

City of Troy, Missouri
Board Workshop, Public Hearing and Regular Board of Aldermen Meeting
Monday, December 21, 2015
5:30 P.M.

Present for the Board Workshop were Aldermen Eversmeyer, Detert, Bass, Sconce, Anderson, Walker and Mayor Cross. Also present were Wastewater Superintendent Peasel, Chief Taylor, Treasurer Flinn, City Attorney Granneman and City Clerk Schneider.

Jennifer Anders, Woodard & Curran, offered an update on the State Revolving Fund program application submitted November 13, 2015. The City ranked No. 2 of 36 projects submitted. The City's application was placed on the January 6th Missouri Clean Water Commission meeting agenda for its approval to the planning project list. Upon reaching the planning project list, the project becomes fundable upon submittal/approval of a facility plan and a Bond Election (to issue revenue bonds on state revolving funds).

Anders continued that long-term planning was produced with the help of Steve Goehl of D.A. Davidson, as follows:

20 years SRF Debt Service Payment (estimated average payment of \$1,099,427.00;

30 years SRF Debt Service Payment (estimated average payment of \$930,923.00; or

20 years Certificates of Participation (estimated average payment of \$1,234,414.00.

After financial discussions with staff, it was determined that additional revenue would be required to pay back debt service on 20 years SRF of \$394,000.00 or 30 years SRF of \$225,000.00. Alderman Sconce asked if the additional revenue amounts included the \$300,000.00 of capital improvement funds and Anders affirmatively answered.

Anders explained that the charts provided by Woodard & Curran were not a result of a rate study but simple math illustrations to calculate needed revenue increases. The charts are based on consumption user fees for residential and commercial only (no tap fees, etc.) and set-up for growth. Additional charting provided area rates, annual rate adjustments by neighboring communities, additional revenue illustrations, monthly water and sewer costs and national trends.

The Board also discussed submitting a ballot proposition to authorize and continue the application and collection of the local sales tax on the titling of motor vehicles, trailers, boats and outboard motors that were purchased from a source other than a Missouri dealer. Alderman Anderson said passage of the proposition levels the playing field for local businesses.

After a short recess, Mayor Cross opened the Public Hearing at 6:35 p.m. Also present for the Public Hearing were Building Official Lindsey, Parks Director Howell and Assistant Public Works Superintendent Burkemper. Mayor Cross requested citizen comment on a rezoning request from R-1 Residential District to C-3 Highway Commercial District for a possible future gift shop by Special Inntentions, LLC. The owner of the property, Joan Brown, addressed the Board. The property has been for sale by owner and with a realtor but not sold and believed if rezoned to commercial, the property would sell and be an asset for business such as office, gift shop or dessert shop. Ms. Brown continued that many surrounding properties were already zoned C-3.

Kenneth Sissom, 1010 Old Cap Au Gris, lived across the street from Special Inntentions, LLC and was opposed to rezoning the property citing increased traffic and residential integrity of a gift shop view from his yard. Mr. Sissom recently discovered that his property was zoned C-3. He mentioned that neighbors were unanimous with opposing the rezoning and if rezoned that any type of business could go on the property.

The staff report indicated that all were opposed at the Planning & Zoning meeting except Ms. Brown and Karen Curt. Karen Curt, realtor for Ms. Brown, commented that any property inquiries have been for commercial use and it would be difficult to find a large family as it borders two busy streets. Ellen Prendergast, daughter of one of the owners, said that Mr. Sissom's property and other neighbors have the option of selling commercially and it was not fair that her mother's property was hindered of the opportunity to sell commercially as an option if they cannot sell it as a home.

Immediately thereafter, the Regular Board of Alderman Meeting. Mayor Cross called the meeting to order, announced a quorum and led in the Pledge of Allegiance.

