

**City of Troy, Missouri**  
**Board of Alderman Meeting**  
**Monday, May 15, 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, Attorney Jesse Granneman, and City Clerk Tonya Hawkins.

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

Sewer Rate Increases in compliance with RSMo. 250.233

Meramec Specialty Company, applicant, is requesting a Conditional Use Permit for Fireworks City, a seasonal fireworks stand, to be located at 12 Frenchman Bluff Road. Zoning is "C-3" Highway Commercial District.

South Arrow Coffee Company #4, LLC dba Scooter's Coffee, applicant, is requesting a Conditional Use Permit for Scooter's Coffee, a drive-thru quick service restaurant, to be located in a parking lot carve out at 9 Lincoln Center.

Jerry Kaiser, of 1051 Huntington Drive, quoted information from the 2021-2022 budget. He asked if the City was in the black then, why are aldermen discussing sewer rate increases now. He asked if the increase is because of the new sewer plant. Mayor Sconce explained that Missouri Rural Water Association previously created a rate schedule for the City to extend five years. He said Missouri Rural Water Association recently conducted another study and suggested another five-year rate schedule because the City has a debt service. The Rural Water Association reviewed costs and conveyed that if a sewer rate increase is not implemented now, the City could experience a shortfall. Mayor Sconce said capital improvement funds are being used to pay for part of the sewer now. Finance Director Flinn explained that as part of the loan agreement with the State Revolving Fund, the City must set aside \$150,000.

Mr. Kaiser asked why the budget shows a surplus one year and a deficit the next. Director Flinn said it is in the black because the City is not pulling everything sewer-related from sewer funds. Kaiser asked how much the new rates would be. Director Flinn explained that for a household that uses 5,000 gallons of water per month, the bill would increase from approximately \$70 to \$76 per month.

Tom Dixon, of Meramec Specialties, introduced himself. He said the fireworks retailer employs more than 1,300 seasonal workers – mostly students – at its locations across Missouri. Alderman Norman stated that it is illegal to discharge fireworks in Troy. Mr. Dixon said he is aware of the ordinance change, and he explains this to his customers when they ask.

Mayor Sconce closed the public hearing at 6:44 p.m.

Mayor Sconce called the meeting to order, announced a quorum present, and led in the Pledge of Allegiance. Pastor Gustavo Vega gave the invocation.

Alderman Jones made a motion, seconded by Alderman Diekemper, to approve the Consent Agenda, with the exception of Item 7A (Approve Request as recommended by Planning and Zoning Commission by Meramec Specialty Company, applicant, for a Conditional Use Permit for Fireworks City, a seasonal fireworks stand, to be located at 12 Frenchman Bluff Road) and Items 7L through 7X (7L. Approve Take-Home Vehicle Request for Water Superintendent Bryan Mudd; 7M. Approve Take-Home Vehicle Request for Meter Reader William Shaffer; 7N. Approve Take-Home Vehicle Request for Crew Leader Justin Huber; 7O. Approve Take-Home Vehicle Request for Sergeant Roger Taylor; 7P. Approve Take-Home Vehicle Request for Officer Matthew Williams; 7Q. Approve Take-Home Vehicle Request for Officer James Hasting; 7R. Approve Take-Home Vehicle Request for Officer Thomas Mayhew; 7S. Approve Take-Home Vehicle Request for Sergeant Chad McCallister; 7T. Approve Take-Home Vehicle Request for Officer Dylan Schneiderjohn; 7U. Approve Take-Home Vehicle Request for Sergeant Todd Plumb; 7V. Approve Take-Home Vehicle Request for Officer Keith Craig; 7W. Approve Take-Home Vehicle Request for Officer Jason Graham; 7X. Approve Take-Home Vehicle Request for Officer Bernie Clayton). Vote: Jones aye, Diekemper aye, Leifert aye, Dunard aye, Norman aye, Horner aye. Motion carried 6-0.

