

CITY OF ROCK HILL
BOARD OF ALDERMEN MEETING
MINUTES
TUESDAY, AUGUST 16, 2005
7:00 P.M.
ROCK HILL CITY HALL ASSEMBLY ROOM

- 1) **Call to Order** The meeting was called to order by Mayor Morgan at 7:02 p.m. Mayor Morgan presided over the meeting.
- 2) **Pledge of Allegiance** Mayor Morgan lead those in attendance in the reciting of the Pledge of Allegiance.
- 3) **Roll Call** In attendance were Alderman Townsend, Alderman Knuckles, Alderman Johnson, Alderwoman Barnard, and Alderwoman McCann. Not in attendance was Alderwoman Brown.
- 4) **Emergency Items added to Agenda**
 - a) Mayor Morgan offered details regarding the situation involving former Mayor Salamone. She added that the St. Louis County Prosecutor's Office is reviewing the details to determine if charges will be filed. In addition, a report has been sent to the State Ethics Commission. Mayor Morgan also offered details as to the State Audit and how it relates to these events. She commended the print and media coverage for the accuracy in reporting the events, and assures the Rock Hill residents that they will be kept informed of this situation.
 - b) Alderman Johnson would like to discuss the city's trash pick up. Mayor Morgan agrees and states that the discussion will take place during the Acting City Administrator portion of the agenda.
 - c) Alderwoman McCann would like to discuss the dispatching of the police and fire departments. Mayor Morgan responds that the topic will be added to the Departmental Reports.
- 5) **Citizens to Address the Board:** *Each person addressing the board shall give his/her name, address, and organization or firm represented, if any. He/she shall speak for a period not to exceed three (3) minutes; additional time may be granted by the presiding officer or the Board.*

Mr. Jim Doss - 1105 Rockman (formerly)

In addressing the Board, Mr. Doss asks, "Was it not a conflict of interest to allow Mr. Salamone's company to handle the matters at that time?" Mayor Morgan responded that former Mayor Salamone's actions were carried out such that no one in the administration or City Hall had knowledge of them.

Mr. Lorenzo Ibanez - 1257 Charlane Court

In addressing the Board, Mr. Ibanez refers to the most recent newsletter where articles made reference to street work. He would like to know where in Ward 3 are the streets that have been fixed. He states that Charlane Court has not been worked on in 24 years. The Ward 3 representatives respond with

information on a number of streets in the Ward where street work was recently completed. Acting City Administrator Don Cary adds information about the research and planning being done by the new City Engineer Tom Weis.

Mr. Tom Taylor - 831 N. Rock Hill Rd

Mr. Taylor asks if the Board members are in receipt of a letter he sent to each of them and if the subject of the letter will be addressed. The mayor confirms that the correspondence has been received. Mr. Taylor remarks that he feels Novus is not bargaining in good faith as promised. The offer from Novus is well below the value of his property as determined by three independent appraisals. He is seeking reassurance that Rock Hill officials are monitoring Novus and their dealings with the residents of Rock Hill. City Attorney Heinz adds that he will be discussing Mr. Taylor's concerns with Alan Steele of Novus to determine if Novus is bargaining in good faith, as promised. City Attorney Heinz will report his findings to the Board.

Mr. Thomas Mahl - 904 N. Rock Hill

Mr. Mahl expresses his feelings about the houses on North Rock Hill that are to be bought out, and replaced with City Hall. He would like to know the reasoning behind using that location rather than another area in the city. In addition, he wants to know why 5 houses are to be taken instead of the 8 on the block and why an elderly resident like Mr. Washington is being forced out. Mayor Morgan explains that the location was chosen because of its central location within the city and its proximity to Manchester. She further explains that location of the houses (being close to Hollywood Video and the redevelopment) is one that would be desirable for use as a strip mall. Using it, instead, as the location for City Hall and the Fire and Police Departments would be good for all sides. As to Mr. Washington, Mayor Morgan responds that he is being given assistance in relocating. Mr. Mahl continues to voice concerns over the process and the impact on his property. Alderman Johnson offers his perspective of the situation and agrees to meet with Mr. Mahl for further discussions. City Attorney Heinz adds that when the point is reached where an architect is brought on board, input from residents will be heard. When asked by Mr. Mahl about the moneys to purchase the properties, Mayor Morgan responds that the funds will come from the sale of City Hall and the Sayer site.

State Senator Scott Muchany - Representative 87th District

The Senator tells of having received a number of communications from Rock Hill residents regarding negotiations with Novus. With this in mind, he asks that special attention be given to the practices of Novus. Discussion follows with input from Board Members, City Attorney Heinz and Acting City Administrator Cary. The discussions include Novus negotiations with residents and businesses, the idea of fair market value,

the redevelopment process and the progress being made. Senator Muchany thanks the Board for their time and consideration.

