

**City of Troy, Missouri**  
**Regular Board of Aldermen Meeting**  
**Monday, May 16, 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 Eversmeyer made a motion, seconded by Alderman Sconce to Approve the Consent Agenda upon the removal of Item 2C. Vote: Eversmeyer aye, Sconce aye, Detert aye, Anderson aye, Walker aye, Curt aye.

Chief Taylor introduced new patrol officers, Brandon Mires and Philip Woolsey.

Randy Wyatt explained to the Board that he did not realize that chalk drawings on the sidewalk outside of Roasted Bean LLC at 441 S. Main was against City ordinance for defacing public property until an officer alerted him of the same. Mr. Wyatt asked the Board to consider allowing the chalk drawings since no complaints had been issued and would be willing to purchase a permit. The Board will deliberate in closed session and contact Mr. Wyatt tomorrow with an answer.

Daniel Fleri requested a fireworks stand permit to sell fireworks at Highway 47 and Turnbull Trail (empty lot between Hardees and Walgreens). Mr. Fleri had previously managed a fireworks stand for a large fireworks company for twelve years. Mr. Fleri will maintain all property and liability insurance and follow all State safety regulations on fire implosion/lightening in regard to this request. Chief Taylor requested, and Mr. Fleri agreed, that signs be put up at the stand stating that “fireworks cannot be used in the City limits of Troy.” Mr. Fleri plans to be present at the stand the majority of the time and will approach police agencies to work at the stand also. Alderman Sconce made a motion, seconded by Alderman Walker to Approve Request for Fireworks Stand Permit in City Limits by Incendio Fireworks LLC. Vote: Sconce aye, Walker aye, Eversmeyer aye, Anderson aye, Curt aye, Detert aye.

Steve Lindsey stated that he did not want to be annexed into the City and requested again for a sewer hook-on/tap outside City limits. Mr. Lindsey, and his father-in-law next door to his property, gave a road easement to the City in exchange for water and sewer access. Mr. Lindsey had already hooked onto the water. Public Works Superintendent

Cunningham advised that the force main is a considerable size with lots of pressure in the line and would require a sizeable grinding pump to push everything to the force main and up the hill to the Southeast MBR sewer plant. Mr. Lindsey stated that his contractor was aware of that issue. Alderman Sconce stated that the City had a serious sewer problem and sewer taps needed to be saved for those lots located in City limits. Alderman Sconce made a motion, seconded by Alderman Detert to Approve Request for Sewer Hook-On/Tap (outside City limits). Vote: Sconce nay, Detert aye, Curt aye, Eversmeyer nay, Anderson aye, Walker aye. Motion carried 4-2.

Joe Terrana, 150 Hidden Mill Court, stated that he was the Trustee of D&I Property Meadows/Crooked Creek Homeowners Association. Mr. Terrana relayed that a homeowner in Crooked Creek was conducting a boxing business Monday through Thursday from 6:30-9:30 p.m. from his home. The classes of 20-30 youth were running up and down the street and boxing in the homeowner's garage-full of equipment. Other property owners in Crooked Creek had signed a petition requesting the boxing business to stop but it did not even after several discussions with the property owner. The property owner denied running a business from the home and stated that Frankie D's Boxing Club was not-for-profit and no money exchanged hands. Mr. Terrana said many problems were cited by surrounding property owners of trash, urinating youth, nuisance of traffic/parked cars and boxing noises. Mr. Terrana had been working with Sergeant Robinson of the Troy Police Department. Chief Taylor requested that police are notified as nuisance violations occur. Chief Taylor planned to attend the homeowner's association meeting scheduled that next evening.

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

Alderman Eversmeyer requested the official meeting minutes of the Historic Preservation Commission not be included in the Board's packet citing its redundancy as it had already been included in Building Official Lindsey's report. City Clerk Schneider did not object. Alderman Eversmeyer made a motion, seconded by Alderman Anderson to Approve Historic Preservation Commission Report. Vote: Eversmeyer aye, Anderson aye, Detert aye, Walker aye, Sconce aye, Curt aye.