\*Approved Minutes of Previous Meetings: Regular Board of Aldermen Meeting dated Monday, April 17, 2023, and Board of Aldermen Meeting dated Monday, May 1, 2023

Alderman Dunard made a motion, seconded by Alderman Norman, to Table Until Printed as Requested the Minutes of the Regular Board of Aldermen Meeting dated Monday, March 6, 2023. Vote: Dunard aye, Norman aye, Horner aye, Jones aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Julie Rodgers, Lincoln County Economic Development Director, introduced herself to the board. She provided a copy of the county's strategic plan. She explained the City of Troy was not successful in its efforts to obtain an industrial grant for the Waechter property. However, she said, the City is working with Chad Eggen, of the U.S. Economic Development Administration, to obtain federal grants. She stressed the importance of promoting sites to develop property. She said right now there is demand for shovel-ready properties. She also discussed road and bridge projects and efforts to bring broadband solutions to the county.

Sherry Presser, of 1031 Pin Oak Court, expressed concerns about sheep on Tereasa O'Hanlon's property at 1030 Magnolia, which is adjacent to Ms. Presser's property. Ms. Presser said Mrs. O'Hanlon has been disrespectful to lawmakers who adopted an ordinance last year to allow sheep in residential zoning. Ms. Presser said Mrs. O'Hanlon failed to apply for a variance to keep sheep, and she added that Mrs. O'Hanlon does not have children in 4H. Ms. Presser said Mrs. O'Hanlon piles sheep manure at the fence near Ms. Presser's property. Ms. Presser asked why Mrs. O'Hanlon was more important than Ms. Presser's discomfort. She added that she hangs fly bags in her tree to collect flies attracted to the sheep manure.

Dennis Detert, 1097 Huntington Drive, asked why the utility payment drop box was relocated from the City Hall parking lot to a wall payment drop slot near City Hall's south entrance. Mayor Sconce said he approved the change. Mr. Detert said the City snubbed every disabled and elderly person. Mr. Detert said his biggest concern is the safety for seniors and the handicapped. He said elderly people cannot use the drop slot. He said the relocation needs to be rectified. He said he contacted federal ADA authorities, and they told him his complaint has merit. However, he said the federal agency is understaffed. He said he will not let the issue drop, and he will contact the Department of Justice. He suggested that utility customers call inside City Hall for assistance and ask for a receipt when they pull up to the drop slot. He

discussed icicles that form on the City Hall roof in the winter. He said it is not a question of if there will be an accident, but when.

Carol Wieman, of 1101 Crystal Court, said she dropped her payment off in the drop box. She said the elderly and people with children must now come to a door that is secluded to make their payments. She said she agrees with Mr. Detert.

\*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. 1372 as Ordinance \_\_\_\_ An Ordinance Amending Section 705.090, Subsections B & C, Residential And Commercial Sewer Fees Of The Code Of Ordinances Of The City Of Troy, Missouri, first and second times by title only. Mayor Sconce explained that Alderman Horner worked on this ordinance with City Attorney Granneman. Alderman Horner made a motion, seconded by Alderman Norman, to adopt Bill No. 1372 as Ordinance \_\_\_\_ An Ordinance Amending Section 705.090, Subsections B & C, Residential And Commercial Sewer Fees Of The Code Of Ordinances Of The City Of Troy, Missouri. Vote: Horner aye, Norman aye, Jones aye, Leifert aye, Diekemper aye, Dunard aye. Motion carried 6-0.

Alderman Norman made a motion, seconded by Alderman Dunard, to table until next meeting Bill No. 1373 as Ordinance \_\_\_\_ An Ordinance Of The City Of Troy, Missouri, Amending Section 220.030 Regarding The Collection Of Solid Waste Within The City Of Troy, Missouri. Vote: Norman aye, Dunard aye, Jones aye, Horner aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Mayor Sconce read Bill No. 1374 as Ordinance \_\_\_\_ An Ordinance Approving the City Of Troy Water And Wastewater Rates For Right To Connect, first and second times by title only. Mayor Sconce explained that meter costs have increased dramatically, and the City is underfunding its costs. Alderman Norman made a motion, seconded by Alderman Horner, to adopt Bill No. 1374 as Ordinance \_\_\_\_ An Ordinance Approving the City Of Troy Water And Wastewater Rates For Right To Connect. Mayor Sconce clarified this increase is just for the cost of the meter. Superintendent Burkemper explained that the board may have to revisit this again in six months, depending on the market. Vote: Norman aye, Horner aye, Leifert aye, Dunard aye, Jones aye, Diekemper aye. Motion carried 6-0.

