

City of Troy, Missouri
Board of Alderman Meeting
Monday, March 20, 2023
6:30 P.M.

Present for the Board of Aldermen Meeting were Aldermen David Norman, Dennis Detert, Harold Horner, Rachel Dunard, Steve Jones, and Mayor Ron Sconce. Also present were Parks Director Ryan Howell, Public Works Superintendent Jeff Burkemper, Wastewater Treatment Plant Supervisor Jared Comer, Building Official Dave Lindsey, Police Chief Jeff Taylor, Attorney Taylor Granneman, and City Clerk Tonya Hawkins. Finance Director Linda Flinn and City Attorney Jesse Granneman were absent.

Mayor Sconce opened the Public Hearing for citizen comment concerning:

Kalista Dunlap, applicant and owner of Street Beanz Coffee, requesting a Conditional Use Permit for a drive-thru window at Street Beanz Coffee, located at 235 East Cherry Street. This property is zoned "C-1" Central Business District.

There was no citizen comment. Mayor Sconce closed the Public Hearing at 6:35 p.m.

Mayor Sconce called the board meeting to order, announced a quorum present, and led in the Pledge of Allegiance. In lieu of an invocation, there was a moment of silence for Detective Sergeant Mason Griffith, a Hermann, MO, police officer who was killed in the line of duty on March 12, 2023.

Mayor Sconce opened the meeting to citizen comments.

Joe Selvaggio, of 410 Cap Au Gris, asked why the City's pit bull ordinance is not enforced. Chief Taylor said the ordinance is enforced. He said he believed Mr. Selvaggio was talking about a recent incident when pit bulls attacked cats. Chief Taylor said the dogs are in custody, and he is waiting to speak with the city attorney to go through the legal process. Mr. Selvaggio asked why the city does not have animal control. Mayor Sconce explained the City does allocate funds for animal control. He said officers and public works officials go out to pick up dogs. Mr. Selvaggio said if the City has an ordinance, it should be enforced.

Tyler Cannon, of 193 N. Lincoln, spoke about issues with Bluffview Estates residents and guests who stay at Troy Inn & Suites Hotel, which is adjacent to the subdivision. He asked Chief Taylor how many times police respond to the hotel for calls. Chief Taylor said officers responded 95 times in the past year and a half.

Chief Taylor suggested the City adopt a nuisance ordinance to deal with the hotel. Mayor Sconce explained the City can only work with ordinances it has in place. He told Mr. Cannon that he, as a rental property owner, could understand that property owners are not always responsible for their renters.

Miranda Creamer, of 428 Bluff Drive, said she has young kids at home, and they are scared to go outside. She asked for a date when the City attorney and police could talk with the owner of the hotel. Chief Taylor said there are increased patrols in the area.

Bill Soathers, of 530 Oakbluff Court, said his house is directly behind the hotel. He said his kids are prisoners in their home. He said they do not want to go outside because police are always at the hotel. He said the hotel lights shine into his kids' rooms. He said he has found drugs and people in his backyard.

Alderman Dunard said this speaks to what Troy is going through. She said sometimes her kids cannot go outside in her neighborhood of 13 homes, and she finds drugs in her yard. She mentioned cops going up and down Highway J. She said this is a community problem. Mr. Soathers said when people are evicted from the hotel, they end up in his backyard.

Alderman Detert said when a couple of gas stations were built, the businesses had to dim their lights or point the lights in another direction to prevent them from shining on residences. Alderman Norman quoted Section 405.375, which states lights must reflect away from residences.

Alderman Horner said this is in his ward, and he has received calls about homeowners who have caught individuals sleeping on their back porches. Mayor Sconce said the City would set up a meeting and get back to the residents of Bluffview Estates.

Alderman Norman made a motion, seconded by Alderman Jones, to approve the Consent Agenda with the removal of the March 6, 2023, Regular Board of Aldermen Meeting Minutes, Item 7J (Adopt Resolution 2023-2 Regarding Provision of Exit Interviews of Employees), Item 7K (Approve Personnel Guideline Revision– Exit Interview Opportunity – Section 700-4), and 8A (Approve Pay Application No. 4 for 2022 Concrete Replacement Program Project 15138 submitted by M&H Concrete Contractors, Inc. in the amount of \$77,062.10). Vote: Norman aye, Jones aye, Dunard aye, Detert aye, Horner aye. Motion carried 5-0.

