

City of Troy, Missouri
Board of Alderman Meeting
Monday, April 17, 2023
6:30 P.M.

Present for the Board of Aldermen Meeting were Aldermen Harold Horner, David Norman, Rachel Dunard, Steven Jones, Gary Leifert, Kay Diekemper, 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, Finance Director Linda Flinn, Deputy City Clerk Kaitlyn Knickmeyer, Attorney Jesse Granneman, and City Clerk Tonya Hawkins.

Mayor Sconce opened the Public Hearing at 6:30 p.m. for citizen comment concerning:

The Kroger Company, applicant, is requesting a Conditional Use Permit for Kroger Fuel Center, a gas station, to be located at 1 Troy Square. Zoning is “C-3” Highway Commercial District.

Lisa Rupp, applicant and owner, is requesting a Conditional Use Permit for a food truck park, to be located at 315 East Cherry Street. Zoning is “C-1” Central Business District.

Alderman Norman asked Ms. Rupp about food trucks that would be located at the proposed food truck park. Ms. Rupp said right now there are two planned food trucks, Frankenburger and Empanada Cabana. She said there will be picnic tables and a bathroom. Alderman Norman asked about hours of operation. Ms. Rupp said food trucks are renting space, and they will determine their own hours of operation. Alderman Norman asked if there were plans to have the food truck park open for the annual car show event. Ms. Rupp said yes.

Mayor Sconce closed the public hearing at 6:40 p.m.

City Clerk Hawkins administered the Oath of Office to Aldermen Jones, Leifert, and Diekemper.

Mayor Sconce called the Regular Board of Aldermen Meeting to order, announced a quorum present, and led in the Pledge of Allegiance. Troy Police Officer Matt Schneider gave the invocation.

Mayor Sconce recognized former Alderman Dennis Detert with a certificate of appreciation for his service as an alderman.

Alderman Norman made a motion, seconded by Alderman Horner, to Certify Election Results dated April 4, 2023, as presented by the Lincoln County Clerk:

<u>For Ward I Alderman Two-Year Term</u>	Gary Leifert	268
	Carol Wieman	144
<u>For Ward II Alderman Two-Year Term</u>	Steven P Jones	192
	George Ferguson	103
<u>For Ward III Alderman Two-Year Term</u>	Dennis Detert	127
	Kay S. Diekemper	215
<u>Proposition M 3% Sales Tax Sale of Marijuana</u>	Yes	771
	No	332

Vote: Norman aye, Horner aye, Leifert aye, Diekemper aye, Dunard aye, Jones aye. Motion carried 6-0.

Alderman Jones made a motion, seconded by Alderman Norman, to elect Alderman Norman as board president. Vote: Jones aye, Norman aye, Horner aye, Leifert aye, Diekemper aye, Dunard aye. Motion carried 6-0.

Alderman Norman made a motion, seconded by Alderman Jones, to approve the Consent Agenda with the exception of Item 7G (Approve Personnel Guideline Revision – Exit Interview Opportunity – Section 700-4). Vote: Norman aye, Jones aye, Horner aye, Dunard aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Dunard made a motion, seconded by Alderman Horner, to table until after Closed Session approval of the minutes from March 6, 2023. Vote: Dunard aye, Horner aye, Diekemper aye, Jones aye, Norman aye, Leifert aye. Motion carried 6-0.

*Approved Minutes of Regular Board of Aldermen Meeting dated Monday, March 20, 2023

Mayor Sconce opened the meeting to citizen comments.

Gregory Graczyk requested a Third Dog Variance. He said he plans to close on a home at 417 Rail Ridge Drive on April 27, 2023. He has three Siberian Huskies ages 8, 7, and 1 and a half years. He said he does not have a fence, but the dogs have control collars with buzzers. Alderman Dunard said she appreciated him coming to the board with his request. Alderman Horner asked if the dogs were inside dogs. Mr. Graczyk said yes and added they always go outside with the dogs when the dogs go out. Mayor Sconce explained that, in the past, when Third Dog Variances were issued, there was a stipulation that if a dog passes away, the variance goes away.

