

City of Troy, Missouri
Regular Board of Aldermen Meeting
Monday, December 17, 2018
6:30 P.M.

Present for the Regular Board of Aldermen Meeting were Aldermen Walker, Curt, Norman, Anderson, Sconce, Detert and Mayor Cross. Also present were Public Works Superintendent Cunningham, Building Official Lindsey, Major Floyd, Parks Director Howell, Jared Comer, Woodard & Curran, Treasurer Flinn, City Attorney Granneman, and City Clerk Schneider.

Mayor Cross 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 Curt to approve the Consent Agenda upon the removal of Items 7(B) and 7(F). Vote: Detert aye, Curt aye, Sconce aye, Norman aye, Anderson aye, Walker aye.

*Approved the Minutes of the Regular Board of Aldermen Meetings dated Monday, November 19, 2018

*Approved Reports of Park, Planning and 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. 1287 as Ordinance No. ____ -- Ordinance Authorizing the Execution of Vehicle Lease Agreement for Two (2) 2019 Dodge Chargers with Peoples Bank & Trust Co. as Lessor, first and second times by title only. Alderman Walker made a motion, seconded by Alderman Sconce to Adopt Bill No. 1287 as Ordinance No. 1260. Vote: Walker aye, Sconce aye, Anderson aye, Curt aye, Detert aye, Norman aye.

*Approved Rescheduling Third Monday of January Regular Board Meeting to Thursday, January 24, 2019

City Clerk Schneider advised that the detailed breakdown of the claims adjuster did not reflect an updated agreement to pay for one-half of the air testing. The updated agreement increased the loss to \$29,536.36 as listed on the agenda. Alderman Anderson made a motion, seconded by Alderman Detert to Authorize the Mayor to Sign Proof of Loss, Policy No. CP0000679, in the amount of \$29,536.36 replacement cost value for kitchen/structural loss of August 20, 2018. Vote: Anderson aye, Detert aye, Curt aye, Norman aye, Walker aye, Sconce aye.

*Approved Pay Application #1 on Whitetail Crossing Lift Station Improvement Project, #M16-7299 in the amount of \$107,239.72 requested by Karrenbrock Excavating LLC

*Approved Pay Application #1 on 2018 Slab Replacement Program, Contract #180820004, in the amount of \$128,364.61 requested by M & H Concrete Contractors, Inc.

*Approved 2019 IRS Mileage Rate of \$0.58

Building Official Lindsey relayed to the Board that the developer requested that this be pulled off the agenda until finished. Lindsey requested that changes be made to the City's ordinance to include all utilities including gas and electric prior to approval for a record plat. Alderman Sconce agreed to sponsor this change.

* Approved FY2018 Audited Financial Statements

Alderman Sconce made a motion, seconded by Alderman Walker to Approve Budget Amendment 10-20-01-6991 +\$7,285.00 and Capital Asset: Equipment (\$7,285.00) for Bobcat Jackhammer (approved 10/01/2018 Board Meeting). Vote: Sconce aye, Walker aye, Norman aye, Detert aye, Curt aye, Anderson aye.

Jim Odom, Risk Manager for the City's liability carrier, MOPERM, was present to discuss 2019 renewal increases to the policy. Mr. Odom first relayed various free services available to the City's HR Department and City Attorney of online training through MOPERM University, Employment Practices Hotline which connects the city's attorney with MOPERM's attorneys, Employment Practices website and Member Access Panel for policy information showing loss run and claims history which drives premium costs. Mr. Odom continued that police departments are big targets and MOPERM offers POST certified courses for ten hours of free training per person per entity.

Mr. Odom stated that MOPERM is required to change its actuary every three years and the new actuary recommended to raise rates in order to be financially responsible. Further, certain insurance lines have increased across the State of Missouri and are carried by the City. Those lines are General Liability, Law Enforcement, Errors & Omissions, and Employer Liability. The City's loss rate has been trending downward at .58% but overall the premium reflects an increase of 12%. Mr. Odom reminded that MOPERM is a quasi-public entity and no municipality can be turned away from the group which also affects premium costs.

Public Works Superintendent Cunningham stated that the meter reading equipment will become obsolete soon and Neptune offered an incentive at one-half of the cost to purchase the new equipment in advance. The equipment will be cloud-based and will work with a smart phone or tablet. Alderman Sconce asked when the equipment would become obsolete. Cunningham answered that it could be six months up to five years but the 50% price reduction would only extend through the first quarter of 2019. Alderman Sconce made a motion, seconded by Alderman Anderson to Approve Upgrade Purchase

to Cloud-Based Meter Reading Equipment of \$5,495.00. Vote: Sconce aye, Anderson aye, Walker aye, Detert aye, Norman aye, Curt aye.

