

City of Troy, Missouri
Regular Board of Aldermen Meeting
Wednesday, February 21, 2018
6:30 P.M.

Present for the Regular Board of Aldermen Meeting were Aldermen Walker, Anderson, Eversmeyer, Sconce and Mayor Cross. Aldermen Detert and Curt were absent. Also present were Public Works Superintendent Cunningham, Police Chief Taylor, Building Official Lindsey, Parks Director Howell, Wastewater Superintendent Peasel, Treasurer Flinn, City Attorney Granneman and City Clerk Schneider.

Mayor Cross called the Regular Board of Aldermen Meeting to Order at 6:30 p.m., announced a Quorum present and led in the Pledge of Allegiance.

Alderman Eversmeyer made a motion, seconded by Alderman Sconce to Approve the Consent Agenda. Vote: Eversmeyer aye, Sconce aye, Anderson aye, Walker aye.

*Approved the Minutes of Public Hearing/Regular Board of Aldermen Meeting dated January 18, 2018

Melissa Moody of Mike's Tech Spot, representing the Troy Downtown Business Association, requested to hold a "Rock the Block" event on Main Street for March 17, 2018. Mrs. Moody also requested that the Troy Downtown Business Association be approved for an annual spring event on Main Street each year. After discussion, the Board resolved that until the spring event activities become established, the request to hold an event needs to be made annually. Alderman Eversmeyer made a motion, seconded by Alderman Walker to Approve the Rock the Block Event on March 17, 2018 by the Troy Downtown Business Association. Vote: Eversmeyer aye, Walker aye, Sconce aye, Anderson aye.

Debbie Lindemann requested to hook on to City Water for two residences at 266 and 276 Country Creek Drive by tapping onto the water main located at Linns Mill and Fieth Road and purchasing two taps with one line to each house. Water Superintendent Brian Lourance and GIS Mapping/Building Inspector Brad Shaw approved the request to hook onto the 12" water line extending to Bristol Ridge Subdivision. Alderman Sconce made a motion, seconded by Alderman Anderson to Approve Tapping the Water Main at Linns Mill and Fieth Road, Purchasing Two Taps, and Paying Double the Rates Outside City Limits according to the Agreement for Connection to Troy Waters Works and Sewer System. Vote: Sconce aye, Anderson aye, Eversmeyer aye, Walker aye.

Sarah McCasland requested to have chickens in Troy City limits. Ms. McCasland stated at her previous residence in a different city, she was able to have chickens with restrictions such as no roosters, limited quantities, limit breeds and fenced chicken coop.

Alderman Sconce agreed to sponsor an amendment to Section 405.215 Animal Ordinance to allow chickens in city limits. Alderman Sconce told Ms. McCasland to go ahead and proceed with having chickens in City limits.

Mary Kay Kunza introduced Nichole Frichtel as the new Troy Chamber President. Ms. Kunza explained that the car club who helps with the annual car show has a conflict with the date of the annual event and would like to request holding the event on the second weekend in August this year. Alderman Anderson made a motion, seconded by Alderman Walker to Approve the Schedule Change for the Annual Car Show to Saturday, August 11, 2018. Vote: Anderson aye, Walker aye, Eversmeyer aye, Sconce aye.

Christopher Groh, 1270 Sleepy Hollow Drive, handed out research he had performed on similar-sized cities with ATV-UTV ordinances. Mr. Groh was opposed to the regulatory amendments being considered that evening. His research revealed municipal ordinances that were less stringent or identical to State statutes. Alderman Anderson stated the proposed regulatory amendments were agreed to by consensus of the Board and the City's law enforcement to lock down rather than loosen up ATV-UTV ordinances. Mr. Groh proposed open-ended, Board-approved, ATV-UTV permits for year-to-year operation and not just for one-time special events. Alderman Sconce cited traffic issues by allowing more vehicles on the roadways causing congestion problems and required police checks for permits. Mr. Groh stated that if the proposed legislation were adopted, he would be required to incur costs of licensing his UTV with inspections and buying license plates to operate on City streets. Alderman Walker voiced concerns that the proposed legislation restricted law-abiding citizens and would like the Board to re-consider this action.

