Lincoln Drive; Young Development LLC d/b/a Imo's Pizza; Aldi Inc., 6 The Plaza; Hermann Fuel Mart Arts LLC d/b/a Troy BP, 205 N. Lincoln Drive; El Pino, Inc. d/b/a Dos Primos, 25 The Plaza; D & M of Troy, Inc. d/b/a Buzzy's Sporting Goods & Liquor, 208 N. Lincoln Drive

*Approved Job Descriptions: Detective Lieutenant, Patrol Lieutenant and Wastewater Superintendent to "Exempt"

*Approved FY/2016 Budget Amendment: Capital Improvements 31-90-01-6999 +\$153,460.00 (transfer out)—EDA/CDBG Cherry Blossom Way 35-00-00-4910 (\$153,460.00) (transfer in)

Mayor Cross requested background on the May 11, 2016 Sewer Backup in Whitetail Crossing. Public Works Superintendent Cunningham stated that a dispatch operator contacted him at 8:59 p.m. that the lift station in Whitetail Crossing was not working and sewers were backing up. Cunningham contacted Wastewater Superintendent Peasel immediately and Peasel arrived at the lift station by 9:07 p.m. Peasel discovered the power was out to the entire subdivision and the lift station generator was not running. Peasel proceeded to get the generator running and then checked the alarm system. It was determined that a power surge had damaged the alarm system and prevented the generator from running. Since that time, Peasel has replaced damaged alarm equipment

and Fabick has come out twice already to fix the fuel pump governor and various electrical issues. The alarm system will be wired to the main dialer alarm at the sewer plant to resolve issues. City Attorney Granneman relayed that MOPERM continues to investigate four (4) claims. MOPERM responded to one of those claims on O'Grady, 528 Turkey Call Court, by copy of a letter denying insurance subrogation of liability by the City of Troy.

Kevin Swofford stated that he had a 10' diameter of sewer backed-up around the drain in his basement that required three hours to clean-up. His neighbors lost more than he did. He wanted an explanation how the City plans to prevent sewer back-ups from occurring every time it storms. Mr. Swofford recommended the City replace the generator altogether instead of repairing it. Alderman Curt asked if he had ever tried a backflow preventer, and he responded no. Peasel stated that a transient voltage suppression system was being installed on the generator to thwart high voltage surges.

Eric Dunlap disagreed that a backflow preventer may be a solution. He stated that backflow preventers just push the sewer back-up to the next house and before long it has nowhere to go causing damage to the foundation. Mr. Dunlap had over a foot of sewer back-up in his basement this time managing to open the back door but the first time had over three feet in his basement. His basement was 95% finished and will now have to start over again. Mr. Dunlap also recommended a new generator system blaming possible faulty installation. The alarm and the red beacon at the lift station is supposed to go off every Tuesday but it does not.

Danielle Swofford stated the fence around the lift station is unsafe, a constant smell of sewage and the lift station is tied into another subdivision and should be bigger. Mrs. Swofford said there were more than four homes affected by this incident.

Mayor Cross relayed that the City will seek advice on how to address these issues and pass along the information to everyone.

Public Works Superintendent Cunningham received a citizen complaint of traffic cutting through the corner of his yard at Main and South Street. Upon inspection, Cunningham stated the street is only twelve-feet wide, making it impossible for two cars to pass each other in comparison with other nearby streets at twenty to twenty-five feet wide. Due to its "alley-width," Cunningham's recommendation was to make South Street one-way. This change would affect three houses who would need to use Pershing to Alden and then to South Street instead.

Colleen Freeland, 112 Alden, stated to the Board that she has lived on Alden for fifteen years and has only one time ran into a back-up situation on South Street. Ms. Freeland did not want South Street as one-way making it inconvenient and increased traffic by her house. The citizen's home faces Main Street and there would be no inconvenience to him if South Street was made one-way. The Board took no action on the request.

