

City of Troy, Missouri
Public Hearing and Regular Board of Aldermen Meeting
Monday, July 16, 2018
6:30 P.M.

Present for the Public Hearing and Regular Board of Aldermen Meeting were Aldermen Walker, Norman, Sconce, Detert, Curt and Mayor Cross. Alderman Anderson was absent. Also present were Public Works Superintendent Cunningham, Infrastructure Inspector/GIS Technician Shaw, Police Lieutenant Tienter, Parks Director Howell, Wastewater Superintendent Peasel, Treasurer Flinn, City Attorney Granneman and City Clerk Schneider.

Mayor Cross opened the Public Hearing and asked for citizen comments on the Petition for Proposed Vacation of Utility Easements located at 11 Turnbull Trail under Chapter 430 of the Code of the City of Troy, Missouri filed by Petitioners Harold L. Turnbull and Elsie W. Turnbull.

Sylvester Furse, representing the engineering firm on behalf of Petitioners, stated that all utility comments were received except from Charter Spectrum despite several attempts to contact. City Attorney Granneman recommended the Board wait for the Charter Spectrum response and table consideration of the ordinance until the next meeting.

There was no citizen comment.

Mayor Cross called the Regular Board of Aldermen Meeting to Order at 6:40 p.m., announced a Quorum present and led in the Pledge of Allegiance.

Alderman Sconce made a motion, seconded by Alderman Walker to Approve the Consent Agenda upon the removal of Item 7(B). Vote: Sconce aye, Walker aye, Curt aye, Norman aye, Detert aye.

*Approved the Minutes of Regular Board of Aldermen Meeting dated June 18, 2018, Special Board of Aldermen Meeting dated June 26, 2018, and Special Board of Aldermen Meeting dated July 3, 2018

Jessie and Renee Green requested a water tap in exchange for an easement for the water line constructed last year on their property at the street by their pond. Mrs. Green stated that someone stopped by their home with easement papers during construction last year and both of them signed the papers but did not retain a copy. Mrs. Green called to get a water meter installed but the City had no paperwork. Mrs. Green said the water line came alongside her property and not down the middle of the street. Mrs. Green was told there was a tap for a meter and fire hydrant put in with the work that was done. Mayor

Cross tried to figure out who came out with paperwork for the Green's to sign but it was still unknown.

Mrs. Green said the City's contractor put a hole in their pond, clipped electrical wires and destroyed a tree during construction. She said they were trying to fix the pond. To accommodate the request, the City would need an easement for the water line in exchange for the tap, a legal description, a survey, and the Troy Waterworks connection agreement. Mrs. Green explained that Mick Mehler Excavating had already put in the line and backfilled it over waiting for the City's paperwork.

Alderman Walker made a motion, seconded by Alderman Detert to Grant Water Tap in Exchange for Easement and Authorize Mayor to Procure Services to Grant Easement Outside City Limits. Alderman Sconce stated that a boundary survey would cost \$1,500.00 and an easement may already be present. Alderman Walker withdrew the motion. Alderman Detert withdrew his second.

City Attorney Granneman proposed a blanket fifteen-foot easement without a survey but would need the legal boundaries to prepare the document. Mrs. Green said that she does have a boundary survey. Mayor Cross said the City would make repairs on the wiring for the lights. Mrs. Green said they were not worried about the tree. City Attorney Granneman recommended a blanket fifteen-foot water line easement, City to grant water tap due to hardship and fix the electrical wiring.

Alderman Walker made a motion, seconded by Alderman Detert to Authorize and Enter into a blanket fifteen-foot Water Line Easement, and Enter Into Troy Waterworks Agreement Outside City Limits with Jessie and Renee Green in Exchange for Water Tap at 208 Faye Circle. Vote: Walker aye, Detert aye, Curt aye, Norman aye, Sconce aye.

Megan and Dan Dyer were not present.

Kara Nesbitt requested a one-time special event in the parking lot at 111 N. Lincoln Drive for three or four food trucks on August 10, 2018 from 11 a.m.-2 p.m. All food trucks would have business licenses and health department permits. Alderman Sconce made a motion, seconded by Alderman Norman to Approve the Special Event of Food Truck Friday on August 10, 2018. Vote: Sconce aye, Norman aye, Walker aye, Curt aye, Detert aye.

Cynthia Davenport alerted the Board that she would be advising Lincoln Land & Cattle Co. (Witte Brothers Exchange) on preparation of paperwork for a Petition for Vacation of two road easements on Agnes Drive behind NAPA Auto Parts and Tiger Express Car Wash. Further, Davenport stated that she is the prosecuting attorney for the City but that this action presents no conflict of interest.