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

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

*Approved Payment of Regular Monthly Bills

Alderman Walker made a motion, seconded by Alderman Sconce to Table Bill No. 1270 as Ordinance until next meeting. Vote: Walker aye, Sconce nay, Eversmeyer nay, Anderson nay. Motion failed 1-3.

Mayor Cross read Bill No. 1270 as Ordinance ___ -- An Ordinance of the City of Troy, Missouri, Amending Section 340.110 All-Terrain Vehicles – Prohibited – Exceptions – Operation Under an Exception – Prohibited Uses – Penalty, a second time by title only. Alderman Eversmeyer made a motion, seconded by Alderman Anderson to Adopt Bill

No. 1270 as Ordinance _____. Vote: Eversmeyer aye, Anderson aye, Walker nay, Sconce aye. Motion failed 3-1.

Mayor Cross read Bill No. 1271 as Ordinance _____ -- An Ordinance of the City of Troy, Missouri, Amending Section 340.113 Recreational Off-Highway Vehicles, Operation on Highways Prohibited, Exceptions – Operation within Streams and Rivers Prohibited, Exceptions – License Required for Operation, Exception, first and second times by title only. Alderman Anderson made a motion, seconded by Alderman Sconce to Adopt Bill No. 1271 as Ordinance _____. Vote: Anderson aye, Sconce aye, Eversmeyer aye, Walker nay. Motion failed 3-1.

Mayor Cross read Bill No. 1272 as Ordinance ____ -- An Ordinance of the City of Troy, Missouri, Amending Section 340.115 Driving Regulations for Bicycles, Motorized Bicycles, Go-Carts, and Unlicensed Vehicles, first and second times by title only. Alderman Sconce made a motion, seconded by Alderman Anderson to Adopt Bill No. 1272 as Ordinance _____. Vote: Anderson aye, Sconce aye, Walker nay, Eversmeyer aye. Motion failed 3-1.

Mayor Cross read Bill No. 1273 as Ordinance ____ -- An Ordinance of the City of Troy, Missouri, Amending Section 340.125 Utility Vehicles, Operation on Highway and In Streams or Rivers Prohibited – Exceptions – Passengers Prohibited – Violations, Penalty, first and second times by title only. Alderman Eversmeyer made a motion, seconded by Alderman Anderson to Adopt Bill No. 1273 as Ordinance _____. Vote: Eversmeyer aye, Anderson aye, Sconce aye, Walker nay. Motion failed 3-1.

*Approved Change Order #2 submitted by M & H Concrete Contractors, Inc. on 2017 Slab Replacement Program for a Decrease in Adjustment to Quantities in the amount of (\$31,724.70).

*Approved Final Pay Request #4 submitted by M & H Concrete Contractors, Inc. on 2017 Slab Replacement Program for Retainage in the amount of \$25,784.06.

*Approved Midwest Pool Management 2018 Aquatic Center Management Contract

*Approved Tom Castor from Alternate to Regular Member of the Board of Adjustment and Fred Layton from Regular to Alternate Member of Board of Adjustment

*Appointed Kevin Bishop and DeeAnn Adeyloft for another three-year term on Historic Preservation Commission

*Appointed Patrick Lacey to Park Board

City Attorney Granneman explained that the Lease with Community Opportunities on Kiwanis Park Project was contingent upon the receipt of grant funds and was a long-term

lease for stewardship of the park by the City. Kiwanis representative, Cindy Davenport, was in attendance at the meeting and stated that the lease covered Phase 1 of the playground atop 7.6 acres only and not the entire park of 28 acres. Alderman Sconce made a motion, seconded by Alderman Anderson to Approve and Authorize the Mayor to Sign Lease with Community Opportunities on Kiwanis Park Project. Vote: Sconce aye, Anderson aye, Walker aye, Eversmeyer aye.

