

**City of Troy, Missouri**  
**Regular Board of Aldermen Meeting**  
**Wednesday, February 18, 2015**  
**6:30 P.M.**

Present for the meeting were Aldermen Eversmeyer, Detert, Sconce, Walters, Bass, Anderson and Mayor Cross. Also present were Assistant Public Works Superintendent Burkemper, Police Chief Taylor, Building Official Lindsey, Parks Director Howell, Treasurer Flinn, City Attorney Granneman and City Clerk Schneider.

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

Alderman Eversmeyer made a motion, seconded by Alderman Bass to approve the Consent Agenda upon the removal of Items 7A, 7B, 7C, 7D, 7I and 7L. Vote: Eversmeyer aye, Bass aye, Detert aye, Anderson aye, Sconce aye, Walters aye.

\*Approved the Minutes of Regular Board of Aldermen Meeting dated January 20, 2015

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

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

\*Approved Payment of Regular Monthly Bills

Mayor Cross read Bill No. 1226 as Ordinance 1209 -- An Ordinance Directing the Execution of the Flexible Spending Account Service Agreement, first and second times by title only. Alderman Sconce made a motion, seconded by Alderman Detert to Adopt Bill No. 1226 as Ordinance 1209. Vote: Sconce aye, Detert aye, Walters aye, Anderson aye, Bass aye, Eversmeyer aye.

Mayor Cross read Bill No. 1227 as Ordinance 1210 -- An Ordinance Adopting and Enacting a New Code of Ordinances of the City of Troy, County of Lincoln, State of Missouri; Establishing the Same; Providing for the Repeal of Certain Ordinances Not Included Therein, Except as Herein Expressly Provided; Providing for the Manner of Amending Such Code of Ordinances; Providing Penalty for the Violation Thereof; and Providing When this Ordinance Shall Become Effective, first and second times by title only. Alderman Walters made a motion, seconded by Alderman Eversmeyer to Adopt Bill No. 1227 as Ordinance 1210. Vote: Walters aye, Eversmeyer aye, Bass aye, Anderson aye, Sconce aye, Detert aye.

Alderman Detert questioned the reason for Change Order 2 regarding Blair & Trail Improvements. Mayor Cross answered that the City requested the contractor move the water line away from the sewer line and install a shut-off valve causing less disruption of water service for the area on the occasion of future repairs. Additional change orders 3 and 4 included adding tracer wire and other improvements during the construction phase. Alderman Anderson made a motion, seconded by Alderman Detert to Approve and Authorize Mayor to Sign Change Order 2 re: Blair & Trail Improvements \$1,826.35. Vote: Anderson aye, Detert aye, Bass aye, Sconce aye, Walters aye, Eversmeyer aye.

Alderman Walters made a motion, seconded by Alderman Bass to Approve and Authorize Mayor to Sign Change Order 3 re: Blair & Trail Improvements \$3,384.50. Vote: Walters aye, Bass aye, Eversmeyer aye, Anderson aye, Detert aye, Sconce aye.

Alderman Eversmeyer made a motion, seconded by Alderman Walters to Approve and Authorize Mayor to Sign Change Order 4 re: Blair & Trail Improvements \$6,473.28. Vote: Eversmeyer aye, Walters aye, Anderson aye, Sconce aye, Detert aye, Bass aye.

Alderman Eversmeyer made a motion, seconded by Alderman Detert to Approve Pay Application Request 1 Submitted by Cannon General Contractors re: Blair & Trail Improvements \$195,184.26. Vote: Eversmeyer aye, Detert aye, Bass aye, Sconce aye, Walters aye, Anderson aye.

\*Approved Budget Amendment for 2007 Chevrolet Silverado 06-00-00-4566 (\$3,000.00) to 06-10-01-6990 +\$3,000.00

\*Approved Home Occupation Permit/Business License for JB Fitness Personal Training and Consulting Services, LLC

\*Approved Liquor License Application for Young Development, LLC d/b/a Imo's Pizza

\*Approved Transfer (Out/In) Budget Amendment for Protested Gross Receipts Taxes from Centurylink 04-90-01-6999 (\$13,143.00) to 01-00-00-4910 +\$13,143.00

Alderman Detert questioned the Release and Indemnification Request to plow snow on a private street submitted by People's Bank regarding Schulze Drive/Oakley Villas. City Clerk Schneider replied that the street was located in the City limits of Troy, its residents pay City taxes but the street was never brought up to construction specifications or dedicated to the City. Alderman Detert commented that on numerous occasions in the past, the City had been asked to plow private streets but those requests were not granted. Alderman Sconce stated that the outcome of the vote would set a precedent and could ultimately remove dedication of street requirements altogether. Alderman Sconce made a motion, seconded by Alderman Detert to Approve Release and Indemnification

Agreement Submitted by People's Bank regarding Schulze Drive/Oakley Villas – Snow Plowing Private Road. Vote: Sconce nay, Detert nay, Bass nay, Anderson nay, Eversmeyer nay, Walters nay. Motion failed 0-6.