Alderman Jones made a motion, seconded by Alderman Dunard, to approve a request from Meramec Specialty Company, applicant, for a Conditional Use Permit for Fireworks City, a seasonal fireworks stand, to be located at 12 Frenchman Bluff Road. Zoning is "C-3" Highway Commercial District. Alderman Norman expressed he wanted a roll call vote on Meramec Specialty's request because residents are not allowed to discharge fireworks in Troy. He said it does not seem right to collect money off the fireworks stand. Alderman Jones said he feels residents should be able to shoot fireworks. Alderman Dunard said this could be placed on the agenda for next month to make fireworks legal before July 4. Vote: Jones aye, Dunard aye, Diekemper aye, Horner aye, Norman aye, Leifert aye. Motion carried 6-0.

\*Approved Request as recommended by Planning and Zoning Commission by South Arrow Coffee Company #4, LLC dba Scooter's Coffee, applicant, for a Conditional Use Permit for Scooter's Coffee, a

drive-thru quick service restaurant, to be located in a parking lot carve out at 9 Lincoln Center.

\*Adopted Resolution 2023-3 authorizing the filing of application with the Missouri Department of Natural Resources, State Revolving Fund Program for loans under the Missouri Clean Water Law (Chapter 640, RSMo.)

\*Approved Special Event Permit Application submitted by Troy Area Chamber of Commerce for Annual Memories on Main Street Car Show on August 5, 2023

\*Approved Pay Application No. 1 from CCIMW LLC in that amount of \$34,840.80 for Outdoor Pool Painting

\*Approved Change Order from Mid River Asphalt Inc. in the amount of \$5,543.87 for 2022-2023 Mill & Overlay Program

\*Approved Pay Application No. 1 from Mid River Asphalt Inc. in the amount of \$739,534.27 for 2023 Mill & Overlay Program

\*Approved Depository Banking Services Offerings and Agreement as submitted by Peoples Bank and Trust

\*Approved and Pay Invoice No. 218427 to Woodard and Curran in the amount of \$4,950 for Decant Upgrades to the SWWTF for the period ending April 21, 2023.

\*Awarded Bid to 120 Water in the amount of \$13,986.50 for Lead Service Line Inventory

\*Approved Appointment of James Beachler to Board of Adjustment

Alderman Horner said he did not think take-home vehicle authorizations should come before the board. Attorney Granneman explained this is how the process was changed by the board.

Alderman Jones made a motion, seconded by Alderman Leifert, to approve Take-Home Vehicle Request for Water Superintendent Bryan Mudd. Vote: Jones aye, Leifert aye, Diekemper aye, Dunard aye, Norman aye, Horner aye. Motion carried 6-0.

Alderman Dunard made a motion, seconded by Alderman Jones, to Approve Take-Home Vehicle Request for Meter Reader William Shaffer. Vote: Dunard aye, Jones aye, Norman aye, Horner aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Dunard made a motion, seconded by Alderman Jones, to approve Take-Home Vehicle Request for Crew Leader Justin Huber. Dunard aye, Jones aye, Norman aye, Horner aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Dunard made a motion, seconded by Alderman Jones, to approve Take-Home Vehicle Request for Sergeant Roger Taylor. Dunard aye, Jones aye, Norman aye, Horner aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Dunard made a motion, seconded by Alderman Jones, to approve Take-Home Vehicle Request for Officer Matthew Williams. Dunard aye, Jones aye, Norman aye, Horner aye, Diekemper aye, Leifert

aye. Motion carried 6-0.

Alderman Jones made a motion, seconded by Alderman Dunard, to approve Take-Home Vehicle Request for Officer James Hasting. Jones aye, Dunard aye, Norman aye, Horner aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Jones made a motion, seconded by Alderman Dunard, to approve Take-Home Vehicle Request for Officer Thomas Mayhew. Jones aye, Dunard aye, Norman aye, Horner aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Jones made a motion, seconded by Alderman Norman, to approve Take-Home Vehicle Request for Sergeant Chad McCallister. Jones aye, Norman aye, Dunard aye, Horner aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Diekemper made a motion, seconded by Alderman Dunard, to approve Take-Home Vehicle Request for Officer Dylan Schneiderjohn. Diekemper aye, Dunard aye, Norman aye, Horner aye, Jones aye, Leifert aye. Motion carried 6-0.

