

CITY OF ROCK HILL
BOARD OF ALDERMEN MEETING MINUTES
TUESDAY, DECEMBER 6, 2005
7:00 P.M.

- 1) The meeting was called to order by Mayor Morgan at 7:00 p.m.
- 2) The Mayor requested and led the recital of the Pledge of Allegiance.
- 3) Roll call was taken with the following members of the Aldermanic Board being present: Redmond, Knuckles, Johnson, and Brown. Alderwoman Barnard was seated at 7:03. Alderwoman McCann was seated at 7:07.
- 4) **Emergency Items to be added to the Agenda**
 - a) Discussion of the re-zoning of green space on Des Peres. Topic will be covered under Planning and Zoning.
- 5) **Citizens to Address the Board:**
 - a) **Phillip Scherry, 9383 Golden Gate** – suggests that green building practices be considered when constructing the new City Hall. He adds that the Green Building Council is available to address the Board. Mayor Morgan assures him that, when the construction planning begins, the topic of green building will be included.
- 6) **Public Hearings**
 - a) On revising the Rock Hill City Code and Zoning Map by adopting a new zoning map and revising the Municipal Code Land Use regulations.
Mayor Morgan detailed the process used, in conjunction with P.G.A.V., to achieve the new zoning map. She then opened the floor for comments or questions, and there were none. Mayor Morgan then closed that portion of the public hearings.
 - b) On vacating a public easement on the plat of the Hudson Terrace Subdivision.
Mr. Mike Woolrich, with Civil Engineering Design Consultants, addresses the Board on behalf of Blackstone Group, the developer for the proposed Walgreens at the corner of Manchester and Kortwright. He requests the public easement on the plat of the Hudson Terrace Subdivision be vacated. He adds that there are no utility easements. There were no comments or questions from the audience. Mayor Morgan declared that portion of the public hearings as closed.
 - c) On a preliminary development plan by Heartland Bank for a bank building at the Northwest corner of Berry and Manchester Road.
Mr. Fred Berger, an attorney representing Heartland Bank, comes before the Board to request site plan approval. He makes a presentation of exhibits supporting his request. Mr. Berger introduced Mr. Clay Vance, Vance Engineering, a firm that worked closely with Chiodini & Assoc. on the site plans. Mr. Vance offers an overview of the proposed Heartland Bank project. Afterward, Mr. Vance and Mr. Berger fielded questions from: **Mr. Thomas Bajardi, 1417 Salem Hills Dr.**, asks what will be the primary egress point to access the property. Mr. Bajardi is told the specifics, and that changes will be made once the street is widened to 5 lanes.
Mrs. Debbie Martin, 1384 N. Berry Rd., reports that the increased traffic is already a

concern. She asks what will be used as a “screen” for the property owners. She is told a 6’ high stockade fence will be used, along with landscaping.

Robert Wallach, 1501 Salem Hills Dr., asks if there is anything that could possibly hold up the progress of the project and what is a time frame estimate. He is told that a few items are up for P & Z approval. He anticipates 120 – 180 days for the bidding process and the application and issuance of required permits.

Mark Bredenkoetter, Authorized Representative for MB Ventures, 9865 Manchester, asks if the stockade fence will be replaced. He is told that the current plans include using the existing fence. It had been newly installed 2-3 years ago. Mr. Bredenkoetter remarks that a new fence is warranted to shelter the homeowners rather than using the existing one.

Merribeth Cook, 9906 Alden Lane, would like to know if any homes are to be bought out as part of this project. She is told there will be no homes bought out.

A presentation is then made by David Brameier giving an overview of the progress of traffic studies that had been underway when his company began participation. He added information about the projected traffic flow at the intersection when the project is complete.

Mr. William Campbell, Chiodini and Associates, offers his presentation to the Aldermanic Board and those in attendance. He remarks about the current drawings, that 29% of it is green space, and that the style is traditional with a modern touch to the traditional look. Mr. Campbell continues with information about the lighting of the site and with samples of the products to be used in construction. Questions from interested parties follow.

Mark Bredendoetter, Representative for MB Ventures, 9865 Manchester, asks about the finished look of the trash corral. During discussion, Alderwoman McCann states that a recent ordinance requires a trash enclosure be of the same material as the building using it. Mr. Fred Berger, attorney representing Heartland Bank, adds that this project is being presented to the P & Z for architectural review at the next meeting. Upon clarification, the project will proceed in accordance with all ordinances.

