

**Regular Board of Aldermen Meeting  
City of Troy, Missouri  
Monday, August 21, 2023  
6:30 P.M.**

Present for the Board of Aldermen meeting were Aldermen Steve Jones, Rachel Dunard, Gary Leifert, David Norman, Kay Diekemper, Harold Horner, and Mayor Ron Sconce. Also present were Public Works Superintendent Jeff Burkemper, Parks Director Ryan Howell, Wastewater Treatment Plant Supervisor Jared Comer, Finance Director Linda Flinn, Building Official David Lindsey, Police Chief Jeff Taylor, City Attorney Brian Sinclair, Deputy City Clerk Kaitlyn Knickmeyer, and City Clerk Tonya Hawkins.

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

Adopt 2023 Property Tax Rate of \$0.1648 (includes a Voluntary Reduction of \$0.15) Per \$100 of Assessed Valuation

There was no citizen comment. Mayor Sconce closed the Public Hearing at 6:40 p.m.

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

Alderman Leifert made a motion, seconded by Alderman Horner, to approve the Consent Agenda with the exception of the July 17, 2023, Regular Board of Aldermen Meeting Minutes. Vote: Leifert aye, Horner aye, Diekemper aye, Dunard aye, Jones aye, Norman aye. Motion carried 6-0.

Mayor Sconce explained that City Clerk Hawkins added the numerical vote next to a roll call vote on page 2 of the July 17, 2023, Regular Board of Aldermen Meeting Minutes. Alderman Dunard made a motion, seconded by Alderman Norman, to approve the July 17, 2023, Regular Board of Aldermen Meeting Minutes. Vote: Dunard aye, Norman aye, Diekemper aye, Horner aye, Leifert aye, Jones aye. Motion carried 6-0.

Mayor Sconce opened the meeting to Citizen Comments.

Brianna Cowart, of 101 Meadowstone Drive, stated she has been a resident of Troy for three years. She explained that she has a bachelor's degree in agribusiness with an emphasis in animal science. She told aldermen dogs should not be lumped by their breed; all dogs are different. She said Labrador Retrievers are more likely to bite than pit bulls. She said she a pit bull protected her from a Dalmatian when she was a child.

Susan Oster, of 50 Spanish Oak Court, thanked Mayor Sconce and aldermen for allowing individuals to speak out against the city's pit bull ban. She said she understands that pit bulls have a reputation. However, she said the community is growing, and people who move here want to know they can bring their dogs. She said a breed-specific ban can infringe on citizens' constitutional rights.

Chris Schieffer, president of the Bridge of Hope Board, discussed collaborative efforts to complete construction of a homeless shelter in Lincoln County. He said Bridge of Hope will be more than a shelter. Local counseling agencies will offer help to residents, and the shelter will provide services like laundry facilities, he said. Mr. Schieffer said homelessness adds costs to city budgets. He explained police officers would have a place to take individuals in need. He suggested that city officials use marijuana sales tax revenue to provide financial support to the shelter.

Mr. Schieffer announced that Dan Colbert will be the executive director of the homeless shelter, which should be operational in January.

Dan Colbert told the board he is excited to take on the challenge, and he hopes to work with Troy aldermen.

Carol Weiman, of 1101 Crystal Court, said breed-specific legislation (BSL) discriminates against responsible pet owners. She asked aldermen to repeal the pit bull ban. She said all dogs deserve love.

Jon and Kayla Deak, of 412 Meadow Spring Drive, addressed the board. Mr. Deak thanked aldermen for allowing them to speak, and he asked board members to give pit bulls a chance. He asked aldermen to repeal the pit bull ban.

Larry Smythe, of 50 Spanish Oak Court, explained he is Susan Oster's dad. He said he grew up in Marthasville, a dumping ground for all dog breeds. He stated he does not have a PhD, but he has a PhD in life. He was a mail carrier, and he shared a story about a German Shepard that bit its owner. He said the breed is not the problem. The dog owner is the problem.

