

**City of Troy, Missouri**  
**Public Hearing/Regular Board of Aldermen Meeting**  
**Monday, August 21, 2017**  
**6:30 P.M.**

Present for the meeting were Aldermen Detert, Sconce, Curt, Walker, Anderson, Eversmeyer and Mayor Cross. Also present were Public Works Superintendent Cunningham, Parks Director Howell, Police Chief Taylor, Wastewater Superintendent Peasel, 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 Annexation submitted by Barry Patton of 203 Faye Circle, Troy, Missouri 63379. This address is contiguous with the existing city limits and will be zoned R-1.

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.

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

\*Approved the Minutes of Regular Board of Aldermen Meeting dated July 17, 2017; and Public Hearings/Public Meeting and Regular Board of Aldermen Meeting dated August 7, 2017

Amanda Good, Missouri State Director for the Humane Society, stated that she is not a City of Troy resident but could offer dog management strategies and enforceable regulations that work and are safer for everyone (e.g., proper restraint/leash, anti-tethering regulations, and intervention before problems occur). Good stated that breed specific laws do not accomplish their intent and offered dog bite statistics, scientific data that refuted a breed of dog as inherently dangerous and that State Farm Insurance offers breed neutral policies stating specifically that the pit bull breed is not a risk.

Carol Wieman, a Troy resident, requested repeal of breed specific legislation and stated that any dog breed can be dangerous when raised in an aggressive manner such as sequestered in a basement which causes anti-socialization.

Charles Stiles explained that his family is moving into the City of Troy and has three indoor dogs. He plans to build a privacy fence on the backside of his property. One of the dogs belongs to his teenage daughter who will take the dog when she moves out of

the home. Alderman Sconce asked if they had considered down-sizing. Mr. Stiles said that his wife was a foster-parent to a dog who had twelve puppies and their two Labradors came from that litter. They do not plan on increasing or fostering any dogs in the future. Alderman Anderson alerted Mr. Stiles of the two-dog limit and that even if a variance is granted there is always a complaint mechanism that can void an approved variance. Alderman Sconce relayed that a variance is usually granted in the case of an extenuating circumstance and the setting of a definite time period. Mr. Stiles understood. Alderman Anderson made a motion, seconded by Alderman Walker to Grant a Third Dog Variance to Charles Stiles at 140 Fifth Street for a Period of Two Years. Vote: Anderson aye, Walker aye, Curt nay, Detert aye, Sconce aye, Eversmeyer nay. Motion carried 4-2.

\*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. 1265 as Ordinance \_\_\_\_ -- An Ordinance of the City of Troy, Missouri to Establish a Procedure to Disclose Potential Conflicts of Interest and Substantial Interests for Certain Municipal Officials, first and second times by title only. Alderman Anderson made a motion, seconded by Alderman Curt to Adopt Bill No. 1265 as Ordinance 1245. Vote: Anderson aye, Curt aye, Walker aye, Detert aye, Eversmeyer aye, Sconce aye.

Mayor Cross read Bill No. 1266 as Ordinance \_\_\_\_ -- An Ordinance Amending Chapter 355: Stopping, Standing or Parking Prohibited in Specific Places, by Adding a New Section, Section 355.110 Entitled No Parking of Trailers on Street, first and second times by title only. Discussion ensued on the definition of "trailer" as described by the State of Missouri (e.g., flatbed trailers, skid loader trailers, pop-ups, and campers, etc.) but did not include recreational vehicles and its narrow scope on trailers parked within thirty feet of an intersection for public safety. Alderman Detert showed concern on the one-hour parking restriction and how it applied to overnight parking scenarios such as the moving of a household. Chief Taylor described the amendment as a tool to address long-term parking of trailers unhooked from a vehicle and left on the street and that exceptions would be considered on a case-by-case basis. Alderman Curt made a motion, seconded by Alderman Eversmeyer to Adopt Bill No. 1266 as Ordinance No. 1246. Vote: Curt aye, Eversmeyer aye, Detert nay, Anderson aye, Sconce aye, Walker aye. Motion carried 5-1.

Alderman Sconce made a motion, seconded by Alderman Walker to Approve Budget Amendment +\$30,000.00 G/L 40-70-09-6450 regarding Wehmeyer Farms, LLC for

Harris and Carrington/Hwy 47 Water Main Replacement M16-7269/M16-7318 from \$225,098.00 to \$255,098.00 (due to typographical error on bid letter). Discussion ensued clarifying that the \$30,000 would be an increase to the budget. Vote: Sconce aye, Walker aye, Curt aye, Eversmeyer aye, Detert aye, Anderson aye.

