

City of Troy, Missouri
Regular Board of Aldermen Meeting
Monday, August 17, 2015
6:30 P.M.

Present for the meeting were Aldermen Eversmeyer, Detert, Sconce, Bass, Anderson and Mayor Cross. Alderman Walters was not present. Also present were Public Works Superintendent Cunningham, Police Chief Taylor, Building Official Lindsey, Parks Director Howell, Treasurer Flinn, City Attorney Granneman and City Clerk Schneider.

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

Mayor Cross made an announcement that Alderman Ron Walters resigned earlier today citing his recent job change demanded more of his time and due to lack of attendance and participation, he felt he could not represent the citizens of Ward III. Alderman Walters thanked everyone for the opportunity to serve the City of Troy.

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to approve the Consent Agenda upon the removal of Item 7(B). Vote: Sconce aye, Eversmeyer aye, Anderson aye, Bass aye, Detert aye.

*Approved the Minutes of Regular Board of Aldermen Meeting – July 20, 2015

Pastor Wes Denham and Rob Rash of the Worship Team of Calvary Chapel Church requested to hold a Prayer & Praise Event on September 13, 2015 in Fairgrounds Park at the grandstand in conjunction with the weekend of September 11th. Joining in the event would be the churches of Journey, New Galilee and Pleasant Valley Baptist Church offering free food from 4-5p.m. and praise music-worship/prayer segments offered by each church from 5-6:30p.m. A free-will offering jar would be set out to help defray food costs due to an expected large attendance. The aldermen voiced concerns about the free-will offering as an exchange for food which closely resembled “sales in the park.” A suggestion was made to accept online free-will offerings versus collecting at the park. Parks Director Howell will work with Calvary Chapel to avoid any conflicts with soccer games for space and parking. Alderman Anderson requested the event find an alternative to a free-will offering at the park. Alderman Sconce made a motion, seconded by Alderman Detert to Approve the Request by Calvary Chapel to Hold a Prayer & Praise Event on September 13, 2015 in Fairgrounds Park. Vote: Sconce aye, Detert aye, Bass aye, Anderson aye, Eversmeyer aye.

Parks Director Howell spoke on behalf of Josy Teson who appeared in front of the Park Board to present a girl scout Gold Award project of fund-raising and donating two (2) Expression swings in Avery Park. The project may take up to two years to raise the

funds, purchase and organize the installation by Miss Teson. The Park Board was in favor. Alderman Sconce made a motion, seconded by Alderman Bass to Approve Request to Donate Equipment/Expression Swings (2) to Avery Park. Vote: Sconce aye, Bass aye, Eversmeyer aye, Detert aye, Anderson aye.

Betty Guzinski, 520 New Castle Drive, explained that two sewer back-ups occurred in her basement in recent years and would like the City to install a back flow valve in the main line or raise the lids on the manholes currently at ground level to prevent water from backing up the sewer lines. Public Works Superintendent Cunningham explained the first time a sewer backup occurred was due to a collapsed pipe hit by a contractor and the second time was due to unprecedented rainwater flooding the lift station. Further, Cunningham said that within the next week, the lift station was being sealed from the inside out to help prevent future rainwater infiltration. In response to installing back flow preventers, Cunningham stated the main was four inches in diameter and would require four preventers but the problem would just move up the line. It was suggested that a backflow preventer be installed at Mrs. Guzinski's home instead but she responded that she could not absorb the cost. Public Works Superintendent Cunningham would inspect the manholes.

*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. 1234 as Ordinance No. ____-- 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 Detert to Adopt Bill No. 1234 as Ordinance No. _____. Vote: Anderson aye, Detert aye, Sconce aye, Bass aye, Eversmeyer aye.

Bill No. 1231 as Ordinance No. ____ -- An Ordinance Regulating the Planting, Maintenance and Removal of Trees, Shrubs, and Other Plants on City Property in the City of Troy, Missouri and Creating a New Chapter 245 in the Code of Ordinances of the City of Troy, Missouri, was revised by changing the time frame from sixty to ninety day's notice. Alderman Sconce requested that 245.050(D) be removed entirely. Alderman Sconce made a motion, seconded by Alderman Anderson to Adopt Bill No. 1231 as Ordinance No. ____ Contingent Upon the Removal of Section 245.050(D) in its Entirety. Vote: Sconce aye, Anderson aye, Detert aye, Eversmeyer aye, Bass aye.

*Approved and Authorized the Mayor to Sign 2015 Croghan & Croghan, CPA Engagement Letter (effective July 1, 2015)

City Attorney Granneman disclosed that he represents Lincoln County Health Department and explained that he did not draft the 2015 Emergency Mosquito Control Contract Services Agreement (effective August 12, 2015). Further, Granneman explained the agreement was for emergency services only due to a public health emergency and did not go outside of that scope. The City has a cooperative agreement with Lincoln County generally and this agreement falls under that umbrella. Alderman Sconce questioned whether this request was in response to the State of Emergency Proclamation. City Attorney Granneman said this request from Lincoln County was a separate issue and a result of its mission to protect public health and safety.