Public Works Superintendent Cunningham stated that there was an opportunity to purchase a service truck with crane and air compressor on a bidding website that would have been ideal to use during the construction of Main Street Bridge due to the crane for lifting material and air compressor for welding. The service truck will be useful for future projects. Alderman Anderson made a motion, seconded by Alderman Curt to Approve Purchase of Service Truck with Crane for Public Works in an amount up to \$28,000.00 with \$17,000.00 budgeted for truck and \$11,000.00 budget amendments. Vote: Anderson aye, Curt aye, Detert aye, Norman aye, Walker aye, Sconce aye.

Alderman Detert has been working with Building Official Lindsey and the MS4 Committee on drafting MS4 ordinances and was concerned with the fines and undue burden on folks who could not physically or financially abide by certain regulations. Building Official Lindsey commented that the fines imposed are standard language in many municipal ordinances and citizens would be given notice long before a fine would kick in determined by either the Board of Aldermen or civilly through a court. City Attorney Granneman commented that fine penalties would start on the administrative-side first through the Board of Aldermen. Granneman continued that setbacks and elevations by a creek have been set by the Environmental Protection Agency and Missouri Department of Revenue and municipalities have been tasked with set-up, guidelines and enforcement for MS4 compliance. Lindsey stated that MS4 ordinances would affect new development and reminded that the buffer strip in 2000 was removed and lessons were learned from allowing development too close to a creek. The buffer strip needs to be twenty-five feet and bushy growth for erosion protection. Lindsey requested a thorough review prior to the public hearing for MS4 ordinances set for January 24th.

Alderman Sconce made a motion, seconded by Alderman Detert to Approve and Authorize Mayor to Sign Vehicle Lease Agreement with Woodard & Curran Upon Receipt of its Finalized Form by City Attorney Granneman. Vote: Sconce aye, Detert aye, Norman aye, Curt aye, Anderson aye, Walker aye.

Alderman Sconce requested Captain Pirtle, present at the meeting, to address questions asked by the Board. Alderman Sconce stated that the 2019 Agreement for Contracted Services reflected a substantial increase in cost and changed terms to a calendar year. Sconce continued that the City only had a slight 1% increase in calls but a \$50,000.00 increase in user fees. Captain Pirtle explained that it was a "perfect storm" and difficult to explain. Pirtle continued that a big hit was decreased revenue of \$21,000 from landline surcharge. The \$1.303 million budget last year increased after hiring two additional personnel at an increase of \$338,000.00, salary increases for four personnel of \$86,000, adding a sixth answering point in the Communications Center an increase of \$6,000.00, technology work/additional licensing fees of \$19,000.00 for ProQA and warranty-radio system of \$8,000.00. City of Winfield decreased their call volume by 2% which raised other municipality user fees. City of Troy was 43,000 incidents and reduced to 42,000

incidents in 2018 a decrease of 1% but still remained ¼ of the pie (dispatch user group). Alderman Anderson noted that the user fee increased by 26% with a 1% decrease in call volume so increased fees must be due to an expanding budget. Captain Pirtle explained that Lincoln County also received an increase by \$48,000.00 even though their call volume went down.

Captain Pirtle responded to Alderman Curt's query whether Lincoln County still subsidized 911-Dispatching services and he said no. Captain Pirtle said the City's full share last year and this year was based on LC Central Communications budget of \$1.303 million and its 2019 budget of \$1.432 million. Alderman Anderson stated that there was no incentive to control costs. Alderman Curt said the City has no control over the dispatch costs. Mayor Cross said the Commissioners were on board with the City's fiscal budget year beginning July but the 2019 Agreement asks for more money and a calendar year term.

There was further discussion regarding support for a proposed 911 tax on all devices for the April 2019 ballot but the City did not adopt a resolution in support without knowing the monetary commitment required. Also, the ballot language indicated that it was for 911 emergency services and not for dispatch services meaning that if passed, there would be no benefit to cities.

Captain Pirtle was asked to define "dispatch" services. He said that dispatch services are defined as follows: (a) 911 emergency call-taking (emergent), then dispatch; (b) central dispatch (non-emergent); and (c) warrant services. In 1994, Lincoln County adopted 911 Emergency Services statutes and went live in 1997. Lincoln County handled/paid for Troy dispatch services since 1994 with two channels, State and County. In 1998, all 911 and dispatch went through the Sheriff's Department except fire department. Alderman Sconce stated that since the Lincoln County Commissioners receive the 911 emergency tax revenues, it should be their sole responsibility and that the \$1.00 per device proposed surcharge does not provide solutions.

Alderman Detert said since cities are located in the County, those citizens are charged double. The City had asked for a modification of the 2019 Agreement for Contracted Services but it was sent back without modification except for typographical errors. Alderman Sconce made a motion, seconded by Alderman Curt to Table Adopt Resolution 2018-4 Authorizing Mayor to sign Agreement for Contracted Services with Lincoln County Central Communications (2019 Calendar Year). Vote: Sconce aye, Curt aye, Walker aye, Anderson aye, Detert nay, Norman aye. Motion carried 5-1.

