

City of Troy, Missouri
Regular Board of Aldermen Meeting
Monday, December 21, 2020
6:30 P.M.

Present for the Public Hearing and Regular Board of Aldermen Meeting were Aldermen Anderson, Dunard, Detert, Norman, Grimstead, Horner and Mayor Sconce. Also present were Public Works Superintendent Cunningham, Police Chief Taylor, Building Official Lindsey, Treatment Plants Supervisor Comer from Woodard & Curran, Treasurer Flinn, City Attorney Granneman and City Clerk Schneider.

Mayor Sconce called the Regular Board of Aldermen Meeting to Order, announced a Quorum present, led in the Pledge of Allegiance and requested a moment of silence on behalf of former Mayor Mark Cross who passed away in December.

Mayor Sconce thanked the City Staff for pitching in and keeping City Hall operations going due to the pandemic which caused staff shortages and resulted in extra-ordinary efforts by staff.

Alderman Norman made a motion, seconded by Alderman Anderson to Approve the Consent Agenda. Vote: Norman aye, Anderson aye, Detert aye, Horner aye, Dunard aye, Grimstead aye.

*Approved Public Hearing and Regular Board of Aldermen Meeting dated November 16, 2020

Scott West requested to connect to Troy Waterworks Outside City Limits for 133 Fieth Road. Scott West and Terry Turner relayed to the Board that 133 Fieth Road was part of an original six-acre parcel that was split into two three-acre parcels. The original property owner was granted an outside City limits water tap on 133 Fieth Road but when the property was subdivided, the approved water tap ended up on 137 Fieth Road.

Alderman Anderson made a motion, seconded by Alderman Horner to Grant One (1) Water Tap for 133 Fieth Road, each Property Owner of 133 Fieth Road (with ¾" Meter) and 137 Fieth Road (with ¾" Meter) to Provide Legal Description and each Property Owner Enter Into Agreement for Connection to Troy Water Works and Sewer System, Construction Specifications and Inspections, Payment of Right-to-Connect Fees and Double the Rates for Outside City Limits. Vote: Anderson aye, Horner aye, Dunard aye, Detert aye, Norman aye, Grimstead aye.

Randy Easterly recently built his home at 24 Cedar Break Court in Bristol Ridge Subdivision. Upon receipt of his first utility bill, Mr. Easterly inquired at City Hall and discovered that his contractor placed a 1" meter in the house. Mr. Easterly said that he wanted a ¾" meter instead and asked if the City could offer a reduction. It was explained

that rates were set by ordinance and based on meter size and gallons used. The request could not be granted. An option was given instead for Mr. Easterly to hire a plumber to discuss retrofitting the meter connection to ¾" meter instead.

Jerry Kaiser, 1051 Huntington Drive, wanted to discuss the City's noise ordinances, specifically Section 210.695 and read an email he previously sent on December 1, 2020 to Mayor, Aldermen and Chief of Police. Mr. Kaiser said the noise came from engines left running on refrigerated trailers at the Witte Trucking warehouse from Friday night all weekend through Monday. Mr. Kaiser asked a police officer to write a ticket but it was determined that writing tickets would not be a long-term solution to the problem. Chief Taylor contacted Witte Trucking about the noise and the company stated that it was working on lines to plug in for trailers as opposed to running engines all night. It was determined that Section 210.695 only applied to commercial zoning and the trucking company is zoned in Light-Industrial. Section 405.130 speaks to traffic noise and decibel level violations but no other complaints from surrounding residential subdivisions had been received to determine the applicability of this section. A nuisance complaint or private course of action was also discussed.

*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

Mayor Sconce read Bill No. 1323 as Ordinance ____ -- AN ORDINANCE APPROVING THE CITY OF TROY WATER AND WASTEWATER SPECIFICATIONS AND ASSOCIATED RATES FOR RIGHT TO CONNECT – 881B, first and second times by title only. The revisions allow the Public Works Superintendent to update a parts list and specifications to a parts list and require contractor to buy parts requiring less inventory for the City. Alderman Detert made a motion, seconded by Alderman Norman to Adopt Bill 1323 as Ordinance 1294. Vote: Detert aye, Norman aye, Dunard aye, Anderson aye, Horner aye, Grimstead aye.

