

City of Troy, Missouri
Public Hearing and Regular Board of Aldermen Meeting
Thursday, January 20, 2022
6:00 P.M.

Present for the Public Hearing and Regular Board of Aldermen Meeting were Aldermen Dunard, Norman, Detert, Horner, Jones and Mayor Sconce. Alderman Grimstead was not present. Also present were Public Works Superintendent Burkemper, Police Chief Taylor, Parks Director Howell, Building Official Lindsey, Taylor Granneman, Acting City Attorney and City Clerk Schneider.

Mayor Sconce opened the Public Hearing for citizen comment to consider changes to the City of Troy Zoning Code of Ordinances regarding:

1. Section 405.125 “C-3” Highway Commercial District
2. Section 405.130 “I-1” Light Industrial District
3. Section 405.135 “I-2” Heavy Industrial District
4. Sections 405.595 through 405.620 Site Plan Review and Procedure
5. Section 405.705 Report by Planning & Zoning Commission
6. Section 410.050 Preliminary Subdivision Plan

Building Official Lindsey said the only change in Section 405.125 was adding the definition of “medical office.” In Sections 405.130 and 405.135, the only changes were adding the definition of “indoor/outdoor storage and/or self-storage mini warehouses.”

Building Official Lindsey said in Sections 405.595 through 405.620, under Site Plan (A) and (B), the change was “or Building Official if no City Engineer is appointed” and adding “Building Official” to the remaining sections. Lindsey further explained that under Site Plan Requirements, all submissions go through Planning & Zoning and then to the Board of Aldermen for final approval.

Under Section 405.705(a), the only change was “or Building Official if no City Engineer is appointed.” Finally, under Section 410.050, the only change was under (B) to state two hard copies plus one digital file in PDF format instead of requiring twenty printed copies.

There being no citizen comments, Mayor Sconce closed the Public Hearing at 6:10 p.m.

Alderman Grimstead, Wastewater Treatment Manager Comer, Woodard & Curran, Treasurer Flinn arrived at 6:25 p.m.

Mayor Sconce called the Regular Board of Aldermen Meeting to Order at 6:30 p.m., announced a Quorum present and led in the Pledge of Allegiance.

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

*Approved Minutes of Regular Board of Aldermen Meetings dated December 20, 2021 and January 3, 2022

Charles Williams said that he and his wife moved here in 1998 and they appreciated all City services and his neighbors. Mr. Williams said he was in favor of limiting access to the parks after dark to prevent congregating and loitering in parking lots as written in Bill 1343.

Mayor Sconce read an email from Park Board Member Patti Laffoon who was not present. Ms. Laffoon was in favor of limited park hours as written in Bill 1343.

Brad Goss, Esq., 120 S. Central, Suite 700, Clayton, Missouri 63105, said that he represented Weinand Farms. Mr. Goss said that since last month's meeting, he had reviewed land records and City records for the last thirty-five years and it was clear that the sanitary sewer line was within a public easement. The Cottonwood Parc plat showed a public utility easement of 50' wide wherein the developer installed water lines extending to the West and to treat nearby subdivisions as well. Weinand Farms is located adjacent to Cottonwood Parc and has requested to hook on by Cottonwood Drive with no other available option (denied by MoDOT to bore under Highway J; exorbitant expense of lift station and ongoing maintenance by the City) within two months as it was an urgent matter.

Karl Schoenike, an engineer with Pickett Ray & Silver, 2506 Oak Forest, Troy, Missouri 63379, said originally the hook-on for Weinand Farms was to occur on the right-of-way under the road but MoDOT would not allow a permit stating that the flow line was above the creek and would cause a dam. Mr. Schoenike presented a drawing showing the location where Weinand Farms would tie onto Cottonwood.

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

Alderman Detert discussed the Police Department board report and said in the report that Chief Taylor requested authority to sign and move grant applications forward in an effort not to miss deadline dates. Alderman Detert wanted to make a motion to give the authority. City Clerk stated that any motion would be to approve the board report only since no action item was placed on the agenda. Alderman Detert said the police chief should be able to make a grant application decision due to time constraints and if it was a non-contributory grant.