Candy Garska, of 175 West Bonfils, said she has lived in Troy for 42 years, and she did not realize there was a ban until a couple years ago. She said she has two pit bulls, and she just wants the ban lifted.

Dennis Detert, of 1091 Huntington, explained he called City Hall regarding his neighbor's yard waste debris and was told Waste Management would pick up debris. He said the City does not want to pick up the yard waste. He said that in the past, public works employees would pick up storm debris. He asked officials if they wanted the city to look bad.

Judy Montgomery, of 1471 Boone Street, said almost all of her family members have pit bulls. She said she does not think there should be a ban.

Corey Wantuck, of 136 Austin Oaks, was joined by his dog. He said he recently moved to Moscow Mills. However, he said he lived in Troy for most of his life. He said the board should have more leniency.

\*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. 1381 as Ordinance \_\_\_\_ -- An Ordinance of the City of Troy, Missouri to Establish a Procedure to Disclose Potential Conflicts of Interest and Substantial Interests for Certain Municipal Officials, first and second times by title only. Alderman Jones made a motion, seconded by Alderman Diekemper, to adopt Bill No. 1381 as Ordinance \_\_\_\_ -- An Ordinance of the City of Troy, Missouri to Establish a Procedure to Disclose Potential Conflicts of Interest and Substantial Interests for Certain Municipal Officials. Vote: Jones aye, Diekemper aye, Dunard aye, Leifert aye, Norman aye, Horner aye. Motion carried 6-0.

\*Adopted 2023 Property Tax Rate of \$0.1648 (includes a Voluntary Reduction of \$0.15) Per \$100 of Assessed Valuation

\*Approved Reappointment of Kevin Bishop to 4-year term to expire July 1, 2027

\*Approved Reappointment of DeeAnn Aydelott to 4-year term to expire July 1, 2027

\*Awarded Bid to Parker Construction and Contracting in the amount of \$57,300 for demolition of Wastewater Treatment Lab on Hwy 47

\*Approved Pay Application No. 18 (Final) for Cherry Street Improvement Project in the amount of \$261,487.83

\*Approved Record Plat for Crooked Creek Estates Plat 4, to be located at Mill Point Court, requested by property owner Lincoln County RIII School District. This property is zoned "R-1" Single Family Residential District.

\*Approved and Authorized Mayor to Sign Master Professional Services Agreement with Woodard and Curran

\*Approved the transfer of \$107,944.86 from Protested Franchise Tax Fund 04 to the General Fund 01

\*Approved the following budget amendment:

FUND:	ACCOUNT NO:	DESCRIPTION:	CURRENT BUDGET	AMEND TO:
PROTESTED FRANCH TAX	04-9001-6999	TRANSFER OUT	107,650.00	107,945.00
GENERAL FUND	01-0000-4910	TRANSFER IN	-107,650.00	-107,945.00

Mayor Sconce explained that an ordinance is needed to repeal the pit bull ban. He asked aldermen for input. Alderman Dunard said the vicious dog ordinance should be the focus, and the pit bull ban should be repealed. Alderman Leifert shared a story about a pit bull's attempt to attack his dog. He said the following week, the pit bull killed a neighbor's dog. He shared another story about a landlord being mauled by a pit bull when he visited a home to collect rent. He asked what has changed.

Alderman Leifert said insurance companies will not insure pit bulls. He said there are two ends of a leash, and the City holds one end. Mayor Sconce stated that the City of Troy's insurance broker was also unaware of any insurance companies that would insure pit bulls.

Alderman Dunard said a bad dog is a bad dog. She said the City does not have animal control and that a vicious dog ordinance would apply. Alderman Jones told the story of an Akita that turned on its owner. He said any dog can turn on you. He noted that a Great Dane attacked his sister-in-law. However, he said his daughter had a pit bull that was the nicest dog. He said dog owners should be responsible. He explained that he sees dogs without leashes.