Parks Director Howell explained the Car Cruise held last year by a local car club and Jeff Burkemper was requesting to sell food again. All proceeds from last year's event including food sales were donated to charity. Howell explained that the car cruise organizers only wanted one food truck vendor to attend. Alderman Sconce made a motion, seconded by Alderman Walker to Approve Food Sales at 2018 Car Cruise. Vote: Sconce aye, Walker aye, Anderson aye, Eversmeyer aye.

Mayor Cross relayed information from a meeting held among Lincoln County Mayors and the 911 Board and Commissioners. The 911 Board and Commissioners presented an idea to fund 911 emergency services with a 911 sales tax. Each municipality would pay a proportionate share of money for the cost to educate the public and pay for election costs. The City of Troy's portion was \$30,001.00. Currently, the City pays user fees of \$200,000.00 per year which would be reduced considerably if a 911 sales tax were passed. At that meeting, the Mayors requested a sunset clause to phase-out the 911 sales tax if the State passed 911 funding. The 911 Board and Commissioners were not in favor but would consider a reduction of the sales tax if capital expenditures (i.e., new location, building, equipment and tower) had already been purchased. The deadline for the Board's response was requested by the April meeting. It was an all-or-nothing proposition for all municipalities because it would not be right if a city did not participate but still received the benefit anyway. The proposal would be a ¾ cent increase in sales tax. Discussion continued on the impact to retail businesses generally and those in special taxing districts of a sales tax increase, county impact, and the State's legislative history on this issue.

Mayor Cross relayed a partial-payment request by Cannon Companies on the Sanitary Sewer Extension contract. Cannon Companies stated that the delay in the project was caused by permit approval by Missouri Department of Natural Resources. The partial-payment request was for 75% of the City's one-half portion of \$116,308.00 (\$138,757.00 minus the engineering costs of \$22,449.00 = \$116,308.00) or \$87,231.00. Alderman Sconce made a motion, seconded by Alderman Eversmeyer to Authorize the Mayor to draft Amendment to Sanitary Sewer Extension Construction Contract to allow for partial payment to Cannon Properties, Inc. in the amount of \$87,231.00. Vote: Sconce aye, Eversmeyer aye, Walker aye, Anderson aye.

Alderman Anderson made a motion, seconded by Alderman Eversmeyer to Go Into Closed Session in compliance with 610.021 of RSMo., for the purposes of discussing Legal, Real Estate and Personnel. Vote: Anderson aye, Eversmeyer aye, Walker aye, Sconce aye.

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

Chief Taylor entered the Board room and requested to post a full-time patrol officer position internally and on police websites starting at Grade 13, Step 6 vacated by Patrol Officer Tyler Holton. Alderman Sconce made a motion, seconded by Alderman Walker to Approve Request to Post the Patrol Officer Position vacated by Patrol Officer Tyler Holton. Vote: Sconce aye, Walker aye, Anderson aye, Eversmeyer aye.

Human Resources Generalist Hawkins entered the Board room.

Chief Taylor and Human Resources Generalist Hawkins left the Board room.

City Attorney Granneman advised the Board on Personnel matters.

Alderman Anderson made a motion, seconded by Alderman Eversmeyer to Approve Patrol Officer Tyler Holton's last day of employment with the City of Troy as February 18, 2018. Vote: Anderson aye, Eversmeyer aye, Walker aye, Sconce aye.

Alderman Sconce made a motion, seconded by Alderman Walker to Go Out of Closed Session. Vote: Sconce aye, Walker aye, Anderson aye, Eversmeyer aye.

Alderman Sconce made a motion, seconded by Alderman Eversmeyer to Adjourn the Meeting. Vote: Sconce aye, Eversmeyer aye, Walker aye, Anderson aye. Meeting adjourned at 9:42 p.m.

ATTEST:

City Clerk

Mayor Mark Cross

*Approved on Consent Agenda