Kerry Klump, Troy Chamber Director, requested the Board to revisit Chapter 240, Parks Ordinance; specifically, “no sales in the park.” Kerry has received requests to bring in food truck and concert events in the City’s parks but she cannot. Kerry stated that she could not provide an ice cream truck for the 250 citizens that came out for Troy Movie Night in the Park event this past weekend due to the ordinance. Discussion ensued on regulating certain sales from happening in the park while still being able to hold events. City Attorney Granneman proposed that a revision towards a “structured” parks ordinance to include special event regulations, including permitting, run through Parks Director. Parks Director Howell agreed. Sandy Fears made a comment that the Troy Chamber sponsor food truck events for not-for-profit groups after verification of their status and submittal of liability coverage. The consensus of the Board was to revisit the Parks Ordinance.

Alderman Eversmeyer compiled a list of fireworks permit fees of surrounding municipalities to compare with the City’s permit fee of \$5.00 and discovered a range of fees between \$2,000.00 to \$6,000.00. City Attorney Granneman pointed out that the City’s current permit does not set out an inspection and compared it to St. Paul that charges \$1,500.00 which includes an inspection of the tent, location, etc.

Sandy Fears shared with the Board that her family has been in the fireworks business for fifty years and she currently operates eleven stands. Ms. Fears said that Lincoln County Fire District #1 inspects her fireworks stands at a cost of \$500 and do a great job. The fire department checks liability policies, fire extinguishers, fire retardant tent coverings, etc. Ms. Fears recommended permit fees between \$500-\$1,000. She continued that if the fees were too high, it would result in fewer stands, less sales tax, fewer employees who spend money in the community, and helps the small business owner. Ms. Fears stated a deadline in February or March to apply, post notice in the paper and receive a final answer by May. There was a consensus of the Board. Alderman Eversmeyer agreed to sponsor.

Alderman Detert shared a frustrated citizen’s concern regarding a homeowner’s association and a dispute over parking a trailer. Due to the City’s limited oversight, several possible alternatives were offered for dispute resolution but no action was taken.

Building Official Lindsey presented a breakdown on raising building permit fees to a 50% multiplier for budget recovery costs instead of the current rate of 33.5% with a review every two years. There was consensus of the Board on the need to make incremental increases for recoupment of costs.

Treasurer Flinn presented the FY/2016 Budget Amendments. These amendments are housekeeping items to clean up to actual. Alderman Curt asked about the rising electricity expense at the sewer plant. Wastewater Superintendent Peasel replied that it was for processing costs due to rain infiltration. Alderman Anderson made a motion, seconded by Alderman Curt to Approve FY/2016 Budget Amendments. Vote: Anderson aye, Curt aye, Eversmeyer aye, Walker aye, Sconce aye, Detert aye.

A Special Meeting to Adopt the City's FY/2017 Budget was set for Friday, June 24, 2016 at 6:00 p.m.

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

Alderman Anderson made a motion, seconded by Alderman Walker to Approve Hourly Pay Increase to Mike Rosen, Sewer Maintenance Worker, to G-12, Step 14 \$22.00 per hour effective July 1, 2016. Vote: Anderson aye, Walker aye, Curt aye, Detert aye, Eversmeyer aye, Sconce aye.

Alderman Sconce made a motion, seconded by Alderman Anderson to Approve Hourly Wage Increase to Lt. Dustyn Tienter, Lieutenant, to G16, Step 8 \$26.97, effective next pay period. Vote: Sconce aye, Anderson aye, Walker aye, Detert aye, Eversmeyer aye, Curt aye.

Alderman Sconce made a motion, seconded by Alderman Anderson to Approve Hourly Wage Increase to Marc Dody, Patrol Officer to G13, Step 6 \$19.10, effective July 1, 2016. Vote: Sconce aye, Anderson nay, Curt aye, Walker nay, Detert aye, Eversmeyer aye. Motion carried 4-2.

Alderman Sconce made a motion, seconded by Alderman Curt to Hire Cynthia Bonugli, Full Time as Public Works Maintenance Worker at G11, Step 3 \$14.45, effective next pay period. Vote: Sconce aye, Curt aye, Walker aye, Detert aye, Eversmeyer aye, Anderson aye.

City Attorney Granneman advised the Board on legal matters.

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

Alderman Sconce made a motion, seconded by Alderman Walker to adjourn the meeting. Vote: Sconce aye, Walker aye, Curt aye, Eversmeyer aye, Anderson aye, Detert aye. Meeting adjourned 9:10 p.m.

ATTEST:

City Clerk

Mayor

*Approved on Consent Agenda