

CITY OF ROCK HILL
BOARD OF ALDERMEN MEETING MINUTES
TUESDAY, SEPTEMBER 5, 2006
7:00 P.M.

- 1) Mayor Morgan called the meeting to order 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: DiPlacido, Johnson, Barnard, and Scherry. Alderman Redmond was seated at approximately 7:10. Alderwoman McCann was not in attendance.
- 4) Emergency Items to be added to the Agenda - None
- 5) **Citizens to Address the Board:**

Joyce Rouse, 1032 North Rock Hill - Offers her opinion on the recent meeting with Novus representatives, adding that she feels the meeting was unconscionable. She stated that the offers have not been acceptable, making mention of the October 15th date for “serious” offers from Novus. In response, Mayor Morgan states that the Board has officially relayed to Novus that the offers are unacceptable.
- 6) **Public Hearings** to hear citizen’s comments on the proposed amendments to Chapter 405 of the Zoning Code of the City of Rock Hill regarding the Motor Vehicle Oriented Business (MVOB) Ordinance.

Joan Machinsky, 1043 O’Day - Begins by commending the P&Z for their efforts and accomplishments in coming up with the sign ordinance as well as the MVOB ordinance. She adds that the ordinances, as currently written, are not realistic and not beneficial to the small businesses of Rock Hill. In closing, Ms. Machinsky urged the Board to examine how the documents are written before voting.
- 7) **Announcements, Presentations, Proclamations, Communications and Invitations:**
 - a) Communication from NOVUS representatives.

Mr. Pete Sebelski reported the following: Work on the site is progressing well. American Water has completed the tap destroy and the main line relocation by AT&T is complete. The grading of the site is in progress. In response to Alderman Scherry’s question about fencing at the site and safety issues, Mr. Sebelski states that Hensley has been contacted. He is awaiting an answer. He tells Alderwoman Barnard that they are finalizing the agreement to move the cell tower. Once that is complete, a date for the move will be set.
- 8) **Old Business**
 - a) Briefing from Planning & Zoning Members regarding the Sign Ordinance & MVOB.

David Lancaster, 1100 Rockman, representing the P&Z, read from a prepared statement. It detailed the efforts, beginning in 2003, of the members to develop guidelines that are good for Rock Hill citizens as well as businesses. Responding to a question by Alderman Johnson, Mr. Lancaster states that he has no information on costs associated with the suggested sign changes, and adds that there has been no feedback from established businesses. Alderman Scherry asks if any of the present businesses meet the proposed guidelines for signs and MVOB’s. The McDonald’s is thought to be a good example.

Rita Green, 807 Blossom Lane – P&Z member speaks in support of their proposal. She tells that the group had worked to maintain the viability of the business district, to ultimately have Manchester Rd. cleaner and less cluttered. She urges the Board to adopt

the bills as Ordinances. At the end of the discussion, Alderman DiPlacido asks for an update on the release of the newsletter. Mayor Morgan responds that it should be available the following week.

9) Minutes of Previous Meetings

- a) Alderwoman Barnard motioned to accept the minutes of the 8/15/06 meeting. The motion was seconded by Alderman Redmond. Discussion followed about the minutes of any closed session. The motion to accept the minutes was then carried by voice vote.

10) Treasurer's Report

- a) Warrant List

Finance Director Don Cary gives details of items on the warrant list. Alderman Scherry motioned to approve the list and pay the bills. The motion is seconded by Alderwoman Barnard, and carried by voice vote.

- 11) Bills and Resolutions:** Pursuant to RSMo. 79.130, all bills and resolutions 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. 1683:** AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF ROCK HILL TO RATIFY AND AFFIRM THE RATE AND COLLECTION OF MUNICIPAL TELECOMMUNICATIONS TAXES.
A motion is made by Alderwoman Barnard to have the first reading, by title only, of Bill No. 1683. The motion is seconded by Alderman Scherry and carried by voice vote. In place of City Attorney Heinz, Mr. Carl Lumley proceeded with the first reading of Bill No. 1683. Following the reading, a motion was made by Alderman Scherry to accept the first reading of Bill No. 1683. The motion was seconded by Alderwoman Barnard, and carried by voice vote.

