City of Troy, Missouri
Regular Board of Aldermen Meeting
Monday, March 17, 2014
6:30 P.M.

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

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

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

*Approved Minutes of Previous Meetings: Regular Board of Aldermen Meetings – February 18, 2014 and March 3, 2014

Perry Eckhardt, of Tree City USA relayed to the Board its mission as a framework for an efficient and effective city-focused tree program with a return of $3.00 for every $1.00 spent. The requirements for the City to become a member include designating a City staff person in charge of the City's trees; hold an Arbor Day event such as a proclamation; adopt a tree care ordinance on City's trees; and spend $2.00 per capita on trees (i.e., salary and benefits of staff, equipment, tree removal costs, volunteer time, etc.). The investment return of $3.00 is measured through energy savings, shade (tested scientifically), stormwater control, excessive runoff, and air quality. Alderman Eversmeyer questioned its relevance in regard to MS4 compliance. Mr. Eckhardt said the program is considered a stormwater management tool. The tree trimming grant program is a cost share of 60/40—better percentage if the City is a member of Tree City USA. The program applies to City trees but education can be provided to all landowners.

Len Bolin, 656 S. Lincoln Drive, of Cuivre River Farmer's Market, requested the farmer's market be allowed to set-up every other Sunday afternoon from April through November in the City's park. Mr. Bolin handed out a flyer and said the market usually draws 300-500 people every Saturday with 20-25 vendors selling produce and crafts. The Board was unable to approve the request as sales in the park are prohibited by ordinance. The Board offered other possible alternatives.

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

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

*Approved Payment of Regular Monthly Bills, Obligation Nos. 55955 to 56140

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to Table Mold Remediation Bid for Southeast Waste Water Treatment Plan (MBR) as recommended by Public Works Superintendent Cunningham to Environmental Restoration, LLC in the amount of $206,000.00 until after Item 7C. Vote: Sconce aye, Eversmeyer aye, Walters aye, Bass aye, Detert aye, Anderson aye.

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to Table Budget Amendment for Mold Remediation Bid to Environmental Restoration, LLC in the amount of $206,000.00 for Southeast Waste Water Treatment Plant (MBR) until after Item 7C. Vote: Sconce aye, Eversmeyer aye, Bass aye, Anderson aye, Detert aye, Walters aye.

*Appointed Bart Berneking to Planning & Zoning Commission due to vacancy

Alderman Detert questioned the energy efficiency plan guarantee of savings and how the plan would be implemented. Tom Hogan of Johnson Controls responded that answers to those questions will be outlined in the Project Development Agreement (PDA) and bid documentation by June 15, 2014. The PDA allows detailed engineering and provides scope, exact cost and exact savings and will be presented to the Board upon its completion.

More questions were asked on the City incurring additional debt on top of its existing debt service for the sewer plant and how it would be paid. Mr. Hogan replied that energy savings would include operational issues, electrical, chemical, combining two sewer plants to one, and fixing problems in Southeast plant for efficient operation. Mayor Cross asked if the PDA comes in under the $13.3 million dollar proposal, then would the City pay less and Mr. Hogan replied in the affirmative. Mr. Hogan stated that Johnson Controls takes the risk and there would be no change orders, and no payment until one year after the City was happy with the project. Also, a Performance Assurance Specialist will measure and verify that savings are there, they will write an annual shortfall report and submit to State, and State reviews everything as does EPA and DNR. Alderman Sconce stated with the savings for one year along with City's reserve, the sewer fund should have enough to cover the debt until a break-even point of ten years. Alderman Sconce further stated that the only choices appear to be either sign PDA and bear the cost to fix the problems or risk fines by EPA.

Alderman Sconce made a motion, seconded by Alderman Bass to Authorize Mayor to Sign the Project Development Agreement ("PDA") with Johnson Controls, Inc. which

includes Exhibit A Mold Remediation for Southeast Waste Water Treatment Plant (MBR). Vote: Sconce aye, Bass aye, Walters aye, Eversmeyer aye, Detert aye, Anderson aye.