Alderman Dunard made a motion, seconded by Alderman Jones, to grant a Third Dog Variance to Gregory Graczyk, of 417 Rail Ridge Drive. Vote: Dunard aye, Jones aye, Horner aye, Leifert aye, Norman aye, Diekemper aye. Motion carried 6-0.

Jon Alfaro, of 189 Rockford Drive, said that during a recent storm, a transformer blew and started a fire in the easement behind his home. He said tax records show that the developer, Meyers Select Homes, owns the land with the easement. He said the streets are deteriorating. He said he pays taxes.

Mr. Alfaro said Section 410 gives the City of Troy the right to force Meyers Select Homes to fix issues or to go after the developer's insurance.

*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 Item 6A (Discuss Pay Increase for Building Department Personnel – as Requested by Alderman Horner). There was discussion about department leaders' desire to discuss pay increases at budget workshops. Building Official Lindsey said he would like to table discussion until budget.

Mayor Sconce read Item 6B (Discuss Pay Increase for Public Works Department Personnel – as Requested by Alderman Horner). Superintendent Burkemper said he would like to table discussion until budget.

Mayor Sconce read Item 6C (Discuss Pay Increase for Parks Department Personnel – as Requested by Alderman Horner). Parks Director Howell said he would like to table discussion until budget.

Mayor Sconce read Item 6D (Discuss Pay Increase for Court Personnel – as Requested by Alderman Horner). Judge Gary Grunick said he would like to table discussion until budget.

Mayor Sconce read Item 6E (Discuss Pay Increase for Finance Department – as Requested by Alderman Horner). Finance Director Flinn said she would like to table discussion until budget.

Mayor Sconce read Item 6F (Discuss Pay Increase for Administrative Personnel – as Requested by Alderman Horner). City Clerk Hawkins said she would like to table discussion until budget.

Alderman Jones made a motion, seconded by Alderman Horner, to table Item 6G (Approval of \$20,000.00 Deduction for Concrete Strength Deficiencies for the Cherry Street Improvement Project Contingent on approval of Pay Application by Cochran Engineering) until after Closed Session. Vote: Jones aye, Horner aye, Diekemper aye, Dunard aye, Leifert aye, Norman aye. Motion carried 6-0.

*Approved Request as recommended by Planning and Zoning Commission by The The Kroger Company, applicant, for a Conditional Use Permit for Kroger Fuel Center, a gas station, to be located at 1 Troy Square. Zoning is “C-3” Highway Commercial District.

*Approved Site Plan Review and Commercial Building Permit as recommended by Planning and Zoning Commission for Kroger Fuel Center, a gas station, to be located at 1 Troy Square.

*Approved Request as recommended by Planning and Zoning Commission by Lisa Rupp, applicant and owner, for a Conditional Use Permit for a food truck park, to be located at 315 East Cherry Street. Zoning is “C-1” Central Business District.

*Approved Pay Application No. 3 from Lamke Trenching & Excavating Inc. in the amount of \$186,138.00 for Bonfils Waterline Replacement

*Approved Pay Application No. 4 from Lamke Trenching & Excavating Inc. in the amount of \$49,905.05 for Bonfils Waterline Replacement

*Approved and Authorize Budgeted Purchase of Covered Building in the amount of \$37,446.20, increased \$2,530 from previous Quote of \$34,916.20, for insurance and freight

Alderman Leifert said Exit Interviews are a simple process administered through Human Resources. He said the ability to submit completed interviews electronically opens the process up to a coached response. He said the City of Troy pays Human Resources to do this and that is where the process should stay.

Alderman Dunard said aldermen already approved the Exit Interview resolution with changes. Alderman Horner asked if the policy change would allow people to sit with Human Resources Generalist Knickmeyer to discuss answers. Human Resources Generalist Knickmeyer said no, the policy would revert to its previous version.

Alderman Dunard made a motion, seconded by Alderman Norman, to approve Personnel Guideline Revision – Exit Interview Opportunity – Section 700-4. Vote: Dunard aye, Norman aye, Horner aye, Jones aye, Diekemper aye, Leifert nay. Motion carried 5-1.