A presentation was given by Troy Police Department of the benefits of purchasing Load Bearing Vests for its department using drug forfeiture funds. Alderman Sconce made a motion, seconded by Alderman Detert to Approve Purchase of Load Bearing Vests for Police Department Using Drug Forfeiture Funds. Vote: Sconce aye, Detert aye, Walker aye, Bass aye, Anderson aye, Eversmeyer aye.

Alderman Eversmeyer made a motion, seconded by Alderman Anderson to Approve the Consent Agenda upon the removal of Items 2(D), 7(E), 7(H), 7(I) and 7(J). Vote: Eversmeyer aye, Anderson aye, Detert aye, Bass aye, Walker aye, Sconce aye.

*Approved the Regular Board of Alderman Minutes dated November 16, 2015

Robert and Michelle Ritter were not present.

Suzanne Hock, 217 Timber Ridge, and Kanna Rook from American Cancer Society, requested to hold a Bark for Life event in Fairgrounds Park on May 14, 2016 from 9am-

3pm raising funds for dogs as caregivers and dogs with cancer. The event would include a speaker and a one-mile walk, sales of shirts, vendor booths and food sales. Local club volunteers would help clean-up after the event. Discussion ensued on possible changes to existing park ordinance to allow these types of events for expanded use of the parks but unable to approve this request with the sales until changes are made. Ms. Hock said the sales are necessary to make the fundraising event successful. Parks Director Howell offered the use of Weinand Park if Ms. Hock were able to obtain permission from the Lutheran Church for sales on their property and then walk over to park for the rest of the event. If permitted, Ms. Hock will seek approval from the Board in January.

Bart Berneking, 100 Professional Parkway, owns an architectural firm in Troy and requested the Board consider a “street-scape” plan for Lincoln Drive. Street-scape involves the “look,” consistency and harmony of an area. Other municipalities have adopted these plans for organized growth and encompass signage restrictions against t-posts on easements, natural-colored buildings versus green-colored buildings, sheds in parking lots doing business and plastic pigs.

*Approved Reports of Park Board, Planning & Zoning/Board of Adjustment and Historic Preservation Commission

Alderman Detert requested an update on the weeds and tall grass on the interchanges on Highway 61 in Troy. Chamber Director Klump responded that a contract has been entered into with a lawn care company. Alderman Detert made a motion, seconded by Alderman Eversmeyer to Approve the Report of Troy Convention and Visitors Bureau. Vote: Detert aye, Eversmeyer aye, Anderson aye, Walker aye, Sconce aye, Bass aye.

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

*Approved Payment of Regular Monthly Bills

Mayor Cross read Bill No. 1237 as Ordinance ____ -- An Ordinance Submitting to the qualified voters of the City of Troy, Missouri, at the General Municipal Election to be called and held in the City on the 5th Day of April, 2016, a Proposition to Authorize and Continue the Application and Collection of the Local Sales Tax by the City of Troy, Missouri on the Titling of Motor Vehicles, Trailers, Boats, and Outboard Motors that were Purchased from a Source Other than a Licensed Missouri Dealer, first and second times by title only. Alderman Anderson reiterated that this levels the playing field for local dealers and keeps a revenue source for City services. Alderman Sconce made a motion, seconded by Alderman Anderson to Adopt Bill No. 1237 as Ordinance ____ With Amendment to the title “Proposition C” for Its Purposes. Vote: Sconce aye, Anderson aye, Bass aye, Detert aye, Eversmeyer aye, Walker aye.

Alderman Sconce stated the revisions to the recently amended Chapter 405 Zoning regulations on accessory buildings; namely, exceptions and Section E references to C-1, C-2 and C-3, should only apply to residential and not commercial zones. Alderman Eversmeyer believed the original revision discussions did apply to commercial and did not see the need to allow portable structures in commercial zones referring to the street-scape discussion earlier in the meeting. Mayor Cross said an accessory structure could be attached to a permanent structure in the current regulations. City Attorney Granneman said the proposed amendment would apply only to “residential” lots and not to commercial or industrial lots and was spurred by a business requesting a change to put up a temporary structure that is not incidental to a primary structure.