*Approved Minutes of Regular Board of Aldermen Meeting dated Thursday, February 23, 2023, Board of Aldermen Workshop dated Thursday, March 2, 2023, and Special Meeting dated Thursday, March 9, 2023.

Alderman Detert made a motion, seconded by Alderman Norman, to Go Into Closed Session to discuss legal and personnel issues at approximately 7 p.m. Vote: Detert aye, Norman aye, Horner aye, Jones aye, Dunard aye. Motion carried 5-0.

Aldermen returned from Closed Session at 7:19 p.m.

*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. 1371 as Ordinance _____ -- 2023 Adopting Ordinance (Troy Code of Ordinances), first and second times by title only. Mayor Sconce explained this is an annual housekeeping measure.

Alderman Detert made a motion, seconded by Alderman Dunard, to adopt Bill No. 1371 as Ordinance 1335 -- 2023 Adopting Ordinance (Troy Code of Ordinances). Vote: Detert aye, Dunard aye, Jones aye, Horner aye, Norman aye. Motion carried 5-0.

Alderman Jones made a motion, seconded by Alderman Detert, to award contract for Solid Waste Services to Meridian Waste. Vote: Jones aye, Detert aye, Norman aye, Dunard aye, Horner aye. Motion carried 5-0.

Alderman Jones made a motion, seconded by Alderman Horner, to table until next month discussion and approval of warranty agreement with Lamke Trenching & Excavating and Eastern Missouri Concrete, LLC, for Cherry Street Improvement Project. Vote: Jones aye, Horner aye, Dunard aye, Detert aye, Norman aye. Motion carried 5-0.

Alderman Detert made a motion, seconded by Alderman Jones, to table until budget the discussion and approval of pay increase for Building Department Personnel as requested by Building Official Lindsey. Vote: Detert aye, Jones aye, Horner nay, Norman nay, Dunard aye. Motion carried 3-2.

Alderman Detert made a motion, seconded by Alderman Jones, to table until budget the discussion and approval of Budget Amendment for pay increase for Building Department Personnel as requested by Building Official Lindsey. Vote: Detert aye, Jones aye, Norman nay, Dunard aye, Horner nay. Motion carried 3-2.

Alderman Detert made a motion, seconded by Alderman Jones, to table until budget the discussion and approval of pay increase for Public Works Department Personnel as requested by Public Works Superintendent Jeff Burkemper. Vote: Detert aye, Jones aye, Dunard aye, Norman nay, Horner nay. Motion carried 3-2.

Alderman Detert made a motion, seconded by Alderman Jones, to table until budget the discussion and approval of pay increase for Parks Department Personnel as requested by Parks Director Ryan Howell. Vote: Detert aye, Jones aye, Horner nay, Dunard aye, Norman nay. Motion carried 3-2.

Alderman Detert made a motion, seconded by Alderman Jones, to table until budget the discussion and approval of pay increase for Court Personnel as requested by Judge Gary Grunick. Vote: Detert aye, Jones aye, Horner nay, Norman nay, Dunard aye. Motion carried 3-2.

Alderman Detert made a motion, seconded by Alderman Jones, to table until budget the discussion and approval of pay increase for Finance Department as requested by Finance Director Linda Flinn. Vote: Detert aye, Jones aye, Dunard aye, Norman nay, Horner nay. Motion carried 3-2.

Alderman Detert made a motion, seconded by Alderman Jones, to table until budget the discussion and approval of pay increase for Administrative Personnel as requested by City Clerk Tonya Hawkins. Vote: Detert aye, Jones aye, Horner nay, Dunard aye, Norman nay. Motion carried 3-2.

Alderman Detert asked to ensure minutes reflect that employees can complete Exit Interviews at their own leisure. Alderman Dunard said the resolution should go back to what it was before. Alderman Detert made a motion, seconded by Alderman Dunard, to adopt Resolution 2023-2 Regarding Provision of Exit Interviews of Employees. Vote: Detert aye, Dunard aye, Jones aye, Norman aye, Horner aye. Motion carried 5-0.

