

City of Troy, Missouri
Regular Board of Aldermen Public Hearing
Monday, March 3, 2014
6:00 P.M.

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

Mayor Cross opened the Public Hearing for citizen input concerning the Conditional Use Permit Application by Bart Berneking, Applicant, for a Chrysler dealership at the location of Turnbull Trail. There was no citizen input.

Immediately following the Public Hearing, the Regular Board of Aldermen Meeting:

Mayor Cross called the Regular Board of Aldermen Meeting to order, declared a quorum present, and led in the Pledge of Allegiance.

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

*Approved Conditional Use Permit Application by Bart Berneking, Applicant, for Chrysler dealership located at Turnbull Trail

*Approved and Authorized Mayor to Sign Summer Rental Agreement with Area Wide, Inc. for ice machine for Aquatic Center 2014 Season

*Approved Special Event Request to hold a One Week Soccer Camp July 28-August 1st, 2014 in Fairgrounds Park by Troy Soccer Club

Alderman Sconce made a motion, seconded by Alderman Detert to Award the Ventilation Bid for Southeast Waste Water Treatment Plant (MBR) to Brush's Heating & Cooling as recommended by Public Works Superintendent Cunningham. Vote: Sconce aye, Detert aye, Bass aye, Eversmeyer aye.

Public Works Superintendent Cunningham explained that the low bidder, Envirotech, Inc., one of the five mold remediation bids received, was not considered due to the fact that they did not bid on integral components of the bid specifications. Cunningham therefore recommended Environmental Restoration, LLC. Discussion ensued whether the mold remediation could be joined with the energy audit work, if combined with the energy audit work, would mold remediation be done immediately, and if combined, would the price would be comparable to the bids received. In response to a question on

funding, Treasurer Flinn relayed the funds would likely come out of the sewer, capital improvements and sale of old City Hall proceeds. Alderman Sconce made a motion, seconded by Alderman Bass to Table the Mold Remediation Bid to the end of the meeting. Vote: Sconce aye, Bass aye, Detert aye, Eversmeyer aye.

City Attorney Granneman relayed to the Board that even if the Use Tax Ballot passes, the vehicle component of use tax would not be covered as State sales tax (expiring after 2016) was already being collected. The Use Tax Ballot would only cover consumer tangible personal property where sales tax is not collected. City Attorney Granneman stated there is a possibility that the City would be required to place an additional ballot issue to capture the vehicle component by 2016, or it may take only a certification from an attorney, and/or the Department of Revenue may determine the use tax may suffice. At present, guidance is unclear. Alderman Sconce made a motion, seconded by Alderman Bass to Approve Informational Fact Sheet on Use Tax Ballot Issue Contingent upon modifying language to identify Use Tax funds go into General Revenue 1.0%, Street .50%, and Capital Improvements .50% and that No Workshop Date Be Set. Vote: Sconce aye, Bass aye, Eversmeyer aye, Detert aye.

Pursuant to the request by Public Water Supply District #2 for One-Time Sewer Credit for Water Leak, discussion ensued as to how the large leaks had gone unnoticed, if verification of leak repair had occurred, if the City's policy of one-time leak adjustments should apply to the District due its contractual relationship and that the District is the City's customer but not the District's customers. Alderman Detert made a motion, seconded by Alderman Sconce to Approve the Request by Public Water Supply District #2 for One-Time Sewer Credit for Water Leak in the amount of \$966.48. Vote: Detert nay, Sconce aye, Bass nay, Eversmeyer nay. Motion failed 1-3.

Don Wapplehorst, Tom Hogan and other representatives of Johnson Controls, Inc. along with Jeff Huck of Design 21 provided a powerpoint presentation of the Results of Energy Audit. Hogan reiterated the proposal incurred no up-front costs, payments delayed for one year, pays for itself with energy savings, no change orders, local jobs, term up to fifteen years, with probable financing at 3.25%. Jeff Huck continued with current status of sewer plants, existing conditions, possible solutions, and recommendation of closing Hwy 47 plant, installing gravity line between two plants, retrofitting Southeast Waste Water Treatment Plant utilizing IFAS equipment. The cost of recommendation is \$13.3 million dollars which yields the greatest savings of all solutions along with the fastest payback.

Several questions were raised on local jobs, the length of time for construction and would the retrofit accommodate economic growth in the future. Mr. Hogan responded the project would require pipefitters, concrete workers, sheet metal, general laborers, etc., the

project would last eighteen months and the 3.0 million gallons processing would accommodate future growth for 18,000 in population.

Mr. Hogan then presented a Project Development Agreement (“PDA”) outlining procurement and bidding procedure, Implementation Contract and Financing Agreement. Financing questions arose concerning equipment upgrades being used as collateral and the City’s ability to obtain financing. Mr. Hogan stated that if City cannot get financing, Johnson Controls would not charge for PDA. Mr. Hogan stated that upon execution of the contract, a “cold feet clause” kicks in of \$775,000.00 which is 50% of engineering cost that the City would have to pay.

City Attorney Granneman could not recommend without first reviewing Implementation Contract, financing terms and budgeting funds for the 50% engineering cost. Business Manager, Michael Bopp, of Johnson Controls will make edits in the contract adding mold remediation and deliver to City Attorney.

Alderman Eversmeyer made a motion, seconded by Alderman Detert to Table the Mold Remediation Bid for Southeast Waste Water Treatment Plant (MBR) as recommended by Public Works Superintendent Cunningham to the meeting. Vote: Eversmeyer aye, Detert aye, Bass aye, Sconce aye.

Alderman Sconce made a motion, seconded by Alderman Bass to Adjourn the Meeting. Vote: Sconce aye, Bass aye, Detert aye, Eversmeyer aye. Meeting adjourned 8:19 p.m.

ATTEST:

City Clerk

Mayor

*Approved on Consent Agenda