\*Approved Application for Payment No. 2 submitted by Wehmeyer Farms, Inc. for Harris Street and Hwy 47/Carrington Water Main Replacement M16-7269/M16-7318 in the amount of \$30,297.40

\*Approved Change Order No. 1 for Silt Fence in the amount of \$525.00 submitted by Wehmeyer Farms, Inc. for Harris Street and Hwy 47/Carrington Water Main Replacement M16-7269/M16-7318

\*Approved Application for Payment No. 3 submitted by Wehmeyer Farms, Inc. for Harris Street and Hwy 47/Carrington Water Main Replacement M16-7269/M16-7318 in the amount of \$54,375.63

\*Approved Partial Pay Estimate No. 2 to Cannon Companies for TAP Sidewalk in the amount of \$318,946.20

Colleen Groh was present to discuss the ATV application and letter submitted by Christopher Groh in his absence. Mrs. Groh stated that the City's laws were confusing, her husband's letter described the intent for using the off-road vehicle in City limits and would add any safety equipment such as turn signals and safety belts as the Board deemed appropriate. City Attorney Granneman explained that certain sections of the Code allowed the application but even if granted, other sections of the Code were in conflict. Alderman Sconce made a motion, seconded by Alderman Anderson to Approve ATV Permit Application by Christopher Groh, 1270 Sleepy Hollow Drive, Troy, Missouri. Vote: Sconce nay, Anderson nay, Detert nay, Walker aye, Curt nay, Eversmeyer nay. Motion failed. 1-5.

Discussion ensued for the need to review and clarify the City's ordinances regarding ATV, Utility Vehicle, Off-Road Vehicle, Motorized Scooters, and other related motorized vehicles for citizens. Alderman Anderson agreed to sponsor this review.

Alderman Sconce made a motion, seconded by Alderman Walker to Approve and Authorize the Mayor to Sign U.S. Bank Lease Agreement and related lease documents for 2017 Police Cars. Vote: Sconce aye, Walker aye, Detert aye, Curt aye, Eversmeyer aye, Anderson aye.

Alderman Eversmeyer made a motion, seconded by Alderman Detert to Approve and Authorize the Mayor to Sign Sanitary Sewer Extension Construction Contract for Industrial Ground with Cannon Companies, Inc. and Approve Waiver of Section 150

Purchasing Procedures of the Municipal Code Due to Ownership by Cannon Companies of Adjoining Property Causing Unique and Exclusive Circumstances to Other Parties. Vote: Eversmeyer aye, Detert aye, Anderson aye, Walker aye, Curt aye, Sconce aye.

Alderman Walker made a motion, seconded by Alderman Sconce to Approve and Authorize the Mayor to Sign Cochran Engineering Contract for Engineering and Surveying Services for City of Troy Sanitary Sewer Extension for Industrial Ground in the amount of \$22,449.00. Vote: Walker aye, Sconce aye, Detert aye, Anderson aye, Curt aye, Eversmeyer aye.

Alderman Anderson made a motion, seconded by Alderman Sconce to Approve Change Order No. 2 submitted by Cannon Companies for TAP Main Street Sidewalk Project Removing Pay Item of Rock Excavation (\$19,250.00), Adding Drain Structure and Decorative Fence +\$5,918.00 and 31-Day Extension of Completion Date. Vote: Anderson aye, Sconce aye, Walker aye, Eversmeyer aye, Curt aye, Detert aye.

Parks Director Howell explained to the Board that the lowest and best bid for Crooked Creek Project Rough Grading was over the budgeted amount. Howell continued that if awarded, contract negotiations would occur to remove approximately \$90,000.00 of specific line items that the City could perform itself. Treasurer Flinn confirmed that \$154,000.00 was budgeted for the Crooked Creek Park Project. Alderman Sconce stated that this project was contingent upon receipt of grant monies and not subsidies from the City's budget. Discussion ensued of making application for additional grant monies and/or staying within current budgeted amount utilizing contractor along with City's materials.

Alderman Sconce made a motion, seconded by Alderman Curt to Award Crooked Creek Park – Rough Grading and SWPPP Bid to Karrenbrock Excavating, LLC as recommended by Cochran Engineering Not to Exceed \$154,000.00 as Budgeted for Excavating Cost and City-Supplied Materials. Vote: Sconce aye, Curt aye, Detert aye, Anderson aye, Walker aye, Eversmeyer aye.

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

Alderman Eversmeyer made a motion, seconded by Alderman Anderson to Adjourn the Meeting. Vote: Eversmeyer aye, Anderson aye, Curt aye, Walker aye, Detert aye, Sconce aye. Meeting adjourned at 8:03 p.m.

ATTEST:

\_\_\_\_\_  
City Clerk

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Mayor Mark Cross

\*Approved on Consent Agenda