Alderman Dunard asked about the policy revision for Exit Interview Opportunity – Section 700-4. Attorney Granneman said this could be tabled until after Closed Session. Alderman Detert made a motion, seconded by Alderman Dunard to Table until after Closed Session approval of Personnel Guideline Revision – Exit Interview Opportunity – Section 700-4. Vote: Detert aye, Dunard aye, Jones aye, Horner aye, Norman aye. Motion carried 5-0.

Megan McQuoid, Chairman of the Lincoln County Fair Parade, told aldermen she wants to change the parade route for safety reasons. She said there would still be issues if the parade were to start at the high school. She said she likes the idea of starting and stopping at Troy Middle School.

Chief Taylor expressed concerns about the previously proposed plan to use Boone Street. He said there is not enough room for people to view the parade there, and there would be complaints about spectators in homeowners' front yards.

Alderman Norman made a motion, seconded by Alderman Horner, to approve a reverse route for the Lincoln County Fair Parade, starting at Troy Buchanan High School at 1190 Old Cap Au Gris Road and ending at Troy Middle School at 713 W. College Street. Vote: Norman aye, Horner aye, Jones aye, Detert aye, Dunard aye. Motion carried 5-0.

*Approved Format for Stormwater Maintenance Covenant for use pursuant to 425.050

*Approved Storm & Drainage Water Best Management Practices Manual for Stormwater Management Program

Alderman Detert made a motion, seconded by Alderman Norman to Approve Request for a Conditional Use Permit from Kalista Dunlap, applicant and owner of Street Beanz Coffee, for a drive-thru window at Street Beanz Coffee, located at 235 East Cherry Street. This property is zoned "C-1" Central Business District. Vote: Detert aye, Norman aye, Jones aye, Dunard aye, Horner aye. Motion carried 5-0.

Parks Director Howell explained plans for a bandstand mural from Rosemary Ziegler, of TBHS Art Guild. He said she presented three options.

Alderman Dunard made a motion, seconded by Alderman Detert, for Parks Director Howell to take the lead and have the ability to select a mural design for the bandstand at Fairgrounds Park. Vote: Dunard aye, Detert aye, Norman aye, Horner aye, Jones aye. Motion carried 5-0.

Alderman Norman, who serves on the Historic Preservation Commission, discussed the Certified Local Government Report for the commission. He explained that the commission was evaluated by the Missouri Department of Natural Resources and was complimented for doing a good job on its preservation program.

Alderman Jones made a motion, seconded by Alderman Norman, to respond to Lamke Trenching & Excavating's request (Change Order No. 13) for 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 March 30, 2023. Vote: Jones aye, Norman aye, Detert aye, Dunard aye, Horner aye. Motion carried 5-0.

Alderman Horner asked about the Change Order mentioned on Pay Application No. 4 for 2022 Concrete Replacement Program Project 15138 submitted by M&H Concrete Contractors, Inc. Superintendent Burkemper explained this was a budget amendment approved by the board months ago. Alderman Detert questioned mobilization fees. He said concrete forms were still on Huntington Drive. Superintendent Burkemper explained that crews are not allowed to work in certain temperatures.

Alderman Norman made a motion, seconded by Alderman Horner, to approve Pay Application No. 4 for 2022 Concrete Replacement Program Project 15138 submitted by M&H Concrete Contractors, Inc. in the amount of \$77,062.10. Vote: Norman aye, Horner aye, Dunard aye, Detert aye, Jones aye. Motion carried 5-0.

*Approved Purchase of Dell 960GB SSD SAS Read Intensive 12 Gbps Drive for Storage in the Amount of \$1,511.80

Alderman Norman made a motion, seconded by Alderman Jones, to Go Into Closed Session to discuss legal and personnel issues at 7:55 p.m. Vote: Norman aye, Jones aye, Dunard aye, Horner aye, Detert aye. Motion carried 5-0.

Aldermen returned from Closed Session at approximately 8:35 p.m.

Alderman Dunard made a motion, seconded by Alderman Detert, to table approval of Personnel Guideline Revision– Exit Interview Opportunity – Section 700-4 until April meeting. Vote: Dunard aye, Detert aye, Horner aye, Norman aye, Jones aye. Motion carried 5-0.

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

Meeting adjourned at 8:39 p.m.

ATTEST:

City Clerk

Mayor Sconce

*Approved on Consent Agenda