Jim Jontry, 1501 North Berry, inquires of the hours of operation at the new site. The answer, offered by Lisa Frederick of Heartland Bank, is as follows: Drive-Up, Monday through Friday, 8:00 a.m. to 6:00 p.m., Saturday, 9:00 a.m. to 12 noon. The lobby hours will be 9:00 a.m. to 5:00 p.m., Monday through Friday. Saturday lobby hours will be 9:00 a.m. to 12 noon.

Matt Knuckles, Ward II Alderman, seeks clarification of the bank drive-thru. Mr. Campbell responds, using the drawings of the facility, offering details to successfully answer the concerns of Alderman Knuckles.

Alana Standeven, 1388 North Berry, expresses interest in the intersection, and will it be developed to accommodate the needs of the handicapped. Mr. Brameier assures her that the intersection will meet all the requirements set forth by the A.D.A.

Mark Bredenkoetter, MB Ventures, 9865 Manchester, asks for an accurate time frame as to the demolition work to be done at the Heartland Bank site. Mr. Berger, attorney for Heartland Bank, responds that Heartland will follow the processes dictated by the issuance of permits and approval of drawings as mandated by ordinances in Rock Hill and St. Louis County. Mr. Bredenkoetter questions why, since the building is an eye sore, the demolition

phase has to wait. Alderwoman McCann asks that the record show that she, as well as others in the audience, would like to see the demolition happen quickly.

Mary Benwell, 1386 North Berry, in addressing the Board and the audience, urges cooperation on the part of all parties involved. Mayor Morgan adds that she feels that Heartland Bank would, if possible, have the building torn down as soon as possible. Mr. Berger adds that he will attend the next meeting and offer an update.

Kris, 1418 Salem Hills Dr. voices concerns about noise levels and the fence around the Heartland property. As to the fence, she feels that the current choice is not attractive and it will not effectively block light from the nearby houses. As to the noise levels, Mayor Morgan adds that the ordinance covering noise issues states limits from 7 a.m. to 6 p.m. The Heartland representative assures that the concerns of the residents are being heard and they will continue to listen to them throughout the process.

Merribeth Cook, 9906 Alden Lane, tells of being a resident on Alden for 31 years. She is appreciative of the attention given to the fencing and lighting, and greatly encouraged by the Heartland plans.

Ed Johnson, Ward I Alderman, inquires whether there are any outstanding issues with either MoDOT or P & Z. Mr. Berger responds the architectural review by P & Z will be on 12/7. The MoDOT issues have been resolved, as reported on by Mr. Brameier.

Matt Knuckles, Ward II Alderman, asks that those working on this project listen to the residents, as they say they will.

Mayor Morgan then declares that portion of the public hearing closed.

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

Mike Williams, Hochschild & Bloom, discusses the contract extension proposal that is now before the Board, asks if there are questions. Alderman Johnson asks for, and receives, an explanation as to the increase of \$900 over last year.

8) Old Business

The City Administrator asks the Board to look at information about a Traffic Study Commission he has put on the dais. He asks them to look over the information for a future discussion on developing one for Rock Hill. Alderwoman McCann asks what is needed to get the process going. City Attorney Heinz responds that a motion needs to be made to draft an ordinance to form a Traffic Commission. Alderwoman McCann then motions that the City Attorney draft an ordinance establishing a Traffic Commission comprised of Rock Hill citizens, equally representing the Wards. The City Attorney and the City Engineer are to be excluded from consideration. The motion is seconded by Alderman Knuckles. There is then discussion regarding the number of representatives from each Ward and the length of the term to be served. The conclusion is that the Commission will consist of the City Administrator, Police Chief, Fire Chief, and one representative from each Ward. The term for the Ward representative will be two years. Following the discussion, the motion is carried by a unanimous voice vote.

9) Minutes of Previous Meetings

- a) A motion was made by Alderman Knuckles to accept, upon review, the minutes of the November 15, 2005. The motion was seconded by Alderwoman McCann. Upon a voice vote, the motion carried.

- 10) **Treasurer's Report** Don Cary offers a summary of items on the November warrant listing. At the conclusion of the presentation, a motion is made by Alderman Knuckles to authorize the payment of bills for the month of November. The motion is seconded by Alderwoman Brown. Following a voice vote, the motion is carried.
- 11) **Bills and Resolutions:** Pursuant to RSMo. 79.130, all bills will be read by "title" only. Copies will be available to the General Public at City Hall during regular office hours.