*Approved Request for Dedication of Sanitary Sewer System, Water System, Storm Sewer System, and Streets in Plat 2 of Stonebridge Subdivision submitted by Cannon Builders

*Approved Request for Dedication of Sanitary Sewer System, Water System, Storm Sewer System, and Streets in Plat 1 of Stone Crossing Subdivision submitted by Cannon Builders

*Approved Meeting Date Changes in January and February 2016 to Tuesday, January 19th and Tuesday, February 16th due to holidays pursuant to City Ordinance Section 110.010

*Approved Troy Aquatic Center—2016 Pool Family Season Passes for Employees as Health/Wellness Benefit

*Approved FY2015 Audited Financial Statements

Alderman Detert reported that the Rezoning Request by Special Intentions, LLC failed to pass by the Planning & Zoning Commission and was brought to the Board for a vote. Alderman Anderson recapped that the request was voted down by Planning & Zoning, neighbors were against it and the property owner had a slim chance of selling the property zoned as residential. Alderman Sconce made a motion, seconded by Alderman Detert to Approve Special Intentions, LLC Rezoning Request from “R-1” Single Family Residential District to “C-3” Highway Commercial District for a possible future gift shop. Vote: Sconce nay, Detert aye, Bass nay, Eversmeyer aye, Walker nay, Anderson aye. Motion required 2/3rds majority vote and failed 3-3.

*Approved Final Pay Application 1 to MidRiver Asphalt on Fairgrounds Park Street and Parking Lot Improvements as Recommended by F3 Engineering in the amount of \$330,350.62

*Approved New Life Church (Pastor Mike Davis) Request to Host Community Easter Egg Hunt on Saturday, March 26, 2016 at 9:00 a.m. in Fairgrounds Park

Alderman Eversmeyer made a motion, seconded by Alderman Sconce to Table Authorizing Mayor to Enter Into Limited License Agreement Between City of Troy, Missouri and Cannon Properties, Inc. for Use of Bueneman Lane. Vote: Eversmeyer aye, Sconce aye, Walker aye, Detert aye, Anderson aye, Bass aye.

Patrick McLaughlin of Christian Environmental requested the Board's approval of the Renewal Option for Year 4 Sanitation Agreement of \$18.00 per month. The fifty cents raise in rates was discussed and McLaughlin commented that it was to cover the cost of rising employee benefits, truck repairs and equipment purchases. Alderman Eversmeyer relayed problems with communicating route changes, no one answers the phone at their office and the recycling truck releasing recycling all over the street when it dumps the container. McLaughlin assured Alderman Eversmeyer that he would address all of these issues with his staff. Alderman Bass made a motion, seconded by Alderman Detert to Approve Renewal Option for Year 4 in Christian Environmental Services Sanitation Agreement of \$18.00 per Month 1x Per Week Residential, Recycling and YardWaste Collection Commencing July 1, 2016 (awarded July 1, 2013: Option 1D Alternative Bid-Option 1C Bid Quote). Vote: Bass aye, Detert aye, Anderson aye, Eversmeyer aye, Sconce aye, Walker aye.

Alderman Eversmeyer inquired about Change Order 4. Eric Kirchner, engineer on the project, explained the change order consisted of adjustment for "in place quantities" which had been field measured but some got bigger, additional slab work and unforeseen conditions due to over-excavating of roadway resulting in subgrade repair of approximately \$200,00.00. The change order had been reviewed line by line and was originally at \$350,000.00 and knocked down to \$268,000.00. Kirchner continued that the job was not completed and 10% of contract amount held back until punch list work was finished by contractor. Alderman Sconce made a motion, seconded by Alderman Anderson to Approve Change Order 4 in the amount of \$268,818.62 for Adjustments for In-Place Quantities at the End of the Project and a Subgrade Repair submitted by Cannon General Contractors on Cherry Blossom Way Improvements Project. Vote: Sconce aye, Anderson aye, Bass aye, Eversmeyer nay, Detert aye, Walker nay. Motion carried 4-2.

