

**City of Troy, Missouri**  
**Regular Board of Aldermen Meeting**  
**Tuesday, January 21, 2014**  
**6:30 P.M.**

Present for the meeting were Aldermen Eversmeyer, Anderson, Detert, Bass, Walters, Sconce and Mayor Cross. Also present were Public Works Superintendent Cunningham, Chief Taylor, Building Commissioner Lindsey, Assistant Public Works Superintendent Burkemper, Wastewater Superintendent Peasel, Treasurer Linda Flinn, City Attorney Granneman and City Clerk Schneider.

Mayor Cross called the Regular Board of Aldermen Meeting to order, declared a quorum present, led in the Pledge of Allegiance and requested a Moment of Silence for Alderman Detert's friend, Joe Raines and City Attorney Granneman's Grandmother both of whom recently passed away.

Alderman Eversmeyer made a motion, seconded by Alderman Detert to approve the Consent Agenda. Vote: Eversmeyer aye, Detert aye, Anderson aye, Bass aye, Sconce aye, Walters aye.

\*Approved Minutes of Regular Board of Aldermen Meeting – December 16, 2013 and Public Forum – Design of Cherry Blossom Way Improvements – December 19, 2013

John and Kim Silberberg requested to hold a 5K Easter Run with start/finish in Fairgrounds Park and presented a map of race route on City streets on Saturday, April 19, 2014 from 7-9:30 a.m. raising funds for an orphan home and church in Uganda. Registrations are taken online but there may be some people without computers paying the day of the race. Alderman Eversmeyer requested this event be coordinated with the Easter Egg Hunt already approved and scheduled for the same day in Fairgrounds Park by New Life Church and Mrs. Silberberg agreed. Alderman Sconce made a motion, seconded by Alderman Detert to Approve the 5K Easter Run. Vote: Sconce aye, Detert aye, Walters aye, Bass aye, Anderson aye, Eversmeyer aye.

Matthew Easley, 1218 Mulberry, requested, on behalf of Encore Choral Boosters, to hang a "Show Choir Invitational" sign at the intersection of Boone and Main Streets through and including the event date of February 8, 2014. Alderman Detert made a motion, seconded by Alderman Walters to Approve the Request to Hang Banner. Vote: Detert aye, Walters aye, Sconce aye, Anderson aye, Eversmeyer nay, Bass aye. Motion carried 5-1.

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

\*Approved the reports of Police, Public Works, Finance, Building Inspection and Administration Departments

\*Approved Payment of Regular Monthly Bills – Obligations Nos. 55562-55782

Mayor Cross read Bill No. 1213—As Ordinance 1199, An Ordinance Imposing a Use Tax for General Revenue Purposes at the Rate of Two Percent (2%) Pursuant to the Authority Granted by and Subject to the Provisions of Sections 144.600 through 144.761 RSMO; Providing for the Use Tax to be Repealed, Reduced or Raised in the same Amount as any City Sales Tax is Repealed, Reduced or Raised; and Providing for Submission of the Proposal to the Qualified Voters of the City for Their Approval at the Municipal Election called and to be held in the City on Tuesday, April 8, 2014, first and second readings by title only. Discussion ensued regarding public education efforts on the repeal of sales tax/replace with a use tax to equalize advantages for local community on out-of-state purchases, including catalog and direct market sales over \$2,000.00. Alderman Walters made a motion, seconded by Alderman Anderson to Adopt Bill No. 1213 as Ordinance 1199. Vote: Walters aye, Anderson aye, Sconce nay, Detert aye, Bass nay, Eversmeyer aye. Motion carried 4-2.

\*Approved Liquor/Business License Applications – Sami’s on Main, LLC, 380 Main Street

\*Approved Liquor/Business License Applications – Mustang Sally’s Bar & Grill LLC, 440 Main Street

\*Approved Audit of Financial Statements Year Ended June 30, 2013

\*Approved Chamber of Commerce Request for Movies in the Park on June 21, July 19 and August 16 (double feature) in 2014 at Fairgrounds Park

\*Approved Budget Amendment from Overtime Grant Line Item to Reimburse Police Overtime Line Item 01-10-01-6130 in the amount of \$19,061.00

Public Works Superintendent Cunningham recommended awarding the MBR Wastewater Treatment Plant Mold Remediation Bid to Service Master of St. Charles/Troy MO, Option C, in the amount of \$648,254.00. Public Works Superintendent Cunningham had received only two sealed bids from Service Master of St. Charles/Troy MO and Patriot Commercial Construction LLC.