\*Accepted Park Board Resignation Submitted by P. Ryan Howell

\*Reappointed DeeAnn Adelyott and Vicki Kuhl to Historic Preservation Commission

Alderman Detert questioned whether drug forfeiture funds were allocated to certain purchases and the purchase request for shotguns. Chief Taylor replied in the affirmative and cited examples of “certain purchases” as equipment, training and non-recurring expenses. These funds may not be used for payroll. Chief Taylor explained that the older shotguns would continue to be utilized and made non-lethal to shoot bean bags. The request to purchase new shotguns was for reliability since older shotguns were twenty-plus years old. Drug forfeiture funds were available in the amount of \$16,000.00 and more monies expected next week from the federal program. Alderman Sconce clarified that use of the drug forfeiture funds was for certain purchases and there were police officer salary costs involved while working on federal drug cases. Chief Taylor commented that overtime costs while working on a federal drug case were reimbursed and the City draws a percentage of the money seized on a drug bust. Also, these were discretionary funds and any expenditure had to be approved by the Board. Alderman Detert made a motion, seconded by Alderman Walters to Approve Purchase of Eight (8) Remington Shotguns Not to Exceed \$5,000.00 with Drug Forfeiture Funds when Funds Become Available by Police Department. Vote: Detert aye, Walters aye, Sconce aye, Eversmeyer aye, Anderson aye, Bass aye.

Charley Branham of Lincoln County RIII School District and Eric Kirchner of Cochran Engineering described the site plan for the new middle school located at 200 South Campus Road. The site plan had been modified to include a sidewalk as requested by Planning & Zoning but located instead to enter into Crooked Creek subdivision on the south side of property for students walking to school rather than diverting students east down to Adelhart Road (where no connecting sidewalks exist). Building Official Lindsey offered Chapter 510 of City Code that the Board may waive sidewalk requirements. Alderman Detert relayed that Planning & Zoning recommended the sidewalk with the intent to connect the subdivision and school together. Alderman Sconce made a motion, seconded by Alderman Walters to Approve Building Permit and Site Plan of Lincoln County RIII School District for New Middle School located at 200 S. Campus Road, Moscow Mills, Missouri with Accommodating Sidewalk Changes as Presented. Vote: Sconce aye, Walters aye, Detert aye, Eversmeyer aye, Anderson aye, Bass aye.

Mayor Cross stated that the Parks program will eventually require hiring seventy-plus seasonal temporary employees and requested giving hiring/firing authority to Department Heads instead of requiring Board to make separate motions for each new hire. The Mayor also requested to waive pre-employment physicals for this job classification due to high cost. Discussion reflected concern of firing authority and the liability of discontinuing pre-employment physicals. All job classifications are subject to personnel guideline handbook including problem resolution policies. City Attorney recommended checking with liability carrier and other municipalities on pre-employment physicals for seasonal temporary job classification practices for further discussion. Alderman Walters made a motion, seconded by Alderman Anderson to Approve Giving Authority to Department Heads for Hiring/Firing Ability for Seasonal Temporary Employees and Discuss No Pre-Employment Physicals Further Next Month. Vote: Walters aye, Anderson aye, Sconce aye, Detert nay, Bass aye, Eversmeyer aye. Motion carried 5-1.

Upon review of Midwest Pool Management's proposal for 2015 Aquatic Center, Parks Director Howell proposed negotiating lifeguard, winterizing and management fee services (lifeguards). He recommended 8-10 seasonal temporary hires to run the concession-front desk operations. The Board of Aldermen directed Howell to proceed forward and obtain a contract for review.

Alderman Walters recommended that the thirty mile-per-hour speed limit on West Cherry be reduced and cited the twenty mile-per-hour speed limit posted on Front Street as a comparison. He continued that West Cherry is mainly residential with a school crossing and Front Street is mostly commercial and yet the speed limit is set higher on West Cherry. Alderman Eversmeyer pointed out the many side streets and poor sight lines on West Cherry as well. City Attorney Granneman stated that changing a speed limit would incur an ordinance amendment. Discussion continued whether changing speed limits and posting a sign will have a huge impact. The Board requested enforcement of existing speed limits-warnings and then report back.

Mayor Cross pulled from the agenda 7Q for further research and information.

Alderman Sconce relayed that Public Water Supply District #2 had requested to purchase forty (40) sewer taps at \$4,000.00 each in advance for a project scheduled for completion in one year. The Board directed Alderman Sconce to ask Public Water Supply District #2 to propose a formal written agreement for consideration.

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

Alderman Sconce made a motion, seconded by Alderman Anderson to Hire Alan Harrell as 2015 Seasonal Temporary Worker – Cemetery at Grade 8, Step 4 \$11.18 per hour. Vote: Sconce aye, Anderson aye, Eversmeyer aye, Walters aye, Detert aye, Bass aye.

Alderman Anderson made a motion, seconded by Alderman Eversmeyer to Approve Bennie Church as Reserve Officer for Police Department at no compensation. Chief Taylor relayed that Mr. Church is a police officer for Pike County. A background check had been done and a psychological examination will be performed after approval. Vote: Anderson aye, Eversmeyer aye, Bass aye, Walters aye, Detert aye, Sconce aye.

Mayor Cross discussed the City’s industrial ground and whether (1) to develop at a proposed cost of \$400,000.00 for roads/infrastructure prior to selling lots; (2) section two highway-visible parcels and sell as lots, keeping the rest of land for sludge application or (3) keep all acreage for sludge application, hold property as asset and sell if price is right. The consensus of the Board was Option (3).

City Attorney Granneman advised the Board on legal matters.

Alderman Walters made a motion, seconded by Alderman Eversmeyer to Take No Action on Radio Shack Chapter 11 Bankruptcy Notice filed in Delaware and Write-Off the approximate \$40.00 outstanding utility debt. Vote: Walters aye, Eversmeyer aye, Bass aye, Sconce aye, Detert aye, Anderson aye.

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

Alderman Bass made a motion, seconded by Alderman Walters to adjourn the meeting. Vote: Bass aye, Walters aye, Sconce aye, Anderson aye, Eversmeyer aye, Detert aye. Meeting adjourned 9:04 p.m.

ATTEST:

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City Clerk

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Mayor

\*Approved on Consent Agenda