

City of Troy, Missouri
Regular Board of Aldermen Meeting
Monday, July 19, 2021
6:30 P.M.

Present for the Regular Board of Aldermen Meeting were Aldermen Dunard, Norman, Grimstead, Horner, Detert, Jones and Mayor Sconce. Also present were Public Works Superintendent Burkemper, Police Chief Taylor, Building Official Lindsey, Treatment Plant Supervisor Comer, Treasurer Flinn, City Attorney Granneman and City Clerk Schneider.

Mayor Sconce called the Regular Board of Aldermen Meeting to Order, announced a Quorum present and led in the Pledge of Allegiance.

Alderman Detert made a motion, seconded by Alderman Dunard to Approve the Consent Agenda Upon the Removal of Items 3(A), 7(A), 7(B) and 7(C). Vote: Detert aye, Dunard aye, Jones aye, Grimstead aye, Norman aye, Horner aye.

*Approved Minutes of Regular Board of Aldermen Meeting dated June 21, 2021; Special Board of Aldermen Meeting dated June 29, 2021

Keri Wardenburg explained that she just moved into a new home in Troy and planned to have a fence installed in September. She had three dogs, and the newest dog is a Wheaton Terrier/Golden Doodle mix puppy. Ms. Wardenburg said that all dogs were microchipped. Alderman Detert asked whether the dogs had dog tags and Ms. Wardenburg answered yes. Alderman Detert advised of the ordinance allowing only two dogs and she stated that she would probably keep it at two dogs if one of the dogs were to pass away. Alderman Jones made a motion, seconded by Alderman Norman to Approve Third Dog Variance Request for Keri Wardenburg at 166 Williamsburg. Vote: Jones aye, Norman aye, Grimstead aye, Horner aye, Dunard aye, Detert aye.

Ray Pullen and Tamra Robinson took a video of the June 25, 2021 rain event showing the water run off coming from the City cemetery flooding their yard along with their neighbors' yards. Mr. Pullen said that it happens whenever there is a good rain and nowhere for the rain to go even though the retention pond was made larger. Dylan McNees, 959 Trojan Circle, lived next door and attested to the problem. Mr. McNees said the water ran a divot in his yard and mud washed up on his side of a privacy fence. Mr. McNees said there were two retention ponds at Trojan and one at the cemetery but the two were not connected. Mr. Pullen suggested a culvert at the back of the cemetery. Mayor Sconce said the City would look into it.

Chad Lewis was not present but Nick Boyd, his neighbor, spoke in his place on the sewer back-up occurring on June 25, 2021. Mr. Boyd lived at 501 Newcastle Drive. Mr. Boyd

said he had damage to his basement in the amount of \$37,000 and relocated three kids out of his basement. Mr. Boyd would like to know what the City would do to prevent a sewer back-up. Mayor Sconce said during the June 25, 2021 rain event, there was no failure in the lift station pump system. Mayor Sconce said the water infiltration filled up the pumps and pumps worked as fast as possible during the event. Mayor Sconce said the City was spending time and money to resolve issues and there were options to help yourself. Mr. Boyd said that it was not recommended to him before the home was built to install a \$400 backflow preventer as a fix but now he would have to trust the City's sewer system not to back up again. Mr. Boyd planned to hire a plumber and have a backflow preventer installed. Mayor Sconce sympathized with Mr. Boyd and assured that the City will continue to work on resolutions. Mr. Boyd said that he knows that it was not ill-will and hoped that it will not happen again. Alderman Detert said there were two storage tanks for sewer. Mr. Boyd asked if fencing could be installed around those tanks due to the amount of kids in the neighborhood. Treatment Plant Supervisor Comer said there was money budgeted to move a generator to the location and install fencing. Mr. Boyd said that his wife heard alarms all day on June 25th and Comer said that he received alarm alerts also and the pumps were running all day.

Janice Stone was not present at the meeting.