Megan Franke - CFX

Ms. Franke asks if there are checks and balances in place to ensure that Novus is honoring the agreement with the city. City Attorney Heinz responds that the Board or City Hall should be notified of any matters that relate to property in the redevelopment area. The issues can then be addressed. He added that he has copies of all of the appraisals that have been made to date.

6) Public Hearings

a) none

7) Announcements, Presentations, Proclamations, Communications and Invitations:

- a) Mayor Morgan conveys that she learned, via e-mail, that Alan Steele of Novus would not be available for the meeting and not announce the retail tenants for the south portion of the redevelopment. Alderman Knuckles asks if a deadline can be given to Mr. Steele. Alderwoman McCann asks, "What is going on?" She feels that the Board is being put off. Alderman Townsend suggests setting up a specific time and place, a type of forum that is not part of the Board meeting, which would eliminate the chance of Novus not showing up. Alderman Johnson remarks that Novus has been on the agenda numerous times and not shown up. He feels that this conduct is putting their credibility in question. Mayor Morgan responds that she shares in their frustrations. She commits to speaking with Alan Steele and setting a time and place for a meeting.
- b) P.H. Weis, Inc. had performed a feasibility study to determine the amount of land needed for the potential site of the new City Hall. Mr. Craig Emmons informs the Board that the study determined that the area needed for the City Hall location would consist of 5 lots. When asked if the new site would house the library, Don Cary reported that the library would remain separate.
- c) Joan Machinsky, Board of Adjustment Board Member, reported that the Board of Adjustment will meet tentatively on 9/12/05. The purpose of the meeting will be to hear an appeal by a resident. The date will be confirmed upon commitment of all board members. Alderwoman McCann requests that the Aldermanic Board be informed of such meetings, as well as the purpose, the date, time and place.
- d) SBC has been selected to handle the telephone needs at City Hall. The change was necessary due to service and manpower concerns with Birch Telecommunication. Don Cary reports that the costs will be at the same level as with Birch and adds that the service should increase. He adds that all

phone numbers will stay the same. Telephone service will be put out for bid prior to moving to the permanent location.

- e) Don Cary informs the Board that the State Auditor's Office wants to schedule a public presentation of the audit results. At this time they would like to have it the last week in August or early in September. Don reports that he has furnished them with the contact names and phone numbers. He anticipates the presentation to take place prior to the next Board meeting. The time and place of the presentation will be noted on the reader board and published in the Times and the Post.

8) Old Business

- a) None

9) Minutes of Previous Meetings

- a) Minutes of the meeting of July 19, 2005
- b) Minutes of the meeting of July 22, 2005
- c) Minutes of the meeting of July 25, 2005

A motion is made by Alderman Knuckles to approve the minutes, as amended, of the Aldermanic meetings of July 19, July 22, and July 25, 2005. The motion is seconded by Alderman Townsend. Voting in favor of the motion were Alderman Townsend, Alderman Knuckles, Alderman Johnson, Alderwoman Barnard, and Alderwoman McCann. The motion passes.

10) Treasurer's Report

- a) Review of warrant listing for July 2005 bills to be paid) Alderman Knuckles offers a motion to approve for payment the invoices included in the listing, furnished with the agenda. Following discussions, the motion is seconded by Alderwoman McCann. Voting in favor of the motion were Alderman Townsend, Alderman Knuckles, Alderman Johnson, Alderwoman Barnard, and Alderwoman McCann. The motion passes.

11) Resolutions and Bills: Pursuant to RSMo. 79.130, all bills will be read by "title" only. Copies will be available to the General Public at City Hall, in the City Clerk's office during regular office hours.

- a) Bill No. 1637: AN ORDINANCE LEVYING AND FIXING THE TAX RATES IN THE CITY OF ROCK HILL, ST. LOUIS COUNTY, MISSOURI, FOR THE YEAR 2005 ON ALL PROPERTY IN SAID CITY BY CLASSIFICATION FOR GENERAL CITY PURPOSES, FOR A PUBLIC LIBRARY AND FOR THE DEBT SERVICE ON SERIES 2002 GENERAL OBLIGATION FUNDS. Alderman Knuckles motion to have the first reading, by title only, of Bill #1637. The motion is seconded by Alderman Townsend. Voting in favor of the motion were Alderman Townsend, Alderman Knuckles, Alderman Johnson, Alderwoman Barnard, and Alderwoman McCann. The motion passes. City Attorney proceeds with the first reading, by title only, of Bill #1637. Following the reading, Alderman Knuckles

motions to accept the first reading of Bill #1637. The motion was seconded by Alderwoman Barnard. Voting in favor of the motion were Alderman Townsend, Alderman Knuckles, Alderman Johnson, Alderwoman Barnard and Alderwoman McCann. The motion passes. At this time, Alderman Knuckles motions to have the second and final reading of Bill #1637. The motion is seconded by Alderwoman McCann. Voting in favor of the motion were Alderman Townsend, Alderman Knuckles, Alderman Johnson, Alderwoman Barnard, and Alderwoman McCann. The motion passes. City Attorney Heinz proceeds with the second and final reading, by title only, of Bill #1637. Following the reading, Alderman Knuckles motions to accept the second and final reading of Bill #1637, and that it be adopted as Ordinance #1566. The motion is seconded by Alderwoman McCann. Voting in favor of the motion were Alderman Townsend, Alderman Knuckles, Alderman Johnson, Alderwoman Barnard, and Alderwoman McCann. The motion passes.