Pat Lorey, Global Environmental/Patriot Commercial Construction, volunteered to attend the Board meeting to address the Board directly regarding Patriot’s bid submittal. Mr. Lorey stated that the large difference in bid amounts received by the City were due to bonding requirements, minor inconsistencies in bid documentation, and scope of work dealing with removal of decking. Mr. Lorey wanted to clarify that Patriot’s submitted bid

only included the East side of the building which was half of the bidding area and offered that Option C be increased by \$70,000.00 more-than-base to represent the other half of the bid area. Mr. Lorey noted that increasing Option C by \$70,000.00 to include the entire area would still be less than the bid received by Service Master of St. Charles/Troy, MO. There was a question whether 5/8" versus 1/2" material would be used on the roof and Mr. Lorey answered that the \$70,000.00 would include 5/8" material. City Attorney Granneman recommended tabling the matter until after Closed Session. Alderman Eversmeyer made a motion, seconded by Alderman Sconce to Table Awarding the MBR Mold Remediation Bid until after Closed Session. Vote: Eversmeyer aye, Sconce aye, Walters aye, Bass aye, Detert aye, Anderson aye.

Alderman Eversmeyer overall commended public works employees for snow removal on a job well done but recommended additional training for newer employees based on complaints received during the most recent snow storm. Public Works Superintendent Cunningham explained that seasoned employees train newer employees on routes and snow removal practices before the new employees drive solo. This particular snow storm, he had requested the crews push the snow back further off the street anticipating more snow. This direction may have caused some of the problems. Any complaints were investigated and promptly corrected.

Alderman Eversmeyer presented program information for the Board's consideration given to the Park Board by Perry Eckert of Tree City USA. Participation in the Tree City USA program includes establishing a Tree Board or Department, a Tree Care Ordinance, a Community Forestry Program with an Annual Budget of at Least \$2.00 Per Capita and an Arbor Day Observance and Proclamation. Some benefits of the program include cost sharing, i.e., removal of dead trees, help from conservation and grant writing. Park Superintendent Scott Muckerman would run the program and invite Mr. Eckert to present information at the next Board meeting.

\*Approved Budget Amendment from General to Police Equipment Line Item \$400.00 for sales of ammunition no longer used by Department

Alderman Anderson made a motion, seconded by Alderman Bass to go into Closed Session in compliance with 610.021 of RSMo., for the purpose of discussing Legal, Real Estate and Personnel. Vote: Anderson aye, Bass aye Detert aye, Walters aye, Eversmeyer aye, Sconce aye.

Attorney Granneman advised the Board on the dismissal of the class action lawsuit against 263 Missouri cities, Bert Kimble vs. Jefferson City, et al., Case No. 2:13-CV-04007-NKL (pending no appeal filed within thirty days). The City was represented by MOPERM in this suit regarding alleged improper local franchise tax collected by AT&T Mobility and paid to Missouri cities.

City Attorney Granneman advised the Board on legal matters. The Board recommended splitting the mold remediation bid into two separate bidding packets and reissuance.

Alderman Sconce made a motion, seconded by Alderman Bass to Hire Jared Colbert as Maintenance Worker, full-time, Grade 11, Step 4, at \$14.88 per hour. Vote: Sconce aye, Bass aye, Detert aye, Eversmeyer aye, Walters aye, Anderson aye.

City Attorney Granneman advised the Board on real estate matters.

Alderman Eversmeyer made a motion, seconded by Alderman Sconce to go out of Closed Session and return to Regular Session. Vote: Eversmeyer aye, Sconce aye, Bass aye, Anderson aye, Walters aye, Detert aye.

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to adjourn the meeting. Vote: Sconce aye, Eversmeyer aye, Bass aye, Walters aye, Anderson aye, Detert aye. Meeting adjourned 8:27 p.m.

ATTEST:

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

\_\_\_\_\_  
Mayor

\*Approved on Consent Agenda