Betty Guzinski is a neighbor to Mr. Lewis and Mr. Boyd and said that the only reason she did not get sewer back-up in her basement as happened in the past was that their homes were built and took the back-up instead. Ms. Guzinski said the sewer was getting a lot of water in it. Mayor Sconce said the City will continue to run it down.

Sydney Elliott and Steve Morey of Happy Cloud Smoke Shop at 109 N Lincoln Drive, requested approval of a Special Event set for Sunday, October 3, 2021 from 11 a.m.-6 p.m. The non-alcoholic event would have 20-30 vendors including local food trucks, Troy Buchanan High School band and be restricted to 18 years of age and up unless accompanied by an adult. They said that all neighboring tenants and the landlord approved the event and were on-board. Overflow parking would be across the street at Auto Outfitters. Alderman Detert made a motion, seconded by Alderman Horner to Approve Special Event Application for Block Party submitted by on October 3, 2021. Vote: Detert aye, Horner aye, Norman aye, Grimstead aye, Jones aye, Dunard aye.

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

Alderman Detert said he received a citizen comment that Patrol Sergeant Chad McAllister went above and beyond in service and commended this officer. Alderman Detert made a motion, seconded by Alderman Dunard to Approve Report of Police. Vote: Detert aye, Dunard aye, Jones aye, Horner aye, Grimstead aye, Norman aye.

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

*Approved Payment of Regular Monthly Bills

Mayor Sconce read Bill No. 1335 as Ordinance ____ -- AN ORDINANCE ESTABLISHING THE SALARY SCHEDULE FOR ALL EMPLOYEES OF THE CITY OF TROY, MISSOURI, first and second times by title only. Alderman Detert made a motion, seconded by Alderman Norman to Adopt Bill No. 1335 as Ordinance 1305. Vote: Detert aye, Norman aye, Jones aye, Horner aye, Grimstead aye, Dunard aye.

Mayor Sconce read Bill No. 1333 as Ordinance ____ -- AN ORDINANCE PARTIALLY AMENDING CHAPTER 130: MUNICIPAL COURT, SECTION 130.210: COSTS, SUBSECTIONS A & B OF THE CODE OF ORDINANCES OF THE CITY, first and second times by title only. Alderman Horner made a motion, seconded by Alderman Jones to Adopt Bill No. 1333 as Ordinance 1303. Vote: Horner aye, Jones aye, Norman aye, Dunard aye, Detert aye, Grimstead aye.

Mayor Sconce read Bill No. 1334 as Ordinance ____ -- AN ORDINANCE AUTHORIZING THE EXECUTION OF VEHICLE LEASE AGREEMENT, first and second times by title only. Alderman Jones made a motion, seconded by Alderman Grimstead to Adopt Bill No. 1334 as Ordinance 1304. Vote: Jones aye, Grimstead aye, Dunard aye, Norman aye, Horner aye, Detert aye.

Mayor Sconce followed up twice with Lamke Trenching on this change order but had no response. Mayor Sconce said there was some indication that the change order was not accurate and was initially tabled. The change order may now be correct with actual measurements used as opposed to bid estimate measurements but Mayor has had no confirmation on the numbers. Alderman Grimstead made a motion, seconded by Alderman Norman to Approve Change Order No. 2 submitted by Lamke Trenching & Excavating Inc. on the Water Main Relocation – Cherry Street Project M15-7199 for Adjustments in Quantity for Asphalt and Concrete Drives and Easy Valve in the amount of \$35,977.50.

Alderman Horner asked what sections were covered by the work performed on the change order and Mayor Sconce replied the entire project on Cherry Street but every driveway was added which put in more yards than estimated and the bid estimate had been done by GIS only. Alderman Grimstead asked if the street project would be delayed if the change order was not approved and Mayor Sconce said no. Alderman Jones said it may be best to table the change order due to lack of response from contractor. Alderman Grimstead withdrew Motion to Approve Change Order No. 2 and Alderman Norman withdrew his Second. Alderman Jones made a motion, seconded by Alderman Grimstead to Table Change Order No. 2 submitted by Lamke Trenching & Excavating Inc. on the Water Main Relocation – Cherry Street Project M15-7199 for Adjustments in Quantity for Asphalt and Concrete Drives and Easy Valve in the amount of \$35,977.50. Vote: Jones aye, Grimstead aye, Detert aye, Dunard aye, Horner aye, Norman aye.