Alderman Diekemper noted that a pit bull who killed a cat was returned to its owner. Alderman Dunard stated there is no way to enforce the pit bull ban. Alderman Liefert said there is a question of liability. Alderman Dunard said the liability if her dog bites someone would fall on her. Alderman Diekemper said she was scared of German Shepards, but she got one and trained the dog. She said the dog responded to commands and loved kids. She said she thinks it is wrong to have a breed-specific ordinance.

Aldermen Norman and Diekemper said they would sponsor an ordinance to repeal the ban. Mayor Sconce questioned the goal. He said he did not understand what the board wants to achieve. Alderman Dunard

said she wants to give residents the freedom to own the dog they want to have. Alderman Norman said his goal is to lift the ban and rewrite the vicious dog ordinance.

Emil Moore asked aldermen about changing the route for the Dream Run 5K to benefit Troy Dream Center. He explained the run has gained popularity, and people who come from outside of town want to see historic places in Troy. He said the new route would go through downtown Troy.

Chief Taylor said he does not have a problem with the requested route. Emil said the run would start at 9 a.m. on October 21, 2023.

Alderman Dunard made a motion, seconded by Alderman Norman, to approve the alternate route for Dream Run 5K as requested by Emil Moore. Vote: Dunard aye, Norman aye, Horner aye, Leifert aye, Diekemper aye, Jones aye. Motion carried 6-0.

Alderman Jones made a motion, seconded by Alderman Dunard, to appoint Alderman Diekemper to the Historic Preservation Commission. Vote: Jones aye, Dunard aye, Leifert aye, Horner aye, Norman aye, Diekemper aye. Motion carried 6-0.

Mayor Sconce explained that there was an increased cost for the server migration project. Alderman Leifert asked about the progress of restoring GIS mapping capabilities. Mayor Sconce explained that there was a meeting with Alliance and ESRI today, and there may be a solution to bring GIS back online.

Alderman Jones made a motion, seconded by Alderman Horner, to Approve Change Order from Alliance Technologies in the amount of \$2,275. Vote: Jones aye, Horner aye, Norman aye, Dunard aye, Diekemper aye, Leifert aye. Motion carried 6-0.

Alderman Leifert made a motion, seconded by Alderman Norman, to Approve Agreement for MS4 On-Call Support Services from Woodard and Curran in the amount of \$25,000. Vote: Leifert aye, Norman aye, Horner aye, Diekemper aye, Dunard aye, Jones aye. Motion carried 6-0.

Alderman Dunard made a motion, seconded by Alderman Leifert, to Approve Purchase of 2024 GMC Sierra ¾-ton Truck from Lou Fusz Buick – GMS in the amount of \$56,000 for the Wastewater Department, waiving the City's purchasing procedures (Ordinance 1158, Section 150.050) due to price and availability. Mayor Sconce explained these trucks are available. Vote: Dunard aye, Leifert aye, Diekemper aye, Norman aye, Jones aye, Horner aye. Motion carried 6-0.

Alderman Leifert made a motion, seconded by Alderman Diekemper, to Approve Purchase of 2023 Ford F350 from Jim Trenary Ford in the amount of \$52,879 for the Public Works Department, waiving the City's purchasing procedures (Ordinance 1158, Section 150.050) due to price and availability. Vote: Leifert aye, Diekemper aye, Dunard aye, Jones aye, Norman aye, Horner aye. Motion, seconded by carried 6-0.

Mayor Sconce explained that the request to Approve Procurement of Three (3) Budgeted Vehicles for the Building Department was slightly different due to the vehicles being orderable. Alderman Dunard made a motion, seconded by Alderman Leifert, to Approve Procurement of Three (3) Budgeted Vehicles for the Building Department. Vote: Dunard aye, Leifert aye, Diekemper aye, Norman aye, Horner aye, Jones aye. Motion carried 6-0.