Mayor Sconce read Bill No. 1324 – as Ordinance ____ -- AN ORDINANCE AUTHORIZING CITY OF TROY, MISSOURI TO ENTER INTO A LEASE PURCHASE TRANSACTION THE PROCEEDS OF WHICH WILL BE USED TO PAY THE COSTS OF PREPAYING CERTAIN OUTSTANDING LEASE OBLIGATIONS OF THE CITY; AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH, first and second times by title only. Alderman Anderson made a motion, seconded by Alderman

Norman to Adopt Bill No. 1324 as Ordinance 1295. Vote: Anderson aye, Norman aye, Grimstead aye, Detert aye, Dunard aye, Horner aye.

*Approved Woodard & Curran Invoice No. 183749 for Wastewater Treatment Facility and Highway 47 Lift Station Construction Services for the period ending November 27, 2020 in the amount of \$72,000.00

*Approved Pay Application No. 5 submitted by T.S. Banze Construction, Inc. on the Mennemeyer Road Improvement Project CDBG-2016-ED-01 through 11/30/2020 in the amount of \$186,880.16

*Approved Pay Application No. 1 submitted by Lamke Trenching & Excavating, Inc. on the Water Main Relocation – Cherry Street Project M15-7199 through 11/30/2020 in the amount of \$89,660.05

*Approved Emergency Purchase for Blower Unit to VandeVanter Engineering in the amount of \$13,339.01 by Woodard & Curran

Treasurer Flinn requested the Board approve FY2020 Financial Statements based on her conditional review due to the auditing firm's quarantine caused by the pandemic and its inability to complete the audit by the deadline of December 27, 2020. Once completed, all Aldermen will receive the audit information by email. Alderman Dunard made a motion, seconded by Alderman Norman to Grant Conditional Approval of the FY2020 Financial Statements based on Treasurer Flinn's Review due to Delays caused by the Pandemic. Vote: Dunard aye, Norman aye, Grimstead aye, Detert aye, Anderson aye, Horner aye.

Pursuant to Section 405.595, Building Official Lindsey presented the Consolidation of 0.37 acre tract with 335 South Lincoln Drive Tracts. The consolidation would resolve a problem one year ago with a developer's site plan showing a driveway being too close to an intersection/stop sign. Alderman Dunard made a motion, seconded by Alderman Grimstead to Approve Consolidation of 0.37 acre tract with 335 South Lincoln Drive Tracts. Vote: Dunard aye, Grimstead aye, Norman aye, Detert aye, Horner aye, Anderson aye.

Alderman Detert made a motion, seconded by Alderman Anderson to Approve Change Order 1 submitted by Flynn Drilling Company on the Well#15 – 12" Test Well Project No. 190186 Adjusting Surface and Case Hole Quantities in the reduced amount of (\$8,810.00). Vote: Detert aye, Anderson aye, Norman aye, Grimstead aye, Horner aye, Dunard aye.

Alderman Norman made a motion, seconded by Alderman Horner to Approve Pay Application 1 submitted by Flynn Drilling Company on the Well#15 – 12" Test Well

Project No. 190186 in the amount of \$114,893.00. Vote: Norman aye, Horner aye, Dunard aye, Grimstead aye, Detert aye, Anderson aye.

Mayor Sconce said that in retrospect, the Well 15 project should have been bid out in phases to include the test site drilling, property purchase and drill casing for a completed project. To that end, Mayor Sconce requested the Board consider a waiver of formal bidding to complete the drilling of Well 15. The City would remain with the current contractor to complete the project for the cost savings of re-bidding, quick completion of the project, use of a local vendor and work performance history. Alderman Norman made a motion, seconded by Alderman Horner to Approve Waiver under Section 150.090 of Chapter 150 of Purchasing Policies and Authorize Mayor to Sign Agreement with Flynn Drilling to Complete Drilling Well 15 upon Receipt of Laboratory Results for Well 15 Test Site Drilling Project No. 190186 in the amount of \$193,226.00. Vote: Norman aye, Horner aye, Anderson aye, Detert aye, Grimstead aye, Dunard aye.

Alderman Grimstead made a motion, seconded by Alderman Norman to Approve Change Order 6 submitted by Plocher Construction for Water Line Relocation at Highway 47 Lift Station and Testing Allowance on SE WWTF & HWY 47 Lift Station Upgrades Project in the amount of \$15,010.30. Vote: Grimstead aye, Norman aye, Horner aye, Detert aye, Anderson aye, Dunard aye.