Alderman Sconce questioned the need to expend taxpayer dollars from the State Emergency Management funds in this way. Alderman Anderson stated the expenditure was for protecting public health and assumed if the City did not participate, a private entity would be hired and paid with those funds anyway. Alderman Eversmeyer voiced concern of adding more hours to a public works employee's day. Public Works Superintendent Cunningham stated that six or seven volunteers had already signed up for the "after-hours" overtime and it would add three-and-a-half hours to their day (over two month's time that equaled seven hours of overtime per volunteer). Alderman Sconce stated that the City already started fogging. Mayor Cross said the City could stop. Alderman Eversmeyer wanted to know why permission was necessary to sign this agreement since the cooperative agreement was already in place with Lincoln County. City Attorney Granneman said this Mosquito Agreement formalizes the services to be performed and reimbursement of funds for State Emergency Management Association.

Alderman Anderson made a motion, seconded by Alderman Detert to Approve and Authorize Mayor to Sign 2015 Emergency Mosquito Control Contract Services Agreement (effective August 12, 2015). Vote: Anderson aye, Detert aye, Bass aye, Eversmeyer nay, Sconce aye. Motion carried 4-1.

*Adopted Resolution 2015-6 – A Resolution Regarding the Financing of Two (2) Patrol Car Cruisers

*Set Public Hearing/Special Meeting for Property Tax Rate 2015 on Thursday, August 27, 2015 at 6:30 p.m.

*Accepted the Resignation of Patsy Creech from Planning & Zoning Commission

*Accepted the Resignation of George Clay from Park Board and Appoint George Clay to Planning & Zoning Commission

*Accepted the Resignation (verbal) of Heather Schroeder from Planning & Zoning Commission

*Approved Pay Request #6 on Cherry Blossom Way Improvement Project by Cannon Contractors in the amount of \$247,791.24

*Approved Final Pay Request #3 of Retainage Amount of \$44,497.37 to Cannon Contractors regarding Blair & Trail Improvements

*Approved Change Order #2 on 2015 Concrete Repair/Replacement Project to Sweetens Concrete in the amount of (\$12,529.52)

*Approved Pay Request #1 on 2015 Concrete Repair/Replacement Project to Sweetens Concrete in the amount of \$148,784.20

Alderman Eversmeyer made a motion, seconded by Alderman Bass to Approve Additional Amendment to Agreement with Sweetens Concrete regarding Updated Quantities on Robin Hood in the amount of \$174,507.06. Vote: Eversmeyer aye, Bass aye, Anderson aye, Sconce aye, Detert aye.

Alderman Bass made a motion, seconded by Detert to Approve Change Order #3 on 2015 Concrete Repair/Replacement Project to Sweetens Concrete in the amount of (\$6,764.49). Vote: Bass aye, Detert aye, Eversmeyer aye, Sconce aye, Anderson aye.

Alderman Anderson made a motion, seconded by Alderman Bass to Approve Final Pay Request #2 on 2015 Concrete Repair/Replacement Project to Sweetens Concrete in the amount of \$167,742.57. Vote: Anderson aye, Bass aye, Detert aye, Sconce aye, Eversmeyer aye.

*Approved and Authorized Mayor to Sign Professional Services Agreement with Cochran Engineering for Water Line Easement Exhibit and Description on Elm Tree Road in the amount of \$1,100.00 including expenses

*Approved Conditional Use Permit: Confluence Design Group, on behalf of owners Doug Kohnen and Dan Behlmann, requests an Auto Dealership located at 142 Frenchman Bluff Road

*Approved Site Plan Review and Commercial Building Permit for Behlmann Body Shop Addition located at 142 Frenchman Bluff Drive

*Approved Site Plan Review and Commercial Building Permit requested by MOST for an Office Building and Break Room to be located 50 Cherry Blossom Way

Alderman Detert made a motion, seconded by Alderman Bass to Approve and Authorize Mayor to Sign Bartlett & West Professional Services Agreement for Street Panel

Replacement – Phase 2, Shellbark and Hickory. Vote: Detert aye, Bass aye, Eversmeyer aye, Sconce aye, Anderson aye.

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, Sconce aye, Bass aye, Detert aye.

Discussion ensued regarding the previously approved light duty for Sergeant Matt Robinson until September 23, 2015, pending request for Patrol Officer Bennie Church while on his shift/squad, and recent worker's compensation claim/possible future light duty request for Patrol Officer Ryan Parker. Chief Taylor described light duty work to include walk-in police reports, evidence room, work with federal agents, and putting files together.

Alderman Anderson made a motion, seconded by Alderman Detert to Approve Light Duty for Patrol Officer Bennie Church. Vote: Anderson aye, Detert aye, Bass aye, Sconce aye, Eversmeyer aye.

City Attorney Granneman advised the Board on Real Estate and Legal matters.

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

Alderman Bass made a motion, seconded by Alderman Sconce to adjourn the meeting. Vote: Bass aye, Sconce aye, Eversmeyer aye, Detert aye, Anderson aye. Meeting adjourned 8:24 p.m.

ATTEST:

City Clerk

Mayor

*Approved on Consent Agenda