Mayor Sconce explained that the request to approve the Special Event Request from Troy Baseball and Softball League for Softball Tournament at Fairgrounds Park was on the agenda because there will be food trucks and t-shirt sales in the park. Parks Director Howell said this event will be after the softball

season, and crews can keep the restrooms open. Alderman Diekemper made a motion, seconded by Alderman Jones, to Approve Special Event Request from Troy Baseball and Softball League for Softball Tournament at Fairgrounds Park to include Food Trucks and T-Shirt Sales. Vote: Diekemper aye, Jones aye, Leifert aye, Norman aye, Horner aye, Dunard aye. Motion carried 6-0.

Mayor Sconce said state statute does not include Court Clerk as an appointive officer. He suggested removing Court Clerk from the City's ordinance and adding City Clerk. He said he would sponsor an ordinance if the board had no objections. Alderman Jones and Alderman Diekemper said they had no objections.

Alderman Dunard said she was asked to bring up the bill to allow Side by Sides on streets. Alderman Diekemper said she has concerns about motorized vehicles, and she would like an age limit to operate them. She added that if the vehicle does not have signals, motorists should not drive them at night. Alderman Dunard said she would be happy to sponsor a bill with the consensus of the board.

Mayor Sconce said when he talked to Chief Taylor and Major Tienter, they said they Side by Sides were unnecessary. Mayor Sconce mentioned traffic concerns, and he said insurance on an ATV does not cover the vehicle on a street.

Chief Taylor said not allowing motorists to drive Side by Sides is a burden because he has to tell people not to do it. Mayor Sconce asked if there were any objections to allowing them. No one objected. Alderman Dunard said she would sponsor a bill.

Alderman Dunard asked about a job posting for City Administrator. Mayor Sconce said a job description is needed and a pay range. Alderman Jones asked Economic Development Director Julie Rodgers to speak. She explained that MML could assist.

Mayor Sconce noted there is no money budgeted for a talent acquisition firm. Mayor Sconce said information needs to be collected.

Alderman Dunard made a motion to Approve Job Posting for City Administrator Position. Alderman Dunard withdrew the motion and made a motion to Table Approval of Job Posting for City Administrator Position. Alderman Jones seconded the motion. Vote: Dunard aye, Jones aye, Norman aye, Horner aye, Leifert aye, Diekemper aye. Motion carried 6-0.

Alderman Dunard made a motion, seconded by Alderman Horner, to Approve Formation of a Board to Review City Administrator Candidates. Vote: Dunard aye, Horner aye, Norman aye, Jones aye, Diekemper aye, Leifert aye. Motion carried 6-0.

\*Appointed Parks Director Ryan Howell to Replace Brian Sinclair on CVB Board

Alderman Leifert asked if the well would be in the well house for the Construction of Well #16. Superintendent Burkemper confirmed it would. Alderman Leifert said the quote of \$1,546,300 was a lot of money. Mayor Sconce explained the water superintendent wanted a generator. Alderman Leifert said the well house seems expensive. Mayor Sconce said the project engineer fears the bid would likely come in higher if rebid. Mayor Sconce said waiting is a possibility. Alderman Leifert suggested changing the specifications. Superintendent Burkemper said he is not aware of what could be cut from the project. He said this well is a little bigger and will be fenced, rocked, and include a water salesman device for bulk water sales. Alderman Dunard agreed the bid was high.

Alderman Horner made a motion, seconded by Alderman Norman, to Award Bid to Martin General Contractors, LLC in the Amount of \$1,546,300 for Construction of Well #16. Vote: Horner aye, Norman aye, Jones aye, Dunard nay, Diekemper aye, Leifert nay. Motion carried 4-2.

Alderman Dunard made a motion, seconded by Alderman Jones, to Go Into Closed Session for the purpose of discussing Legal matters. Vote: Dunard aye, Jones aye, Diekemper aye, Norman aye, Horner aye, Leifert aye. Motion carried 6-0.

Alderman went into Closed Session at 8:32 p.m.

Aldermen returned to Open Session at 9:01 p.m.

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

The meeting adjourned at 9:03 p.m.

ATTEST:

  
City Clerk

  
Mayor Sconce

\*Approved on Consent Agenda