City Clerk Schneider advised the Board that the City reached out to Prime Designs by Nancy to obtain a cost estimate and specifications on kitchen/hallway renovations to determine whether the City will need to go out for formal bidding on the project.

Mayor Cross was asked by MOST to submit a letter of acceptance for 20,000 gallons monthly of additional water discharge into the City's sewer system. Mayor submitted test results to Jennifer Anders and Rob Polys of Woodard & Curran to verify if the City's

wastewater facility could sufficiently handle the additional discharge. The engineers answered in the affirmative. Alderman Anderson made a motion, seconded by Alderman Curt to Approve and Authorize Mayor to Prepare Final Letter to Cornerstone Environmental Health and Safety, Inc. in Zionsville, Indiana on behalf of MOST for its Missouri Department of Natural Resources application for an industrial waste permit accepting an additional 20,000 gallons of water discharge into the City of Troy Sewer System. Vote: Anderson aye, Curt aye, Sconce aye, Walker aye, Detert aye, Norman aye.

Alderman Curt asked Jared Comer to report on the wastewater treatment plant. Jared said for the seventeen days that Woodard & Curran have been running operations, everything is going well. The two new employees have been on-boarded, utility bills have been switched over from the City to Woodard & Curran and processes have changed slightly by adjusting to lower motor speeds in the basin for lower energy costs and pumping ammonia in the lines for better quality effluent reports. The crews placed submersible pumps to feed clear water overnight when the flows are down and reduce storage of water. Greg Freidun, also in attendance, commented that the two employees are working out well and Woodard & Curran was glad to have them and one additional new employee would be hired to bring the crew back to four.

Alderman Anderson 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 and Personnel. Vote: Anderson aye, Sconce aye, Detert aye, Curt aye, Norman aye, Walker aye.

Alderman Walker made a motion, seconded by Alderman Detert to Approve the Voluntary Transfer of Roger Taylor from Detective to Patrol Officer to G13-17 \$26.43 per hour effective next pay period. Vote: Walker aye, Detert aye, Anderson aye, Norman aye, Curt aye, Sconce aye.

Alderman Curt made a motion, seconded by Alderman Sconce to Fill Detective Position by Posting the Position Internally. Vote: Curt aye, Sconce aye, Norman aye, Detert aye, Walker aye, Anderson aye.

Alderman Detert made a motion, seconded by Alderman Anderson to Accept the Resignation of Sean Brown, K9 Patrol Officer. Vote: Detert aye, Anderson aye, Curt aye, Norman aye, Walker aye, Sconce aye.

Alderman Sconce made a motion, seconded by Alderman Curt to Relinquish Ownership of K9 Officer Lobo to Sean Brown or to Master Trainer. Vote: Sconce aye, Curt aye, Norman aye, Detert aye, Anderson aye, Walker aye.

Alderman Sconce made a motion, seconded by Alderman Walker to Fill K9 Patrol Officer Position by Posting the Position Internally. Vote: Sconce aye, Walker aye, Curt aye, Anderson aye, Norman aye, Detert aye.

Alderman Sconce made a motion, seconded by Alderman Curt Authorizing City Attorney Granneman Not to Proceed with Civil Charges against Chad Booher without Prejudice. Vote: Sconce aye, Curt aye, Anderson aye, Detert aye, Norman aye, Walker nay. Motion carried 5-1.

By general consensus, the Board agreed to authorize City Attorney Granneman to let the Prosecuting Attorney know that the City planned to dismiss civil charges against Chad Booher.

City Attorney Granneman advised the Board that the City of Troy would be represented by Meadowbrook Insurance Company on a personal injury-vehicular lawsuit in the matter of Donna Dains vs. City of Troy Police Department and James Reeds, Case No. 18L6-CC00146.

Alderman Curt made a motion, seconded by Alderman Sconce to Accept the Resignation of Michele Frye, Utility Clerk and Authorize Placing an Employment Advertisement to Fill the Position. Vote: Curt aye, Sconce aye, Anderson aye, Walker aye, Norman aye, Detert aye.

City Attorney Granneman advised the Board on Legal Matters.

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

Alderman Anderson made a motion, seconded by Alderman Curt to Adopt Resolution 2018-4 Authorizing Mayor to Sign Agreement for Contracted Services with Lincoln County Central Communications (2019 Calendar Year). Vote: Anderson aye, Curt aye, Walker aye, Norman aye, Detert nay, Sconce aye. Motion carried 5-1.

Alderman Anderson made a motion, seconded by Alderman Sconce to Adjourn the Meeting. Vote: Anderson aye, Sconce aye, Curt aye, Norman aye, Detert aye, Walker aye. The meeting adjourned at 9:24 p.m.

ATTEST:

City Clerk

Mayor Mark Cross

*Approved on Consent Agenda