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

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to hire Alan Harrell as Seasonal Maintenance Worker – Cemetery Department, at Grade 8-Step 3, $10.85 per hour beginning April 1, 2014. Vote: Sconce aye, Eversmeyer aye, Anderson aye, Detert aye, Bass aye, Walters aye.

Alderman Detert made a motion, seconded by Alderman Anderson to hire Frank Lindsey as Seasonal Maintenance Worker – Water Department, at Grade 8-Step 1, $10.23 per hour beginning April 1, 2014. Vote: Detert aye, Anderson aye, Bass aye, Sconce aye, Walters aye, Eversmeyer aye.

Alderman Sconce made a motion, seconded by Alderman Anderson to hire Sean Kenney as Seasonal Maintenance Worker – Water Department, at Grade 8-Step 1, $10.23 per hour beginning April 1, 2014. Vote: Sconce aye, Anderson aye, Bass aye, Eversmeyer aye, Walters aye, Detert aye.

Alderman Anderson made a motion, seconded by Alderman Sconce to hire David Collins as Seasonal Maintenance Worker – Street Department, at Grade 8-Step 1, $10.23 per hour beginning April 1, 2014. Vote: Anderson aye, Sconce aye, Walters aye, Bass aye, Eversmeyer aye, Detert aye.

Alderman Sconce made a motion, seconded by Alderman Walters to Authorize Re-advertising Seasonal Maintenance Worker – Street Department to Expand Applicant Group. Vote: Sconce aye, Walters aye, Bass aye, Eversmeyer aye, Detert aye, Anderson aye.

Alderman Bass made a motion, seconded by Alderman Sconce to hire Danny Hoskins as Seasonal Maintenance Worker – Parks Department, at Grade 8-Step 1, $10.23 per hour beginning April 1, 2014. Vote: Bass aye, Sconce aye, Walters aye, Anderson aye, Eversmeyer aye, Detert aye.

Alderman Sconce made a motion, seconded by Alderman Anderson to hire Kerry Vollmer as Seasonal Maintenance Worker – Parks Department, at Grade 8-Step 1, $10.23 per hour beginning April 1, 2014. Vote: Sconce aye, Anderson aye, Walters aye, Bass aye, Eversmeyer aye, Detert aye.

Alderman Bass made a motion, seconded by Alderman Walters to hire Jeremy Ryan as Seasonal Maintenance Worker – Parks Department, at Grade 8-Step 1, $10.23 per hour beginning April 1, 2014. Vote: Bass aye, Walters aye, Sconce aye, Anderson aye, Eversmeyer aye, Detert aye.

Alderman Sconce made a motion, seconded by Alderman Bass to Allow One (1) Seasonal Maintenance Worker – Parks Department to begin one week earlier than April 1, 2014 per request by Park Superintendent Muckerman. Vote: Sconce aye, Bass aye, Walters aye, Anderson aye, Detert aye, Eversmeyer aye.

Alderman Sconce made a motion, seconded by Alderman Anderson to hire Rachel Hernandez as Seasonal Administrative Assistant – Administration Department at Grade 8-Step 1 $10.23 per hour beginning May 14, 2014. Vote: Sconce aye, Anderson aye, Bass aye, Walters aye, Detert aye, Eversmeyer aye.

City Attorney Granneman advised the Board on Legal matters.

Alderman Sconce made a motion, seconded by Alderman Anderson to Opt Out of Class Action lawsuit In re Municipal Antitrust Litigation – Bank of America Settlement, MDL No. 1950, Master Docket No. 08-02516 (S.D.N.Y.). Vote: Sconce aye, Anderson aye, Bass aye, Eversmeyer nay, Detert nay, Walters nay. 3-3 Tie. Mayor Cross aye. Motion carried.

City Attorney Granneman advised the Board on Real Estate matters.

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

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to adjourn the meeting. Vote: Sconce aye, Eversmeyer aye, Walters aye, Bass aye, Detert aye, Anderson aye. Meeting adjourned 7:52 p.m.

ATTEST:

Jodi L Schneider
City Clerk

Mark A Cross
Mayor

*Approved on Consent Agenda