Alderman Anderson made a motion, seconded by Alderman Norman to Approve Pay Application No. 9 submitted by Plocher Construction through 11/30/2020 on SE WWTF & HWY 47 Lift Station Upgrades in the amount of \$1,550,441.45. Vote: Anderson aye, Norman aye, Dunard aye, Horner aye, Detert aye, Grimstead aye.

Alderman Detert made a motion, seconded by Alderman Anderson to Approve Change Order 1 submitted by Gerstner Electric, Inc. on the TAP Villa Drive Sidewalk Project TAP-9900(319) in the amount of (\$0.29) per the designer's response to RFI #1, for substituting 8" concrete base for asphalt base widening in the contract. Vote: Detert aye, Anderson aye, Horner aye, Dunard aye, Grimstead aye, Norman aye.

Building Official Lindsey cited the need to create the position of Stormwater Management Coordinator ("MS4") due to increased responsibilities of the Building Department since 2010 of Historical Preservation Commission and MS4 Program, and the reduction of the department by four employees. Building permits have steadily increased since 2010 and projected to double over last year's permits. The new position would be full-time and include responsibilities of renewing the MS4 five-year permit and completion of a stormwater plan by September 2021. Alderman Detert made a motion, seconded by Alderman Dunard to Approve Hiring a Stormwater Management Coordinator ("MS4"), Salary Range between Grade 12-Step 6 (\$17.36 / \$3,009.87 /

\$36,118.38) through Grade 12-Step 10 (\$19.54 / \$3,387.63 / \$40,651.56). Vote: Detert aye, Dunard aye, Anderson aye, Horner aye, Grimstead aye, Norman aye.

Alderman Norman made a motion, seconded by Alderman Detert to Approve Job Description for Stormwater Management Coordinator (“MS4”). Vote: Norman aye, Detert aye, Anderson aye, Grimstead aye, Horner aye, Dunard aye.

Building Official Lindsey requested purchase of new inspection and permit online software for increased productivity. Upon his review of three software programs, Dude Solutions offered the best price and featured online applications, inspection/re-inspection requests, uploading site pictures, and inspection results sent to contractors in real-time before leaving the work site. Discussion ensued whether to wait to purchase the software until after a mid-year budget review to determine sales tax revenue impact caused by the pandemic and the lack of local government help expected in the second stimulus package from the Federal government. Building Official Lindsey said that construction had not slowed down due to the pandemic and the software’s discounted price quoted in April 2020 for budget workshop will not be held after tomorrow. Alderman Detert made a motion, seconded by Alderman Anderson to Approve and Authorize Mayor to Sign Implementation and Subscription Agreement through June 30, 2021 with Dude Solutions, Inc. in the amount of \$11,666.00 with First Year Renewal Price from July 1, 2021 through June 30, 2022 in the amount of \$16,811.20. Vote: Detert aye, Anderson aye, Norman aye, Dunard aye, Horner aye, Grimstead aye.

Alderman Anderson made a motion, seconded by Alderman Norman to Approve the Purchase of Three (3) Tablets including Service for Twelve Months for use with Dude Solutions Software not to exceed \$5,760.00. Vote: Anderson aye, Norman aye, Grimstead aye, Detert aye, Dunard aye, Horner aye.

Alderman Detert said that Item 7Q to Discuss Chapter 210. Offenses. Section 210.695 Loud or Unusual Noise Disturbance was discussed earlier in this meeting. No further discussion was held.

Alderman Norman made a motion, seconded by Alderman Dunard to Go Into Closed Session in compliance with 610.021 of RSMo., for the purposes of discussing Legal. Vote: Norman aye, Dunard aye, Horner aye, Detert aye, Anderson aye, Grimstead aye.

City Attorney Granneman advised the Board on Legal matters.

Alderman Anderson made a motion, seconded by Alderman Detert to Go Out of Closed Session. Vote: Anderson aye, Detert aye, Dunard aye, Horner aye, Grimstead aye, Norman aye.

Alderman Anderson made a motion, seconded by Alderman Detert to Adjourn the meeting. Vote: Anderson aye, Detert aye, Grimstead aye, Horner aye, Dunard aye, Norman aye. The meeting adjourned at 9:42 p.m.

ATTEST:

City Clerk

Mayor Ron Sconce

*Approved on Consent Agenda