Sarah Phillips, 100 Walnut Street, requested a third-dog variance for her ten-year old dog. She had not registered the dogs for two years due to surgery. She has two labs and a boxer mix. The two labs had at one time been licensed. All dogs have their shots and the property has a privacy fence. Alderman Sconce relayed that a variance may be issued limiting the length of time for a third dog. Alderman Sconce made a motion, seconded by Alderman Detert to Approve a Third-Dog Variance Request for a Twelve Month Period of Time. Vote: Sconce aye, Detert aye, Curt nay, Walker aye, Norman aye. Motion carried 4-1.

*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 Cross read Bill No. 1282 as Ordinance ___ -- An Ordinance Establishing the Salary Schedule for All Employees of the City of Troy, Missouri, read first and second times by title only. There was a request to clarify and Treasurer Flinn confirmed that there were no pay raises in the proposed bill. Alderman Detert made a motion, seconded by Alderman Curt to Adopt Bill No. 1282 as Ordinance 1255. Vote: Detert aye, Curt aye, Norman aye, Walker aye, Sconce aye.

Mayor Cross read Bill No. 1283 as Ordinance ___ -- An Ordinance of the City of Troy, Missouri, Vacating Portions of Easements in Turnbull Business Park, Plat One, Lots 2 and 3 Pursuant to Chapter 430, a first time by title only. Alderman Sconce made a motion, seconded by Alderman Curt to Table Bill No. 1283 as Ordinance ___ to the next meeting on Monday, August 6, 2018 at 6:30 p.m. Vote: Sconce aye, Curt aye, Walker aye, Detert aye, Norman aye.

Dale Black, CMS Homes LLC, presented two options to the Board for a residential development (Keeven property) with thirty-three homes on 100 acres. He proposed either annexation or hook-on to water “outside City limits.” The Board showed concern for the developer’s exceptions to City specifications on roads in the development in its annexation option. City Attorney Granneman stated that if the Board approved annexation, an ordinance would be presented listing all details of the annexation including a legal description, access to water, sewer, timing of hook-on, and specifications for hook-on for recordation. The title work would show restrictions and easements to the property owner. Alderman Sconce said CMS Homes LLC presented two options but a third option was not to accept the development based on its location outside City limits. Alderman Curt made a motion, seconded by Alderman Sconce to Explore Options of Annexation and/or Hook-On to Troy Waterworks System at

Residential Development/Keeven Property initially requested by CMS Homes, LLC on June 18, 2018. Vote: Curt aye, Sconce nay, Detert nay, Norman aye, Walker nay. Motion failed 2-3.

*Approved and Authorized Mayor to Sign Croghan & Croghan Engagement Letter for Year End June 30, 2018 Auditing Services in the amount of \$28,750.00 to \$35,200.00

Alderman Sconce made a motion, seconded by Alderman Walker to Approve Site Plan, Final Record Plat and Commercial Building Permit for a Casey's General Store to be located at 11 Turnbull Trail as recommended by Planning & Zoning Commission Pending Adoption of Bill No. 1283 as Ordinance ___ -- An Ordinance of the City of Troy, Missouri, Vacating Portions of Easements in Turnbull Business Park, Plat One, Lots 2 and 3 Pursuant to Chapter 430. Vote: Sconce aye, Walker aye, Norman aye, Curt aye, Detert aye.

Dennis Lyon of Utility Service Partners presented a service line warranty program. The program is endorsed by the National League of Cities and Missouri Municipal League. Utility Service Partners would administer the program and there would be no cost to the City. The City would be listed on its marketing materials sent to residents six times per year. The City would receive a license fee of fifty cents per product in January every year or decline the license fee and pass the savings onto the homeowner. Mr. Lyons handed out his presentation for reference. Alderman Curt stated the need to be careful when giving access to the City's name for marketing material. Alderman Sconce stated that the insurance could be marketed without the use of the City's name.

Chuck Barcom of Meridian Waste Solutions and Gary Gillum of Resource Management alerted the Board of the past three years decline in recycling materials industry and a noticeable dip since January 2018. The dip since January was due to China's decline to purchase the United States' recyclable materials. It now costs more to recycle than to pay for trash. Mr. Barcom would like a special meeting or workshop with the Board to discuss options for immediate response to the recycling downturn.

Alderman Curt made a motion, seconded by Alderman Sconce to Go Into Closed Session in compliance with 610.021 of RSMo. For the purposes of discussing Legal. Vote: Curt aye, Sconce aye, Detert aye, Walker aye, Norman aye.

City Attorney Granneman advised the Board on Legal matters.

Alderman Sconce made a motion, seconded by Alderman Curt to Go Out of Closed Session. Vote: Sconce aye, Curt aye, Walker aye, Norman aye, Detert aye.

Alderman Sconce made a motion, seconded by Alderman Curt to Adjourn the Meeting.
Vote: Sconce aye, Curt aye, Detert aye, Norman aye, Walker aye. Meeting adjourned at
8:47 p.m.

ATTEST:

City Clerk

Mayor Mark Cross

*Approved on Consent Agenda

DRAFT