Mayor Sconce said Luke Oldham, Beer Outside, LLC., withdrew Request for a Conditional Use Permit for “Beer Outside,” a container bar, to be located at 105 South Lincoln Drive. Zoning is “C-3” Highway Commercial District.

Mayor Sconce requested the Board table Item 6(C) until receipt of further documentation. Alderman Detert made a motion, seconded by Alderman Norman to Table Item 6(C) Approve Liquor License Renewal FY22 for Buzzy’s of Troy LLC, 208 N. Lincoln Dr. Vote: Detert aye, Norman aye, Dunard aye, Jones aye, Horner aye, Grimstead aye.

Alderman Detert asked Mayor Sconce to relay to new Board members information on the Front Street Community Improvement District (“CID”). Mayor Sconce relayed the previous Board approved the Front Street CID taxing district requested by the developer of Slim Chickens to pay for infrastructure at that location and funded by an additional one-cent tax imposed.

Alderman Detert made a motion, seconded by Alderman Dunard to Appoint Angie Baer as Successor Director to the Front Street Community Improvement District Board of Directors for a term to expire on January 22, 2026. Vote: Detert aye, Dunard aye, Jones aye, Horner aye, Norman aye, Grimstead aye.

Alderman Detert made a motion, seconded by Alderman Dunard to Appoint Kyle Lenzen as Successor Director to the Front Street Community Improvement District Board of Directors for a term to expire on January 22, 2026. Vote: Detert aye, Dunard aye, Norman aye, Jones aye, Grimstead aye, Horner aye.

Alderman Detert made a motion, seconded by Alderman Dunard to Appoint Brittany Leicht as Successor Director to the Front Street Community Improvement District Board of Directors for a term to expire on January 22, 2026. Vote: Detert aye, Dunard aye, Norman aye, Grimstead aye, Horner aye, Jones aye.

*Approved Site Plan Review and Commercial Building Permit as submitted by Dale Geeding and Lucy Hughes, applicants on behalf of property owner Troy Development for “The Barn at Woods Fort” to be located at 1 Country Club Drive as recommended by Planning & Zoning Commission

*Approved Pay Application No. 16 submitted by Plocher Construction through June 30, 2021 on SE WWTF & HWY 47 Lift Station Upgrades Project No. 0228664.01 in the amount of \$351,072.73

*Approved Woodard & Curran Invoice No. 191829 for Wastewater Treatment Facility and Highway 47 Lift Station Construction Services for the period ending June 25, 2021 in the amount of \$86,000.00

*Approved Woodard & Curran Invoice No. 192299 for WWTF SCADA Integration through June 18, 2021 in the amount of \$6,958.08

*Approved Change Order No. 3 submitted by KCI – Woodard & Curran incorporating federal funds into the project at no cost

*Approved Final Pay Application No. 5 submitted by KCI Construction Company on the WWTF and Hwy 47 Lift Station Upgrades – Interceptor Sewer and Force Main Project No. 0228664.02 through June 30, 2021 in the amount of \$113,620.14

John Meyer, Gateway Fiber, presented to the Board that Gateway Fiber was a rapidly-expanding two-year old local internet service provider which offered great service and 100% fiber-optic internet service to the area.

Mayor Sconce relayed the requirement for the City to pay for electric utility relocations in connection with the Cherry Street project by the round-about at Wood/Cherry Streets. Several bids were solicited for relocation and boring costs and the costs were higher than anticipated and would require a formal bid process. Mayor Sconce requested the Board waive the formal bidding policy to avoid the delay in moving utilities, avoid the increase in the overall project cost due to the delay and the ability to proceed forward with the project on schedule.