*Approved and Authorized Mayor to Sign Cleaning Services Agreement Renewal with Gateway Janitorial Services for cleaning (Troy City Hall, Building, and Police)

*Approved 2023 Liquor License Renewals: Shantilal Inc., Taormina's, Warrenton Oil- Fastlane #2063, Warrenton Oil- Fastlane #0639, Dollar General #1585, Walgreens

*Approved the 3-year lease for one Kubota skid steer loader from Mordt Tractor & Equipment in the amount of \$1452.97/month.

*Approved 2023 Concession Stand Bid submitted by Chris Coovert for 10% of the gross sales

*Approved Appointment of Randy Wyatt as Alternate to Board of Adjustment

Alderman Dunard made a motion, seconded by Alderman Horner, to approve Personnel Guideline Revision – Take Home Vehicle Policy – Section 500-21. Mayor Sconce expressed concern for the deletion of insurance language. He said it subjects the City to workers' compensation claims, and he noted that a section was removed regarding passengers' liability. Attorney Granneman said the change was made so that employees could not have passengers in City vehicles. In regard to work comp, Attorney Granneman said employees would have to use vehicles within their approved scope of work.

Alderman Diekemper said the way the policy reads, aldermen would have to approve Take-Home Vehicle requests. Alderman Leifert asked for assurance for workers' compensation liability. Attorney Granneman asked City Clerk Hawkins if she checked with insurance. City Clerk Hawkins stated she contacted Dewitt Insurance regarding vehicular coverage but not Missouri Rural Services Workers' Compensation Trust. Attorney Granneman said the policy was modified as requested.

Alderman Horner confirmed the policy applies to all employees. Police Chief Taylor said some officers may not want to participate. He said officers could take vehicles home when they are on shift but not every day. Alderman Horner asked Superintendent Burkemper if the Take-Home Vehicle policy would apply to Public Works. Superintendent Burkemper explained that crew leaders and staff members who respond to water emergencies could qualify for Take-Home vehicles.

Vote: Dunard aye, Horner aye, Jones aye, Norman aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Norman and Lincoln County Economic Development Director Julie Rodgers told aldermen about a Transportation Alternatives Program to fund sidewalks and light projects. Director Rodgers said the TAP, which aims to reduce traffic on roadways, could fund 80 percent of a project, and the City could use ARPA funds for the remaining 20 percent. She said labor could also be considered as an in-kind match.

Director Rodgers and Alderman Norman discussed adding or extending sidewalks on South Main Street to Park Hills Subdivision, as well as to Kiwanis Park and Boone Street. Mayor Sconce said any projects would have to go out for RFQ for engineering. He clarified that a vote is not yet necessary for a grant application. Director Rodgers explained they were seeking permission to move forward. Alderman Dunard made a motion, seconded by Alderman Jones, to approve Alderman Norman to move forward

with TAP for sidewalks and light projects. Vote: Dunard aye, Jones aye, Norman aye, Horner aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Horner asked what caused lift station pump failure at Highway 47. Wastewater Treatment Plant Supervisor Comer explained a lot of trash has been coming in. He said crews have been working to fix this, and they have a new maintenance plan. Supervisor Comer said Vandevanter came onsite on March 24, 2023, to make emergency repairs. Finance Director Flinn said she typically budgets \$20,000 annual for emergency repairs, and it has not been used yet. Alderman Jones made a motion, seconded by Alderman Norman, to approve emergency repair of the lift station pump at Highway 47 in the amount of \$9,461.50. Vote: Jones aye, Norman aye, Leifert aye, Diekemper aye, Horner aye, Dunard aye. Motion carried 6-0.

Alderman Jones made a motion, seconded by Alderman Dunard, to approve the proposal from Woodard and Curran for Phase 1 SCADA work in the amount of \$89,950 as budgeted for Lift Station Monitoring Upgrades. Vote: Jones aye, Dunard aye, Norman aye, Diekemper aye, Leifert aye, Horner aye. Motion carried 6-0.

