

City of Troy, Missouri
Regular Board of Aldermen Meeting
Monday, December 19, 2022
6:30 p.m.

Present for the Regular Board of Aldermen Meeting were Aldermen Steve Jones, Rachel Dunard, Harold Horner, Dennis Detert, David Norman, and Mayor Ron Sconce. Also present were Parks Director Ryan Howell, Public Works Crew Leader Justin Huber, Wastewater Treatment Plant Supervisor Jared Comer, Building Official David Lindsey, Finance Director Linda Flinn, Assistant Police Chief Dustyn Tienter, Deputy City Clerk Kaitlyn Knickmeyer, Attorney Taylor Granneman, and City Clerk Tonya Hawkins. Alderman Guy Grimstead, Public Works Superintendent Jeff Burkemper, and Police Chief Jeff Taylor were absent.

Mayor Sconce called the meeting to order, announced a quorum present, and led in the Pledge of Allegiance.

Alderman Jones made a motion, seconded by Alderman Horner, to approve the Consent Agenda with the exception of Items 7B (Approve Pay Application No. 15 for Cherry Street Improvement Project), 7C (Approve Park Hills Subdivision Plat 3 Dedication), 7D (Approve 2023 IRS Mileage Rate). Vote: Jones aye, Horner aye, Dunard aye, Detert aye, Norman aye. Motion carried 5-0.

*Approved minutes of Regular Board of Aldermen Meeting dated November 21, 2022.

Mayor Sconce opened the meeting to Citizen Comments.

Eric Mayes, of 224 Excalibur Blvd., and his neighbor, Dustin Copenhaver, of 220 Excalibur Blvd., requested the City pay for sewer backflow valves. Mr. Mayes said his basement flooded four times, and it is the first relief point in his area. He said Mr. Copenhaver's home is the second relief point. Mayor Sconce explained that homeowners own the lateral from the sewer to the main, and the City does not perform work on private lines. Mayor Sconce said it has not been a policy for the City to install or pay for sewer backflow preventers. He said right now the City is in the middle of a comprehensive review to battle I&I (inflow and infiltration). He explained the City budgeted \$250,000 for the comprehensive review.

Ray Schupmann, owner of Ray's Auto Sales and Service, explained he owns land on both sides of C Street. He asked if the City would vacate a sewer easement there. Mr. Schupmann said he wants to put in a parking lot. Mayor Sconce explained there is a process for vacation that Mr. Schupmann would have to follow. Mayor Sconce said he believes the City would be hesitant to vacate an easement with a sewer line there. Mr. Schupmann asked if he could get permission to park there. Mayor Sconce said that would be a legal matter that would have to be discussed in Closed Session.

*Approved Reports of Special Appointed Committees: Parks, 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. 1369 as Ordinance ____ -- An Ordinance Amending Chapter 345: Pedestrians' Rights and Duties to Provide for New Sections Protecting the Safety and Regulating the Conduct of Pedestrians, first and second times by title only.

Mayor Sconce explained the bill restricts panhandlers' ability to move in and out of stopped traffic. He said the bill would give police the right to address this. Alderman Detert asked if this would restrict veterans with poppies. Alderman Jones said no veteran group asks for donations on roadways anymore. He said this would not affect veterans' groups, who instead collect donations at stores, such as Walmart. Alderman Detert said the bill does not mention panhandling. Attorney Granneman said the goal is to protect pedestrians and drivers.

Alderman Detert asked for Major Tienter's thoughts on the bill. Major Tienter said many times officers' hands are tied when someone calls to complain about individuals collecting donations at intersections. Alderman Horner asked if this would be a city or a state law. Mayor Sconce said it would be a city law and clarified that highways in Troy would be covered.

Alderman Norman said the board was not addressing the real problem. He said the City would be giving people in need a ticket they could not afford. Mayor Sconce said there are lots of programs available. He said there is a need to keep citizens safe. Alderman Dunard said she has received complaints about people collecting donations on roadways.