Mayor Sconce said when the City receives \$750,000 in federal grant money in a year's time, a single audit has to be performed. The most recent single audit included a corrective action No. 2021-3 noted in the City's financial reports for 2020-2021 (page 65). The corrective action listed was oversight of grant applications. Mayor Sconce said that he did not have a problem with signing an application but cautioned that every grant comes with a financial obligation. The Board's oversight needed to occur either in the authorization to sign a grant application or in acceptance of the award. Mayor Sconce said that all grants need to be reviewed for how purchases are handled pursuant to the City's purchasing policy and any maintenance after the purchase needs to be budgeted. An ordinance will be brought next month to resolve the corrective action on grant applications.

Alderman Dunard made a motion, seconded by Alderman Detert to Approve Police Department Report, Item 3A. Vote: Dunard aye, Detert aye, Norman aye, Jones aye, Horner aye, Grimstead aye.

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

*Approved Payment of Regular Monthly Bills

Alderman Grimstead made a motion, seconded by Alderman Dunard, to Amend Bill No. 1343 as Ordinance No. ____ -- An Ordinance Amending Section 204.015: Rules and Regulations Regarding Park Hours and Penalties for Violation Thereof by adding the sentence marked in red ink, "Citizens otherwise lawfully utilizing the sidewalk traversing Fairgrounds Park along Monroe Street and Monroe Street shall not be in violation of this section." Vote: Grimstead aye, Dunard aye, Norman nay, Jones aye, Horner aye, Detert aye. Motion carried 5-1.

Mayor Sconce read Bill No. 1343 as Ordinance ____ -- AN ORDINANCE AMENDING SECTION 240.015: RULES AND REGULATIONS REGARDING PARK HOURS AND PENALTIES FOR VIOLATION THEREOF AS AMENDED, first and second times by title only. Alderman Grimstead said the goal of the limited access and reduced hours in the parks was to curb loitering, congregating in parking lots and vandalism after dark. Chief Taylor commented that Fairgrounds Park was unlike other parks since it had a road running through it and if adopted would create more work for patrol officers to keep citizens from using the parking lots. Alderman Grimstead said if not restricted, it creates an audience for reckless driving and burnouts causing safety issues. Parks Director Howell said that while dawn to dusk are universal park hours in other municipalities, anything after dark was a permitted event and other laws were already in place to stop vandalism. Alderman Detert wanted to build better relationships with groups congregating instead of adding hard-to-follow restrictions. Alderman Horner said the amendment would allow a car to park legally on Monroe Street but not park in the parking lot if a citizen wanted to walk on the sidewalk. Alderman Detert made a motion, seconded by Alderman Dunard to Adopt Bill No. 1343 as Ordinance _____. Vote: Detert

nay, Dunard nay, Horner nay, Norman nay, Grimstead aye, Jones abstain. Motion failed 4-1 with one abstention.

Mayor Sconce read Bill No. 1344 as Ordinance No. ____ -- AN ORDINANCE OF THE CITY OF TROY, MISSOURI, IMPOSING A USE TAX FOR GENERAL REVENUE PURPOSES AT THE RATE OF TWO PERCENT (2%) FOR THE PURPOSE OF STORING, USING OR CONSUMING WITHIN THE CITY ANY ARTICLE OF TANGIBLE PERSONAL PROPERTY PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTIONS 144.600 THROUGH 144.761 RSMO; PROVIDING FOR THE USE TAX TO BE REPEALED, REDUCED OR RAISED IN THE SAME AMOUNT AS ANY CITY SALES TAX IS REPEALED, REDUCED OR RAISED; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE MUNICIPAL ELECTION CALLED AND TO BE HELD IN THE CITY ON TUESDAY, APRIL 5, 2022, first and second times by title only.

Discussion ensued to place the question on the ballot to give the citizens an opportunity to vote on it. Becky Martin, 911 Trojan Circle, asked if it cost money to put this question on the ballot and Mayor Sconce answered that there would no additional cost to taxpayers. Alderman Jones made a motion, seconded by Alderman Norman to Adopt Bill No. 1344 as Ordinance No. 1312. Vote: Jones aye, Norman nay, Grimstead aye, Horner aye, Dunard aye, Detert aye. Motion carried 5-1.