Alderman Dunard said she thinks Proposition M funds will produce a considerable amount of income. She said she would like to reallocate 20 percent of funds to revitalization to make it 40 percent. Finance Director Flinn explained allocating 20 percent of funds to retirement, as Alderman Dunard suggested, may not work because retirement funds are predetermined. Alderman Dunard asked about increasing the retirement level. Director Flinn explained an actuarial study could be conducted by LAGERS.

Alderman Leifert said Proposition M funds would not show up for a while. He advised the board to be very definitive and pass general fund distribution. Director Flinn said Missouri Municipal League gave a ball park figure of \$150,000, but she said finance officers were cautioned at a recent conference not to obligate marijuana funds because the market is volatile. Alderman Horner said the designation of Proposition M funds should be tabled until December.

Alderman Dunard made a motion, seconded by Alderman Jones, to table until December the allocation of Proposition M funds. Vote: Dunard aye, Jones aye, Leifert aye, Diekemper aye, Norman aye, Horner aye. Motion carried 6-0.

Alderman Norman made a motion, seconded by Alderman Horner, to reschedule the Regular Board of Aldermen meeting for June 2023 to Thursday, June 22, 2023, due to holiday conflict. Vote: Norman aye, Horner aye, Diekemper aye, Dunard aye, Leifert aye, Jones aye. Motion carried 6-0.

Aldermen set the date for the first FY2024 Budget Workshop for May 17, 2023, at 6:30 p.m.

Alderman Horner volunteered to serve on the Planning and Zoning Commission.

Alderman Dunard made a motion, seconded by Alderman Jones, to table until after Closed Session discussion and approval of Extension for Cherry Street Improvement Project. Vote: Dunard aye, Jones aye, Horner aye, Norman aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Mayor Sconce said Lincoln County Commissioner Joe Kaimann called him to explain the county's plans to overlay Elm Tree Road. He said the two discussed coordinating overlay of the City-owned portion of the road from Gobbler Drive to Old Moscow Mills Road. Alderman Norman made a motion, seconded by Alderman Diekemper, to approve a partnership with Lincoln County to pave the City-owned sections of

Elm Tree Road in an amount not to exceed \$15,000. Vote: Norman aye, Diekemper aye, Leifert aye, Jones aye, Horner aye, Dunard aye. Motion carried 6-0.

Alderman Jones made a motion, seconded by Alderman Horner, to Go Into Closed Session at 7:53 p.m. to discuss legal and personnel issues. Vote: Jones aye, Horner aye, Leifert aye, Norman aye, Dunard aye, Diekemper aye. Motion carried 6-0.

Aldermen returned from Closed Session at 9:02 p.m.

Alderman Jones made a motion, seconded by Alderman Dunard, to approve \$20,000 deduction for concrete strength deficiency contingent upon review and final approval of pay application by City Engineer, Cochran Engineering. This is a deduction from \$61,000 withheld in retainage for the deficiency. Vote: Jones aye, Dunard aye, Leifert aye, Diekemper aye, Norman aye, Horner aye. Motion carried 6-0.

Alderman Jones made a motion, seconded by Alderman Dunard, to respond to Lamke Trenching & Excavating's request (Change Order No. 14) 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 April 30, 2023. Vote: Jones aye, Dunard aye, Diekemper aye, Norman aye, Horner aye, Leifert aye. Motion carried 6-0.

Alderman Dunard made a motion, seconded by Alderman Norman, to table until May approval of minutes from previous meeting dated March 6, 2023. Vote: Dunard aye, Norman aye, Jones aye, Diekemper aye, Horner aye, Leifert aye. Motion carried 6-0.

Alderman Dunard made a motion, seconded by Alderman Jones, to adjourn. Vote: Dunard aye, Jones aye, Horner aye, Norman aye, Leifert aye, Diekemper aye. Motion carried 6-0.

Meeting adjourned at 9:08 p.m.

ATTEST:

City Clerk

Mayor Sconce

*Approved on Consent Agenda