Alderman Diekemper made a motion, seconded by Alderman Jones, to approve Take-Home Vehicle Request for Sergeant Todd Plumb. Diekemper aye, Jones aye, Norman aye, Horner aye, Dunard aye, Leifert aye. Motion carried 6-0.

Alderman Jones made a motion, seconded by Alderman Dunard, to approve Take-Home Vehicle Request for Officer Keith Craig. Jones aye, Dunard aye, Norman aye, Horner aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Jones made a motion, seconded by Alderman Dunard, to approve Take-Home Vehicle Request for Officer Jason Graham. Jones aye, Dunard aye, Norman aye, Horner aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Jones made a motion, seconded by Alderman Diekemper, to approve Take-Home Vehicle Request for Officer Bernie Clayton. Jones aye, Diekemper aye, Norman aye, Horner aye, Dunard aye, Leifert aye. Motion carried 6-0.

\*Approved 2023 Liquor License Renewals:

Zadocks Restaurant	Woods Fort Restaurant / Golf	Pizza Hut
CPY Group / Buzzy's	Caseys, 11 Turnbull Tr.	Caseys, 620 E. Cherry St.
Kelly's	Chihuahua of Troy	Kroger #724
Troy BP, Inc.	ES Hometown / Babylon	Good Times
Straight Home	Shree Gayatri, LLC	Q Stop

Alderman Diekemper volunteered to serve on the Historic Preservation Commission to replace Alderman Norman. Alderman Dunard made a motion, seconded by Alderman Norman, to accept the appointment of Alderman Diekemper to the Historic Preservation Commission. Vote: Dunard aye, Norman aye, Jones aye, Horner aye, Leifert aye, Diekemper abstained. Motion carried 5-0 with 1 abstention.

Teresa O'Hanlon explained her request for a variance to have market sheep on her residential property at 1030 Magnolia until July. She said the sheep are for her grandson, who is at her house 80 percent of the time. She said the sheep are at the end of her yard because there is a shade tree there. She said she is doing everything to keep the sheep clean and safe.

Alderman Norman explained that when Ordinance 1324 was adopted last year, the variance requirement was discussed. He questioned Mrs. O'Hanlon about obtaining the sheep before obtaining a variance this year. Alderman Norman noted that the ordinance allows for the revocation of a variance if someone complains. Alderman Norman made a motion, seconded by Alderman Horner, to approve variance request from Teresa O'Hanlon, 1030 Magnolia, for Market Sheep. Alderman Diekemper asked Mrs. O'Hanlon where she keeps sheep manure. Mrs. O'Hanlon said every three days, she puts the manure in her flowerbed. Alderman Dunard said last year the ordinance was talked about at great length. Mrs. O'Hanlon said she read the ordinance but did not realize she had to come back to the board for approval. Alderman Jones asked if there is a way to remove manure. Mrs. O'Hanlon said she could place more lime on it. Alderman Leifert expressed to fellow aldermen that either Mrs. O'Hanlon is compliant, or she is not. Vote: Norman nay, Horner nay, Diekemper nay, Leifert nay, Dunard nay, Jones nay. Motion failed 0-6.

Mayor Sconce explained that a TerraGator is used to haul sludge. Supervisor Comer said the City's previous TerraGator's rear end went out in the field, and it had to be towed away. He added that the requested surplus TerraGator for \$12,500 is a 2015/2016 model that appraised for more than \$100,000. Alderman Norman made a motion, seconded by Alderman Jones, to approve Urgent Purchase of used TerraGator from Missouri State Surplus for Wastewater Department in the amount of \$12,500 per Section 150.080, Letter G. "Purchase of Used Equipment". Vote: Norman aye, Jones aye, Horner aye, Dunard aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Norman made a motion, seconded by Alderman Horner, to Go Into Closed Session for legal and personnel matters at 7:40 p.m. Vote: Norman aye, Horner aye, Leifert aye, Dunard aye, Diekemper aye, Jones aye. Motion carried 6-0.

Aldermen returned from Closed Session at 8:15 p.m.

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

Meeting adjourned at 8:15 p.m.

ATTEST:

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City Clerk

Mayor Sconce

\*Approved on Consent Agenda