ITEMS TO BE CONSIDERED FOR FIRST READING:

- a) **Bill No. 1650: AN ORDINANCE OF THE CITY OF ROCK HILL, MISSOURI, VACATING A PORTION OF A PUBLIC EASEMENT, AS SHOWN ON THE PLATS OF O'DAY PLACE AND HUDSON TERRACE IN THE CITY OF ROCK HILL.** A motion was made by Alderman Knuckles to have the first reading of Bill No. 1650. The motion is seconded by Alderwoman McCann. The motion was carried by voice vote. The City Attorney proceeded with the first reading of Bill No. 1650 by title only. After a clarification of the inclusion of O'Day Place in the reading, a motion is made by Alderman Knuckles to accept the first reading of Bill No. 1650. The motion is seconded by Alderwoman Barnard. Following a voice vote, the motion is passed.
- b) **Bill No. 1651: AN ORDINANCE OF THE CITY OF ROCK HILL, MISSOURI, APPROVING THE RESUBDIVISION OF PART OF LOT 5 OF O'DAY PLACE SUBDIVISION IN THE CITY OF ROCK HILL, MISSOURI.** A motion is made by Alderman Knuckles to have the first reading of Bill No. 1651. The motion is seconded by Alderwoman Brown. A voice vote followed, with Alderwoman McCann voting against the motion. The motion carried. The City Attorney proceeded with the first reading of Bill No. 1651 by title only. Alderman Knuckles then motioned to accept the first reading of Bill No. 1651. The motion was seconded by Alderwoman Brown. Alderman Johnson initiated discussion with questions as to what specifically was to be built. Mayor Morgan then offers details of the houses that will be erected. Alderwoman McCann asks notes that the minutes of the P & Z meeting show that (2) nay votes were cast in the consideration of this project because of the building fronts. She asks if this has been resolved. City Administrator Liyeos answers that changes have been made and P & Z will reconsider the issue at the next meeting. A voice vote followed the discussion. Alderwoman McCann voted against the motion. The motion carried.
- c) **Bill No. 1652: AN ORDINANCE OF THE CITY OF ROCK HILL MISSOURI APPROVING A PRELIMINARY DEVELOPMENT PLAN BY HEARTLAND BANK FOR A BANK BUILDING AT THE NORTHWEST CORNER OF BERRY AND MANCHESTER ROAD.** A motion is made by Alderman Knuckles to have the first reading of Bill No. 1652. Alderwoman Brown seconded the motion. The City Attorney proceeded with the first reading, by title only, of Bill No. 1652. Alderman Knuckles motioned to accept the first reading of Bill No. 1652. Alderwoman Brown seconded the motion. Alderwoman McCann opened discussion on what can be done to ensure that the Heartland project will proceed. City Attorney Heinz stated he is confident the project will proceed and suggested that having the second reading tonight will move

things along by at least 2 weeks. He adds that the request for the second reading should include the stipulation that P&Z approval is given. The motion is carried by voice vote. Alderman Knuckles then motions to have the second reading of Bill No. 1652, with the stipulation of P&Z approval. The motion is seconded by Alderwoman Brown. Bill No. 1652 is read, by title only, by the City Attorney. Alderwoman McCann motions to accept the second reading of Bill No. 1652, and to adopt it as Ordinance # 1578 . Alderwoman Barnard seconds the motion. The City Administrator recorded the following roll call vote of those in favor of the motion: Redmond, Knuckles, Johnson, Barnard, McCann, and Brown. Those voting against the motion: NONE. The motion carried and Bill No. 1652 became Ordinance # 1578

ITEMS TO BE CONSIDERED FOR SECOND READING AND/OR ADOPTION:

- d) **Bill No. 1649: AN ORDINANCE OF THE CITY OF ROCK HILL, MISSOURI ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF ROCK HILL, MISSOURI; ESTABLISHING THE SAME, PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED FOR THE MANNER OF AMENDING SUCH CODE OF ORDINANCES; PROVIDING PENALTY FOR THE VIOLATION THEREOF AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.** A motion is made by Alderman Knuckles to accept the second reading of Bill No. 1649. The motion is seconded by Alderwoman Barnard. Discussion followed during which City Attorney Heinz offered explanations of the details of the bill to Alderman Johnson. The City Administrator recorded the following roll call vote of those in favor of the motion: Redmond, Knuckles, Johnson, Barnard, McCann, and Brown. Those voting against the motion: NONE. The motion carried and Bill No. 1649 became Ordinance # 1579 .
- e) **Resolution 05-10: A RESOLUTION OF THE CITY OF ROCK HILL, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH PGAV FOR PROFESSIONAL SERVICES TO ASSIST IN THE PREPARATION OF A SIGN ORDINANCE.** A motion is made by Alderman Knuckles to have a reading of Resolution 05-10. The motion is seconded by Alderwoman McCann. The City Attorney then read Resolution 05-10. A motion is made by Alderman Knuckles to accept the reading of Resolution 05-10. The motion is seconded by Alderwoman McCann. Alderwoman Barnard asks for an explanation of the changes planned and the need to do so now. The City Administrator explains that just as the Board benefits from counsel in the formulation of bills, the P&Z will benefit from the counsel of PGAV. Mayor Morgan adds that this is work that needs to be done now because of expected influx of new businesses. Upon a voice vote, following discussion, the motion is carried.
- f) **Resolution 05-11: A RESOLUTION OF THE CITY OF ROCK HILL, MISSOURI, ALLOWING FOR AN EXTENSION OF THE CONTRACT THE CITY PRESENTLY HAS WITH HOCHSCHILD BLOOM & CO., TO PROVIDE AUDITING SERVICES FOR THE CITY.** A motion is made by Alderman Knuckles

to have the reading of Resolution 05-11. Alderwoman Brown seconds the motion. Following a unanimous voice vote, the City Attorney proceeds with the reading. Following the reading, Alderman Redmond motioned to approve Resolution 05-11. The motion was seconded by Alderwoman McCann. Upon a voice vote, the motion was carried.

12) Planning and Zoning Committee Report

The City Administrator asks the Board to look at the P&Z meeting draft minutes included in the packet. This will be included regularly to better the communication between the 2 Boards. He then asks their attention to a report from a seminar, held 11/28/05. The seminar was led by City Attorney Heinz. Some of the Rock Hill Board Members attended along with representatives from other communities. Copies of the hand outs are included in the packets. As to the topic of green space, as brought up by Alderman Johnson, the zoning maps currently do not show parks/green space. The City Administrator notes that on the master plan/ land use map park/green space areas are noted. Following discussion, Alderwoman McCann moves to send the item to be added to the next P&Z meeting agenda. The motion is seconded by Alderman Johnson. Upon a voice vote, the motion is passed.

13) Departmental Reports

- a) **Finance** – Don Cary informs the Board that alternate accounting software programs are being researched. Those being considered are more cost effective than the current system. He adds that he, the City Administrator and Carl Ramey of Stifel Nicolaus are working on funding options for upcoming projects.
- b) **Public Works** – Ron Meyer offers information on projects, in progress and finished, involving the Public Works Department. He remarks that the equipment is prepared for the winter season and adds that his department now takes care of the maintenance and service of the police cars. Ron Meyer tells the Mayor he will look at a concern on O’Day Avenue. Responding to a question from Alderwoman McCann, he will make it a point to investigate a fence falling down behind the architectural office on Manchester, near Kortwright.
- c) **Parks and Recreation** Al Hayden reports on the recent annual Christmas with Santa program. Though attendance was down, all who attended had a wonderful time. Parks & Rec has received the application for designation as a Tree City. 2006 will mark the 20th year for Rock Hill to receive the title. The deadline is approaching for the needs assessment survey. The Parks & Rec. Dept. agreed to take over the responsibility of judging the annual Christmas Lighting Contest. The judging will be done on December 18 and 19.

14) City Attorney Items - NONE

15) Mayor’s Report The Mayor reported that the Walgreens project is moving forward after the installation of the foundation. She added that Mills is continuing with their project and that the Novus redevelopment is on schedule. The filing for candidates opens the morning of December 13th. She announces that the holiday party for Rock Hill employees and Board Members will be on Friday, December 16th from 11:30 – 2:30.

16) City Administrator’s Report - NONE

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.

A motion is made by Alderman Knuckles, as detailed above, to proceed to closed session.

The motion was seconded by Alderwoman McCann. The City Administrator recorded the following **roll call vote of those in favor of the motion at 9:05 p.m: Redmond, Knuckles, Johnson, Barnard, McCann, and Brown. Those voting against the motion: NONE.**

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

19) ADJOURN