Public Works Superintendent Burkemper said that he contacted four contractors for bids and he had received two bids. Alderman Dunard asked about Option 2 listed on the Mehler & Sons' bid requiring the City to do the boring work. Burkemper did not recommend Option 2 due to potential liability of hitting underground infrastructure/fiber and workload of public works crew.

Alderman Jones made a motion, seconded by Alderman Grimstead to Waive Formal Bidding Policy under Section 150.090, Approve and Authorize Mayor to Sign Bid/Contract Option 1 submitted by Mick Mehler & Sons Inc. in the amount of \$55,985.00 on Boring for Cherry Street Project as the lowest and best bid. Vote: Jones aye, Grimstead aye, Horner aye, Norman aye, Dunard aye, Detert aye.

Alderman Grimstead made a motion, seconded by Alderman Horner to Approve and Authorize Mayor to Sign Agreement to Remove People's Bank Sign in the amount of \$1,800.00. Vote: Grimstead aye, Horner aye, Norman aye, Dunard aye, Detert aye, Jones aye.

Alderman Detert made a motion, seconded by Alderman Grimstead to Approve and Authorize Mayor to Sign Lumen Order Q-01166084 in the amount of \$140.00 per month for 36 months for Managed Enterprise with Cisco Meraki and Order Q-01165888 in the amount of \$250.00 per month for 36 months for Adtran Netvanta 5660 Pro 100M at 1011 Bueneman Lane-Sewer Plant. Vote: Detert aye, Grimstead aye, Jones aye, Horner aye, Norman aye, Dunard aye.

Treatment Plant Supervisor Comer distributed and presented Woodard & Curran Operations, Year 3 – Annual Report. Comer highlighted operations during the third year. Greg Friedens, Area Manager, Woodard & Curran, spoke on its community involvement,

operations within budget and recommended an amendment of the original operations contract to encapsulate reducing operations from two plants to one plant as well as a contract extension.

Alderman Detert relayed concern shown by several citizens on the use of commercial fireworks in residential areas. The fire department received three calls on July 4th and fifteen calls between July 2nd through July 5th. Alderman Dunard said fireworks could be banned but fireworks will still be done. Citizen Carol Weiman, 1101 Crystal Court, said houses were close together and worried a house could be burned down believing that most cities do not allow fireworks to be shot off. Alderman Detert said it may be considered hypocritical to issue firework permits for fireworks stands but not allow fireworks to be used in City limits. An argument would be that guns are sold in City limits but were not allowed to be discharged either. Police Chief Taylor said fireworks can be purchased outside City limits and brought inside to set off. Alderman Horner agreed to sponsor an amendment to the fireworks ordinance to not allow the use of fireworks and no fireworks sales in City limits.

Alderman Detert made a motion, seconded by Alderman Grimstead to Approve and Authorize Mayor to Sign Crossing Agreement with Platte Pipeline in regard to the Hwy 61 Watermain Extension - Troy, MO M13-7023A. Vote: Detert aye, Grimstead aye, Norman aye, Horner aye, Jones aye, Dunard aye.

Alderman Jones 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, Real Estate and Personnel. Vote: Jones aye, Dunard aye, Detert aye, Norman aye, Grimstead aye, Horner aye.

Alderman Detert made a motion, seconded by Alderman Dunard to Accept the Resignation of Dylan Gnade, Public Works Maintenance Worker, effective July 29, 2021. Vote: Detert aye, Dunard aye, Norman aye, Jones aye, Grimstead aye, Horner aye.

City Attorney Granneman advised on Legal and Real Estate matters.

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

Alderman Grimstead made a motion, seconded by Alderman Dunard to Adjourn the meeting. Vote: Grimstead aye, Dunard aye, Norman aye, Horner aye, Detert, Jones aye. The meeting adjourned at 9:10 p.m.

ATTEST:

City Clerk

Mayor Ron Sconce

*Approved on Consent Agenda

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