- b) Bill No. 1638: AN ORDINANCE OF THE CITY OF ROCK HILL, MISSOURI, TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS.

Alderman Knuckles motions to have the first reading, by title only, of Bill No. 1638. The motion is seconded by Alderman Townsend. Voting in favor of the motion is Alderman Townsend, Alderman Knuckles, Alderman Johnson, Alderwoman Barnard, and Alderwoman McCann. The motion passes. City Attorney Heinz proceeds with the first reading, by title only, of Bill No. 1638. Following the reading, a motion is made by Alderman Knuckles to accept the first reading of Bill No. 1638. The motion is seconded by Alderman Townsend. Voting in favor of the motion were Alderman Townsend, Alderman Knuckles, Alderman Johnson, Alderwoman Barnard, and Alderwoman McCann. The motion passes.

12) Planning and Zoning Committee Report

- a) Minutes of the meeting of August 3, 2005
- b) With approval previously voted on by the Board, PBAV representative Carol Waggoner will proceed with the development of new zoning maps for Rock Hill. The ones currently being used are outdated.
- c) NW/SW Site Plan preliminary schedule.
- d) Carol Waggoner of PGAV will meet with the P&Z Chairperson regarding the Sign Ordinance Task Order. The program should be finalized and ready to vote on by the next meeting.

13) Departmental Reports

- a) See monthly reports
- b) Don Cary explains the benefits of having fuel cards for city vehicles.

14) City Attorney Items

- a) As to the request to vacate an easement at the new Walgreen's site, City Attorney Heinz reports that the required legal description is not completed. It must be complete before there is further action.

15) Mayor's Report

- a) Mayor Morgan reports that she will be attending the MML Conference on September 10 - 12 at Tan-Tar-A. She advises that if any of the Board members are interested in going, they should let Don Cary know.
- b) Mayor Morgan offers the details of committee needed to assist the architect chosen to design the new City Hall. She would like the committee to consist of the City Administrator, the Mayor, and 2 of the Board Members. The committee will meet with the architect and convey the ideas and wishes of the constituents. Alderman Knuckles and Alderwoman McCann offer to serve on this committee.
- c) Mayor Morgan details the plans for an RFQ in the search for an architect for the new City Hall. It is projected to have this out and to the architectural firms by August 25th. The deadline for the selection of an architect will be September 22, 2005. Mr. Mike Conzem of PGAV will be used to write the RFQ. Alderman Knuckles motions to proceed with the RFQ for an architect for the new City Hall. The motion is seconded by Alderwoman McCann. Voting in favor of the motion were Alderman Townsend, Alderman Knuckles, Alderman Johnson, Alderwoman Barnard, and Alderwoman McCann. The motion passes.

16) Acting City Administrator's Items

- a) Redevelopment Update - Don Cary updates the Board as to the Berry/Manchester redevelopment. An RFP submitted by Pace Properties did not utilize as large an area as was hoped. Don wants to set up a meeting with Pace in order to be able to know exactly what areas are being used and their long range ideas. The Board will then be informed of the outcome of the meeting.
- b) There is a discussion regarding Midwest Waste (Allied Waste) and the decline in service. Don reports that when a resident calls with this type of complaint, they are now given the cell phone number of the area supervisor. It is hoped that this will follow with prompt reaction and it will eliminate the necessity of the resident sitting on hold. Alderwoman McCann, as part of the discussion, adds that Onyx Company had provided a competitive bid at the time the waste contract was negotiated.
- c)

17) CLOSED SESSION (if necessary):

MOTION: To hold a closed meeting with closed record and closed voting, pursuant to Subsection (1), (2), (3) & (12) of Section

610.021, RSMo, 2004, in order to discuss legal actions, causes of action, or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representative and its attorneys; and leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration thereof; and the hiring, firing, disciplining or promoting of an employee of a public governmental body; and documents related to a negotiated contract.

Alderman Knuckles motions to proceed into closed session. The motion is seconded by Alderman Townsend. Voting in favor of the motion were Alderman Townsend, Alderman Knuckles, Alderman Johnson, Alderwoman Barnard, and Alderwoman McCann. The motion passes.

18) Return to Open Session (if necessary) - Board approval of any closed session actions.

19) ADJOURN