*Approved Pay Application No. 9 in the amount of \$430,919.24 submitted by Cannon General Contractors on Cherry Blossom Way Improvements Project

Alderman Anderson made a motion, seconded by Alderman Sconce to Award and Authorize Mayor to Sign 2015 Concrete Street Removal and Replacement Phase II to M&H Concrete Contractors, Inc. for Base Bid and Alternate A in the amount of

\$212,331.30 as the low bidder. Vote: Anderson aye, Sconce aye, Eversmeyer aye, Walker aye, Bass aye, Detert aye.

Parks Director Howell presented statistics on low pool attendance after 7:00 p.m. with the majority of patrons leaving between 5-6p.m. Howell requested to close the pool one hour earlier (12noon-7pm) and add evening programming such as swim lessons and/or private party use. Alderman Sconce made a motion, seconded by Alderman Bass to Approve Adjusting Aquatic Center Hours of Operation to 12noon-7p.m. Vote: Sconce aye, Bass aye, Anderson aye, Walker aye, Eversmeyer aye, Detert aye.

Parks Director Howell submitted a "Park Dedication Projects" form to the Board for consideration. Tree dedications (\$200.00) and Park Benches (\$1,200.00) would be purchased and installed by Park staff. The standard placard would list the name of the person and there would be three choice options for benches. Alderman Sconce made a motion, seconded by Alderman Bass to Approve Park Dedication Project. Vote: Sconce aye, Bass aye, Walker aye, Detert aye, Anderson aye, Eversmeyer aye.

Mayor Cross presented the proposed contract with Cochran Engineering on the Cherry Street Reconstruction project. The engineering will take one year to complete and overlap into the next fiscal year; during the second fiscal year, a request for bids will be published; and then construction in the third fiscal year. Questions on drainage issues at Walnut and Cherry Streets would be addressed and discussions with Ameren regarding a left-hand turn lane onto Front Street are planned. An itemized breakdown on budgeting was presented to the Board previously over three fiscal years (avoiding mobilization costs) and utilizing STP and NSP funds (covering almost one-half of the project cost). Alderman Anderson made a motion, seconded by Alderman Detert to Approve and Authorize Mayor to Enter Into Professional Engineering Services with Cochran Engineering on Cherry Street Reconstruction Project in the amount of \$194,945.00. Vote: Anderson aye, Detert aye, Bass aye, Eversmeyer aye, Walker aye, Sconce aye.

Alderman Sconce made a motion, seconded by Alderman Anderson to Approve and Authorize Mayor to Enter Into Professional Engineering Services with George Butler Associates, Inc. Supplemental Agreement No. 1 Per Contract Agreement dated July 24, 2014 (Blair, Trail and Buchanan Street) in the additional amount of \$29,634.00 for Additional Buchanan Court Improvements. Vote: Sconce aye, Anderson aye, Walker aye, Detert aye, Bass aye, Eversmeyer aye.

Alderman Eversmeyer 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: Eversmeyer aye, Bass aye, Detert aye, Anderson aye, Walker aye, Sconce aye.

Alderman Detert made a motion, seconded by Alderman Anderson to Cease Negotiations with Missouri American Water. Vote: Detert aye, Anderson aye, Sconce aye, Bass aye, Walker nay, Eversmeyer nay. Motion carried 4-2.

Alderman Anderson made a motion, seconded by Alderman Sconce to Approve Light Duty Request of Stephen Dyer in regard to workers compensation. Vote: Anderson aye, Sconce aye, Bass aye, Walker aye, Detert aye, Eversmeyer aye.

Legal and Real Estate matters were discussed.

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

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to adjourn the meeting. Vote: Sconce aye, Eversmeyer aye, Walker aye, Detert aye, Bass aye, Anderson aye. Meeting adjourned 10:02 p.m.

ATTEST:

City Clerk

Mayor

*Approved on Consent Agenda