Alderman Jones made a motion, seconded by Alderman Horner, to approve Bill No. 1369 as Ordinance ____ -- An Ordinance Amending Chapter 345: Pedestrians' Rights and Duties to Provide for New Sections Protecting the Safety and Regulating the Conduct of Pedestrians. Vote: Jones aye, Horner aye, Norman nay, Detert aye, Dunard aye. Motion carried 4-1.

Alderman Dunard made a motion, seconded by Alderman Jones, to Table Item 6A (Discuss and Approve Request from Troy Elks Lodge for a Soap Box Derby) until the January board meeting. Vote: Dunard aye, Jones aye, Horner aye, Detert aye, Norman aye. Motion carried 5-0.

*Approved Purchase of Valve Exercising Machine from sole source provider, Schulte Supply, in the amount of \$39,995 as approved in water budget

Alderman Detert asked about the progress of the entire Cherry Street Improvement Project. Mayor Sconce said the street is opened and there will be Closed Session to discuss issues surrounding the project. Mayor Sconce said Wednesday, December 21st, is the walkthrough for the punch list.

Alderman Detert made a motion, seconded by Alderman Jones, to approve Pay Application No. 15 for Cherry Street Improvement Project STP-9900(387) submitted by Lamke Trenching & Excavating Inc. in the amount of \$172,118.53. Vote: Detert aye, Jones aye, Horner aye, Dunard aye, Norman aye. Motion carried 5-0.

Alderman Detert confirmed that when a project is completed, developers come to the board of aldermen for dedication. He noted there were chipped panels in Park Hills Subdivision. He asked

staff if they performed checks. Crew Leader Huber confirmed that all items had been checked in Park Hills. Alderman Detert asked if there had been smoke testing. Building Official Lindsey explained that tests were completed, per policy. He further expressed that testing does not guarantee what happens a year from now.

Alderman Detert made a motion, seconded by Alderman Jones, to Approve Park Hills Subdivision Plat 3 Dedication of streets, water, and sewer as requested by Rich Jameson, developer. Vote: Detert aye, Jones aye, Norman aye, Dunard aye, Horner aye. Motion carried 5-0.

Finance Director Flinn explained the IRS had not yet released the 2023 mileage rate. Alderman Detert made a motion, seconded by Alderman Norman, to Table Approval of 2023 IRS Mileage Rate until the January board meeting. Vote: Detert aye, Norman aye, Jones aye, Dunard aye, Horner aye. Motion carried 5-0.

*Approved City of Troy IDDE Manual for Stormwater Management Program as Prepared by Woodard and Curran

*Approved Quote and Authorized Budgeted Purchase of Covered Building in the amount of \$34,916.20 from Greenfield Contractors, LLC, as the sole source provider for the Calhoun Superstructure and per Sourcewell Contract #091319

*Approved Change Order No. 9 in the Amount of \$5,400 from Lamke Trenching & Excavating, Inc. for Pedestrian-Base Pole for Cherry Street Improvement Project

*Approved Revised Organizational Chart

*Awarded Bid for Demolition of Wastewater Treatment Facility to Heartland Restoration in the amount of \$57,400

*Awarded Bid for Waterline Extensions on Elm Tree Road and Highway 61 to Four Points Engineering, Inc. in the amount of \$27,300

Liz Grove, of Missouri Rural Water Association, prepared a water and wastewater study for the City. She expressed that while water rates are adequate, the City is running in the red for wastewater. She said the City is eating away at reserves. She noted that a debt service in the amount of \$800,000 per year, will be paid off in 2025. She warned that reserves would be down significantly if the City does nothing. Mayor Sconce explained the City just finished a \$22 million upgrade, and the City is in a position where it will not need a wastewater expansion for 15 to 20 years.

Ms. Grove discussed options to increase sewer rates. She said the board could vote to increase the base charge or to increase the cost per volume. She explained she would be happy to assist the board further. Alderman Horner volunteered to sponsor an ordinance to revise sewer rates.

