

The Board of Alderman met on June 18, 2018 at 6:30 p.m. and took the following actions.

The first citizen to approach the board was Eric Dunlap, 524 Turkey Call Court. He was requesting reimbursement from the City for a sewer back-up dated May 4, 2018. After hearing from Mr. Dunlap, the board heard that the insurance company had been out to look at the damage and determined that the City was not at fault because we did not know that there would be a problem with any of the equipment; therefore, there was no liability. It was suggested to Mr. Dunlap that he put in a backflow preventer to avoid a reoccurrence and he said that he already taken that action.

The next citizen to speak was Mr. Dale Black, representing CMS Homes L.L.C. at 111 N. Lincoln Dr. He was requesting annexation and hook-on to the city public water system at a residential development/Keeven Property (3 acre lots/septic systems pursuant to City Code Sections 705.020 and 705.030). This was tabled until the July 16, 2018 meeting.

Next the board approved an ordinance amending Chapter 210: Offenses, Section 210.2340: Fireworks, specifically amending Subsection Z and adding a new Section BB. This change authorizes the use of fireworks in the City Limits of Troy, MO only on July 4th and only between the hours of 10:00 a.m. and 11 p.m. It also states that any person who may use, discharge, set off, ignite, or firing of fireworks within the City Limits of the City of Troy, MO shall be responsible for the safe and responsible use of such fireworks and for any damages caused by such fireworks. The City shall not be responsible for the use, discharge, set off, ignition or firing of fireworks within the City limits of the City of Troy, MO. The City may suspend the use of fireworks pursuant to this Section through the Board of Alderman, the Mayor or the Chief of Police.

The board then heard comments on three proposed ordinances having to do with recreational off-highway vehicles, all-terrain vehicles, and utility vehicles. Each of these ordinances failed approval by a 1 – 5 vote.

Under old business; The board denied a request from Robert and Lisa Seely, Tri-County Glass, to allow public water district #2 to purchase one sewer tap on their behalf.

The board, on a 4-2 vote, approved Tara Valley subdivision's request to hook on to the City's water system since they had been advised by MoDNR to make the request because of radionuclides being found in the water coming from their well. The residents of the subdivision now need to vote as to whether they want to take advantage of hooking on to the water supply.

The next group of citizens to speak to the board were from the Bully Alliance and they requested that the board repeal the Breed Specific Ordinance, a.k.a. the Pit Bull ban in the City of Troy. The citizens offered information showing that other breeds of dogs are just as likely to bite people as pit bulls. Alderman Anderson explained that at least ten years ago, angry and upset citizens came to the board meeting and requested the city ban pit bulls, relaying a story of an unprovoked pit bull attack on a neighborhood dog. Anderson continued that the ordinance was adopted as a tool to keep people safe. The pit bull had jumped a fence and attacked a smaller dog. It took four people to pull the pit bull off of the smaller dog, which later died of its wounds. Further, Anderson, also a dog owner, was not motivated to lift the ban after current research revealed articles containing facts and figures against pit bulls. Ms. Niebur commented that it is a deal-breaker for folks to buy in Troy due to the ban on pit bulls. Alderman Detert continued that all Aldermen receive periodic calls from citizens of Troy requesting not to lift the ban. Ms. Wieman explained that several years ago, the City of Florissant lifted

their pit bull ban. The Mayor pointed out that while that was true, at the same time the City of Springfield adopted a pit bull ban. Alderman Anderson said that the pit bull ban accomplished its purpose of grandfathering-in current pit bulls and limiting new pit bulls from coming into the City to keep folks happy and safe. Finally, the group asked if they brought a petition and large numbers of people to the meetings if that would make a difference. Alderman Anderson said that the board would take all of that into consideration but that municipalities are not bound by petitions, by state statute, and legislation was handled in the best interests of all the citizens of Troy. Alderman Curt suggested that if they wanted to make a change that they should consider running for office and working within the system.

Mayor Cross asked if any of the aldermen wanted to sponsor an ordinance change for shared Landlord/Tenant responsibility on utility services or table the matter indefinitely. The aldermen voted to table the matter indefinitely.

Approved change order #1 by Karrenbrock Excavating on Crooked Creek Park rough grading project, decreasing the price (\$1,798.00) and approved pay application 3 by Karrenbrock excavating on Crooked Creek Park Rough grading project in the amount of \$4,275.00. Approved final pay application for retention Contingent upon receipt of certified payroll, lien waivers and material lien waivers in the amount of \$4,042.93.

Approved request for building expansion for 6 The Plaza by the Sterling Group, applicant, on behalf of Aldi, as recommended by Planning and Zoning commission.

Mayor Cross advised the Board that the old Main Street bridge was gone and had been prepared for replacement concrete slabs. The bridge was closed earlier than planned because large trucks and buses continued to drive over it when signs clearly stated that they were prohibited from doing so. The replacement slabs were expected for delivery in mid-July and completion was expected by the beginning of August, before school starts.

Andrew Westmeier, Attorney representing PALS of Lincoln County, requested the Board consider PALS request to pick-up stray animals inside City limits and transport to PALS Animal Shelter at 4287 Hwy 47 West, Hawk Point, MO. Chief Taylor and Public Works Superintendent Cunningham relayed that stray dogs were picked up after-hours by police officers or public works crew. Alderman Sconce believed there were no issues with stray dogs and there was no need to utilize an outside agency. Alderman Detert commented that stray dog postings on social media work great and dogs are reunited with their owners usually within twenty-four hours. Alderman Walker agreed. Alderman Curt said she received messages from citizens today asking the Board to leave the current dog pound operation the way it was running. Jay Ikemeier and Christopher Groh, Troy citizens, both spoke for keeping the current system in place. A motion was made by Alderman Anderson to approve an agreement with PALS Animal Shelter per their request. The motion failed 0 – 6.

The Board was advised by its engineer, Cochran Engineering, to not approve Change Order #1 in the amount of \$58,400.00; for the Whitetail Crossing Lift Station Project, submitted by Cannon General Contractors. After researching the change order request, Cochran determined that original equipment was sufficient rather than rent a 55 ton 40' reach crane at a cost of \$25,000.00. The Mayor confirmed with other construction firms that this project could be done with the original equipment. The Board declined by a 0 – 6 margin not to approve the change order. Cannon chose to not negotiate their

position and at a subsequent meeting on June 26, 2018 the Board voted to terminate the contract with Cannon General Contractors and put the project back out for bid.

In closed session it was voted to authorize the Mayor to negotiate a long-term lease with Houghton, Mifflin and Harcourt on the water tank pump and equipment on the City's Third Street well tower property.

I hope you are all protecting yourselves from the heat by drinking lots of fresh, cool water. You can also keep cool by swimming at the Troy Aquatic Center. Whatever you do during this vacation season, have fun and be safe. We want everyone to come back to Troy. Watch out for kids playing outside in yards and streets, be prepared to stop.

That is it for this month. Be kind to one another and God bless you all.