Mayor Sconce read Bill No. 1345 as Ordinance No. ____ -- AN ORDINANCE AMENDING SECTION 405.125: C-3 HIGHWAY COMMERCIAL DISTRICT first and second times by title only. Alderman Detert made a motion, seconded by Alderman Dunard to Adopt Bill No. 1345 as Ordinance 1313. Vote: Detert aye, Dunard aye, Grimstead aye, Jones aye, Norman aye, Horner aye.

Mayor Sconce read Bill No. 1346 as Ordinance No. ____ -- AN ORDINANCE AMENDING SECTION 405.130: I-1 LIGHT INDUSTRIAL DISTRICT first and second times by title only. Alderman Detert made a motion, seconded by Alderman Norman to Adopt Bill No. 1346 as Ordinance No. 1314. Vote: Detert aye, Norman aye, Dunard aye, Jones aye, Horner aye, Grimstead aye.

Mayor Sconce read Bill No. 1347 as Ordinance No. ____ -- AN ORDINANCE AMENDING SECTION 405.135: I-2 HEAVY INDUSTRIAL DISTRICT first and second times by title only. Alderman Detert made a motion, seconded by Alderman Norman to Adopt Bill No. 1347 as Ordinance No. 1315. Vote: Detert aye, Norman aye, Horner aye, Jones aye, Grimstead aye, Dunard aye.

Mayor Sconce read Bill No. 1348 as Ordinance No. ____ -- AN ORDINANCE AMENDING ARTICLE XIV: SITE PLAN REQUIREMENTS AND REVIEW PROCEDURE AND ITS ASSOCIATED SECTIONS first and second times by title only. Alderman Detert made a motion, seconded by Alderman Dunard to Adopt Bill No. 1348 as Ordinance No. 1316. Vote: Detert aye, Dunard aye, Horner aye, Norman aye, Grimstead aye, Jones aye.

Mayor Sconce read Bill No. 1349 as Ordinance No. ____ -- AN ORDINANCE AMENDING SECTION 405.705: REPORT BY PLANNING & ZONING COMMISSION first and second times by title only. Alderman Detert made a motion, seconded by Alderman Dunard to Adopt Bill No. 1349 as Ordinance No. 1317. Vote: Detert aye, Dunard aye, Jones aye, Norman aye, Grimstead aye, Horner aye.

Mayor Sconce read Bill No. 1350 as Ordinance No. ____ -- AN ORDINANCE AMENDING SUBSECTION B OF CHAPTER 410: SUBDIVISION REGULATIONS, SECTION 410.050: PRELIMINARY SUBDIVISION PLAN first and second times by title only. Alderman Detert made a motion, seconded by Alderman Dunard to Adopt Bill No. 1350 as Ordinance No. 1318. Vote: Detert aye, Dunard aye, Norman aye, Grimstead aye, Jones aye, Horner aye.

Alderman Norman made a motion, seconded by Alderman Jones to Table Discuss and Approve Sewer Line Connection for Weinand Farm located at 153 Highway J requested by Nathan Smith, Drew Norton and DJ Koester, of DDN Enterprises, LLC, on behalf of property owners Richard Norden, Klondike Partners, LP until the March 21, 2022 Board Meeting. Vote: Norman aye, Jones aye, Grimstead aye, Horner aye, Dunard abstain, Detert aye. Motion carried 5-0 with one abstention.

*Approved FY 2022 Budget Amendment for Receipt of American Rescue Plan Act of 2021 (“ARPA”) Funds: Federal Grants 39-000-4310 \$0.00 to +\$1,293,450.00 (corrected from BOA Mtg Agenda and Minutes dated 12-20-2021)

*Approved Change Order No. 10 submitted by Plocher Construction dated January 10, 2022 on SE WWTF & HWY 47 Lift Station Upgrades Project No. 0228664.01 in the (decreased) amount of (\$22,888.25) for Final Balancing on Project

*Approved Woodard & Curran Invoice No. 199122 for Wastewater Treatment Facility and Highway 47 Lift Station Construction Services for the period ending December 31, 2021 in the amount of \$23,400.00

*Approved Woodard & Curran Invoice No. 198761 for WWTF SCADA Integration through December 17, 2021 in the amount of \$3,343.6

*Approved Pay Application No. 5 for Cherry Street Improvement Project STP-9900(387) submitted by Lamke Trenching & Excavating Inc. for December 31, 2021 in the amount of \$346,425.08