\*Approved Report of Troy Convention and Visitors Bureau

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

\*Approved Payment of Regular Monthly Bills

Mayor Cross read Bill No. 1241 as Ordinance \_\_\_\_ -- An Ordinance adopting and establishing the 2014 National Electric Code and certain 2015 International Building

Codes, with certain additions and deletions, which shall establish and repeal/replace predecessor Sections with the following Sections, first and second times by title only:

1. Section: 500.036 2014 National Electrical Code
2. Section: 500.010 2015 International Building Code
3. Section: 500.015 2015 International Plumbing Code
4. Section: 500.020 2015 International Mechanical Code
5. Section: 500.025 2015 International Energy Conservation Code
6. Section: 500.030 2015 International Fuel Gas Code
7. Section: 500.035 2015 International Residential Code
8. Section: 500.037 2015 International Swimming Pool and Spa Code.

Building Official Lindsey stated the National Building Codes are revised every six years and the last time the City revised its code, according to the six-year schedule, was in 2009. It was important to make these revisions for the City's ISO rating which is a factor towards lower property insurance rates for homeowners. Alderman Sconce made a motion, seconded by Alderman Walker to Adopt Bill No. 1241 as Ordinance No. 1223 with an effective date of September 1, 2016. Vote: Sconce aye, Walker aye, Detert aye, Eversmeyer aye, Anderson aye, Curt aye.

Alderman Detert had received complaints that Huntington bridge vibrated when buses crossed over. Public Works Superintendent Cunningham stated that an engineer from Army Corps of Engineers recently looked at the bridge and will take measurements to assess its structural strength in regard to water flow/flooding. Mayor Cross reported that Eric Maninga from MODot was contacted on the Highway J bridge condition and would report back to the Mayor.

\*Approved 2016 Liquor License License Renewals: Shree Gayatri, LLC d/b/a Gas N Spirits, 112 S. Lincoln; Mennemeyer Investors, LLC d/b/a Mustang Sally's Bar & Grill, 440 Main St.; Warrenton Oil Co. d/b/a Fastlane, 310 E. Hwy 47; Mr. D's Pizza, 3 Lincoln Center; Carcamco Corp. d/b/a Stefanina's – Troy, 180 Main Street, Summit Restaurant LLC d/b/a Pizza Hut, 15 Lincoln Center; Kroger, 1 Troy Square, Taormina's, 892 E. Cherry Street; DolGenCorp LLC d/b/a Dollar General Store #1585, 8 Lincoln Center; Mrika, Inc. d/b/a Zadock's Restaurant, 7 Troy Square

\*Re-Appointed George Clay to Planning & Zoning Commission

\*Re-Appointed Charles Peterson to Board of Adjustment

\*Authorized Mayor to Sign Receipt of Distributee In Re: Estate of Marion W. Trail, Deceased for City of Troy Cemetery in the amount of \$80,000.00

\*Approved and Authorized Mayor to Sign Personal Assistance Services “Employee Assistance Plan” for 2016-2017

\*Accepted Resignation of Heather Waggoner, Park Board

\*Approved and Authorized Mayor to Sign Contract for Economic Development Services with Troy Area Chamber of Commerce for Fiscal Year 2016-2017

\*Approved and Authorized Mayor to Sign Troy Convention and Visitors Bureau Contract with the Troy Area Chamber of Commerce for Fiscal Year 2016-2017

Public Works Superintendent Cunningham requested approval of a Sewer Maintenance Worker Job Description. Cunningham cited the need to dedicate a full-time employee and seasonal maintenance crew to perform the work of lining sewers, GIS mapping and operating the sewer camera. Cunningham stated if the position was filled internally, public works would still have the same number of employees and would not need to add more. Alderman Eversmeyer asked if public works can afford not to replace an employee if hired internally. Cunningham responded that they would not add a person to the department and could probably get by maybe one more year (the empty position in budget when Darryl Day left). Cunningham requested the Sewer Maintenance Worker be placed at Grade 12 and offered in the range of Steps 6 through 10 \$17.36-\$19.54. Alderman Eversmeyer made a motion, seconded by Alderman Curt to Approve Job Description Sewer Maintenance Worker, Grade 12. Vote: Eversmeyer aye, Curt aye, Detert aye, Walker aye, Sconce aye, Anderson aye.