ITEMS TO BE CONSIDERED FOR SECOND READING AND OR ADOPTION:

- b) **Bill No. 1681:** AN ORDINANCE AMENDING THE CITY OF ROCK HILL MUNICIPAL CODE, CHAPTER 520 SIGN REGULATIONS BY DELETING THE EXISTING PROVISIONS AND ADDING THERETO CERTAIN NEW SECTIONS REGARDING SIGNS.
Alderwoman Barnard motioned to table the reading of Bill No. 1681. The motion was seconded by Alderman Scherry and carried by voice vote.
- c) **Bill No. 1682:** AN ORDINANCE THE CITY OF ROCK HILL, MISSOURI, AMENDING CERTAIN SECTIONS OF CHAPTER 405, THE ZONING CODE OF THE CITY OF ROCK HILL REGARDING MOTOR VEHICLE ORIENTED BUSINESSES
Alderwoman Barnard motioned to table the reading of Bill No. 1682. The motion was seconded by Alderman Scherry and carried by voice vote.
- d) **Resolution 06-13:** A RESOLUTION TO REAPPOINT MATT REARDON AND JUNE SMALL TO THE PARKS AND RECREATION COMMISSION.

Alderswoman Barnard motioned to accept Resolution 06-13. The motion was seconded by Alderman Scherry, and carried by voice vote.

- 12) **Planning and Zoning Committee Report** – Alderman Redmond and Administrator Liyeos reported on items that will be discussed at the P&Z meeting on 9/6/06. They include Heartland Bank design changes. Mayor Morgan asked that the P&Z agendas and minutes be part of the weekly packet to the Board.
- 13) **Departmental Reports**
 - a) Finance – Director Don Cary reported that the quarterly statements will soon become monthly statements. He also talked about the following: calendar bids, purchasing postage rather than leasing a machine, the delivery of the personnel code, and issuance of weekly cash reports.
- 14) **City Attorney Items** - none
- 15) **Mayor's Report**
 - a) Special Meeting Dates in September for Audit, 5-Year Budget and TIF. Mayor Morgan asks the members to send her, via e-mail, their availability for special meetings in September in order to discuss audit reports, the 5-year budget, and the TIF.
- 16) **City Administrator's Report** - Administrator Liyeos, in response to Alderman Scherry, reports that Allied Waste will make a last effort to get storm debris on Thursday, the 7th. Public Works will make one more round the following week. He also informs the members that on Thursday he will go to San Antonio for a conference. In closing, he introduces Mr. Carl Lumley, Managing Partner of the Curtis, Heinz Law Firm. Mr. Lumley was in attendance to cover for City Attorney Heinz. Alderman DiPlacido offered a reminder of the Ward 1 meeting to be held on Wednesday, September 13th at 7:00 p.m.
- 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 Alderswoman Barnard to proceed to closed session. The motion is seconded by Alderman Scherry. Voting, by roll call, in favor of the motion: Redmond, Scherry, Barnard, and Johnson. Voting against the motion: DiPlacido. The motion carried.
- 18) Motion made by Alderman Redmond to accept the terms of the agreement set forth in Exhibit A with Novus. Seconded by Alderswoman Barnard. Voting, by roll call, in favor of the motion: Redmond, Scherry, Barnard, and Johnson. Voting against the motion: DiPlacido. The motion carried.
- 19) Motion made by Alderman Redmond to go back into open session. Seconded by Alderman Scherry. Motion carried by voice vote.
- 20) **ADJOURN-** Motion made by Alderswoman Barnard to adjourn. Seconded by Alderman Redmond. The motion carried by voice vote.