City Clerk Hawkins explained the contract for residential trash services expires June 30, 2023. Alderman Dunard said it would not hurt to shop around for trash services. Alderman Horner agreed and said he gets complaints about trash. Alderman Dunard made a motion, seconded by Alderman Norman, to obtain RFPs for residential trash services. Vote: Dunard aye, Norman aye, Horner aye, Jones aye, Detert aye. Motion carried 5-0.

Alderman Jones made a motion, seconded by Alderman Norman to Approve FY2022 Financial Statements contingent on Finance Director Flinn's review and approval. Vote: Jones aye, Norman aye, Detert aye, Horner aye, Dunard aye. Motion carried 5-0.

Building Official Lindsey explained both the boards of aldermen and planning and zoning have seen the site plans for 890 East Cherry Street. However, he said, staff cannot find minutes stating plans were approved. He recalled that discussions were previously held about moving the south property line to the creek to prevent property owners from owning across the creek. He explained this was discussed when Tom Jakuboski and others went into partnership for Troy Apothecary and when a beer truck owner sought a conditional use permit to setup on the new Sugar Grove Growers lot.

Alderman Detert made a motion, seconded by Alderman Norman, to approve Lot and Legal Description of 890 East Cherry Street. Vote: Detert aye, Norman aye, Dunard aye, Jones aye, Horner aye. Motion carried 5-0.

Major Dustyn Tienter explained officers are losing vacation time because they don't have time to take it. He said the department is strapped with having officers on the road to have minimal coverage. He suggested removing the 80-hour maximum carryover for vacation to allow employees to carryover more time. Major Tienter said employees have earned that time. Mayor Sconce said this is something that aldermen should discuss at budget time. Building Official Lindsey noted many entities have switched to personal time off (PTO). He suggested looking at the whole picture instead of just addressing vacation carryover.

Alderman Detert explained that a friend of his was stopped by a patrol officer on Third Street. Alderman Detert questioned why the speed limit reduces from 30 miles per hour to 20 miles per hour in the southbound lane of Third Street just before the stop sign near the roundabout. He suggested making the speed limit 30 miles per hour south of the Wrecking Crew. Mayor Sconce said motorists approach a stop sign and a left turn at the intersection.

Alderman Jones made a motion, seconded by Alderman Norman, to Table until after Closed Session Discussion and Approval of a Request from Lamke Trenching & Excavating, Inc. for 30-Day Extension for Cherry Street Improvement Project. Vote: Jones aye, Norman aye, Detert aye, Dunard aye, Horner aye. Motion carried 5-0.

Alderman Detert made a motion, seconded by Alderman Dunard, to Go Into Closed Session for the purpose of Legal, Real Estate, and Personnel. Vote: Detert aye, Dunard aye, Jones aye, Horner aye, Norman aye. Motion carried 5-0.

Aldermen discussed a resignation.

Attorney Granneman advised the board on legal and real estate matters.

Alderman Norman made a motion, seconded by Alderman Jones, to Exit Closed Session. Vote: Norman aye, Jones aye, Dunard aye, Horner aye, Detert aye. Motion carried 5-0.

Given the fluidity and fast-approaching deadlines of the Cherry Street Improvement Project, aldermen addressed a Change Order for the project following Closed Session.

Alderman Detert made a motion, seconded by Alderman Norman, to respond to Lamke Trenching & Excavating's Change Order No. 10 requesting additional time to complete Cherry Street construction by authorizing 30 additional days to complete, but reserving and not waiving all of the City's rights for damages (including \$1,000.00 per day damages for lack of completion) due to the delay and failure to complete project by December 30, 2022. Vote: Detert aye, Norman aye, Jones aye, Dunard aye, Horner aye. Motion carried 5-0.

Alderman Dunard made a motion, seconded by Alderman Detert, to Adjourn. Vote Dunard aye, Detert aye, Horner aye, Jones aye, Norman aye. Motion carried 5-0.

Meeting adjourned at 8:27 p.m.

ATTEST:

City Clerk

Mayor Sconce

*Approved on Consent Agenda