Mayor Cross addressed the Board from the podium on proposed water and sewer rate increases over a six-year period as reflected on the hand-out in the Board packet. The first year’s water rate increase had been recommended originally from the 2010 water rate study performed by Missouri Rural Water. The next five years’ increases range from 6%-8% per year. According to the scheduled increases, by the end of F/Y 2019, \$2.4 million dollars will be available in order to make SRF loan payments which begin Year 2020 for the water/wastewater improvement project.

The rates discussion continued, as follows: (a) making landlords responsible for up to ninety days of unpaid bills by their tenants per State statutes, (b) changing the fee structure on bulk usage water permits from \$35 daily fee to assigning a specific hydrant with meter attached to capture actual water usage instead, (c) possibly raising sewer rates only—although, the system is a combined water and wastewater system encompassing both water and sewer rates, and the growing concern over the current low water reserve

balance, (d) that current water/sewer rates are considerably less than Department of Natural Resources “affordability rates” of 2% of annual median household income of \$50,795 and whether State Revolving Fund committee would deem the rates acceptable in order to obtain the funding for water/wastewater improvements approved by voters in April 2016, and (e) the City’s inability to cut spending only in order to repay the debt on utility improvements. Alderman Anderson agreed to sponsor an ordinance to increase water and sewer rates.

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, Real Estate and Personnel. Vote: Eversmeyer aye, Sconce aye, Detert aye, Walker aye, Anderson aye, Curt aye.

Alderman Sconce made a motion, seconded by Alderman Curt to Authorize the Mayor to Enter into the Ministerial Alliance/Bread for Life Food Pantry Addendum. Vote: Sconce aye, Curt aye, Detert aye, Walker aye, Eversmeyer aye, Anderson abstain. Motion carried 5-0 with 1 abstention.

Alderman Eversmeyer made a motion, seconded by Alderman Anderson to Take No Action In Re: Collector of Winchester, Missouri and City of Winchester, Missouri, et al., Plaintiffs vs. Charter Communications, Inc., et al. Defendants, Case No. 10SL-CC02719, Notice of Class Action. Vote: Eversmeyer aye, Anderson aye, Curt aye, Sconce nay, Walker aye, Detert aye. Motion carried 5-1.

Alderman Detert made a motion, seconded by Alderman Eversmeyer to Accept and Authorize the Mayor to Sign City Attorney Contract with Jesse Granneman with current base salary of \$3,700.00 per month and Allow Special Projects (defined therein) billed out at the rate of \$150.00 per hour. Vote: Detert aye, Eversmeyer aye, Anderson aye, Walker aye, Sconce aye, Curt aye.

City Attorney Granneman advised the Board on Real Estate Matters.

Alderman Sconce made a motion, seconded by Alderman Curt to Make Ryan Peasel, Wastewater Superintendent, a Department Head and change to Exempt Status Effective July 1, 2016 at Grade 16, Step 8 \$26.97 per hour. Vote: Sconce aye, Curt aye, Walker aye, Anderson aye, Eversmeyer aye, Detert aye.

Alderman Curt made a motion, seconded by Alderman Anderson to Hire Michele Frye as Utility Clerk at Grade 11, Step 6 \$15.79 per hour effective May 24, 2016. Vote: Curt aye, Anderson aye, Sconce aye, Walker aye, Detert aye, Eversmeyer aye.

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

Alderman Sconce made a motion, seconded by Alderman Anderson to Permit Randy Wyatt, Roasted Bean LLC, to Allow Sidewalk Chalk Drawings on sidewalk in front of business. Vote: Sconce aye, Anderson aye, Detert aye, Curt nay, Walker nay, Eversmeyer nay. Tie Vote 3-3. Mayor Cross voted aye. Motion carried.

Alderman Anderson made a motion, seconded by Alderman Sconce to adjourn the meeting. Vote: Anderson aye, Sconce aye, Curt aye, Walker aye, Detert aye, Eversmeyer aye. Meeting adjourned 9:06 p.m.

ATTEST:

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

\_\_\_\_\_  
Mayor

\*Approved on Consent Agenda