*Approved Pay Application No. 3 for Well #15 Well House, Project #190186, submitted by Martin General Contractors LLC through December 31, 2021 in the amount of \$60,818.05

*Re-appointed Mary Anne Kemper to Historic Preservation Commission through February 2025

*Re-appointed Courtney Lenk to Historic Preservation Commission through February 2025

*Awarded Agricultural Lease – Row Crops Bid 2022-24 (three-year term) and Authorize Mayor to Sign Lease Agreement with D & R FARMS, 1080 Hwy Y, O’Fallon, Missouri 63360 as the highest and best bid of \$186.75 per acre

*Destruction of Records: Drug testing records for Employees termed prior to January 2015

*Approved FY2022 Budget Amendment: Increase Police Uniforms & Equipment 01-1001-6650 +1,535.00 (Original Budget \$28,000, Current Budget \$51,000, New Budget \$52,535)

Alderman Detert made a motion, seconded by Alderman Jones to Approve and Authorize Mayor to Sign Work Order No. 11 for Engineering Services Agreement for Sanitary Sewer Main Replacement One (1) Mile East of US-61 Along E State Hwy 47 by Woodard & Curran in the amount of \$30,830.00. Vote: Detert aye, Jones aye, Norman aye, Dunard aye, Horner aye, Grimstead aye.

Alderman Jones pointed out that the Mayor holds two jobs as Mayor and Acting City Administrator and works forty hours per week at the rate of \$8.33 per hour. Alderman Jones pointed out that hourly rate is lower than a fast-food restaurant worker. Alderman Jones said the last City Administrator for Troy was professionally trained and paid \$90,000 per year and suggested that a salary in the range of \$50,000-\$60,000 should be paid for Mayor/Acting City Administrator. Alderman Detert said that he was running for Mayor in April and if elected would hire a city administrator. Mayor Sconce said two pay structures could be set up separately as Mayoral salary and supplemental pay for Acting City Administrator. Alderman Grimstead said the salary in 2008 was \$36,000 per year and now it is \$12,000 per year and only a destitute person or independently wealthy person would sign-up eliminating 80% of the population from running for Mayor who need to feed a family. Lincoln County Economic Development Director Julie Rodgers said that she spends a lot of time working with Mayor Sconce on potential development inquiries and the time needed will only increase as the City grows. There was consensus to put it a plan together for next month and Alderman Jones agreed to sponsor an ordinance.

Mayor Sconce said George Butler Associates (“GBA”) engineering firm identified five asphalt and five concrete streets for the \$900,000 FY22 budgeted street repairs. GBA would prepare a bid packet by February or March. Alderman Detert asked for an “asphalt overlay on concrete” option and Public Works Superintendent Burkemper said that it will be added as an alternate bid to test it out on one street to see how the new process holds up. Alderman Jones made a motion, seconded by Alderman Norman to Approve and Authorize Mayor to Sign Engineering Services Agreement with George Butler Associates, Inc. Contingent Upon City Attorney Review for 2022 Pavement

Repair Program in the amount of \$21,496.00. Vote: Jones aye, Norman aye, Dunard aye, Horner aye, Grimstead aye, Detert aye.

Alderman Detert made a motion, seconded by Alderman Norman to Approve Hiring Two (2) Police Officers as discussed during the Budget Workshops this year. Vote: Detert aye, Norman aye, Grimstead aye, Jones aye, Dunard aye, Horner aye.

Alderman Horner made a motion, seconded by Alderman Norman to Approve and Authorize 2022 CIPP Lining with SAK Construction, Omnia Partners Contract #R170802 in the amount of \$111,930.00 (for lining sanitary sewers on Cap au Gris, Kuhne Blvd and Union Street) Contingent Upon City Attorney Review. Vote: Horner aye, Norman aye, Grimstead aye, Dunard aye, Jones aye, Detert aye.

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, Detert aye, Jones aye, Grimstead aye, Horner aye.

Acting City Attorney Taylor Granneman advised the Board on Legal matters.

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

Alderman Grimstead made a motion, seconded by Alderman Dunard to Adjourn the meeting. Vote: Grimstead aye, Dunard aye, Horner aye, Jones aye, Detert aye, Norman aye. The meeting adjourned at 8:29 p.m.

ATTEST:

City Clerk

Mayor Ron Sconce

*Approved on Consent Agenda