

**CITY OF ROCK HILL
BOARD OF ALDERMAN MEETING
TUESDAY, MAY 15, 2007
7:00PM**

- 1) Mayor Morgan called the meeting to order at 7:00pm
- 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: T.J. Redmond, Daniel DiPlacido, Edward Johnson, Mary Wofford, Sheri McCann, and Philip Scherry.

4) **Emergency items to be added to the agenda:** None

- 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.*

Mayor Morgan speaks as a resident and citizen of Rock Hill, with regards to the development on the south side of Manchester, looking forward to Grand Openings this summer of Steinmart, Starbucks, Mc Allister's Deli, 5/3 Bank, Cold Stone Creamery, and this will be a great asset to the city. The actions in issuing an RFP for RPA2 are in no way a reflection on the progress of the south side of Manchester through Novus Market at McKnight Development. The city simply wants to exercise due diligence in making sure that another high quality development can be accomplished on the north side of Manchester by Novus or a similar developer with the least impact on the taxpayers and other citizens:

Mike Conran 9731 Graystone Terrace: Suggests we don't throw the baby out with the bathwater just yet, a lot went in to the pick of the style of development, remembering the huge amount of hours that went into the planning of the development to be acceptable to the City of Rock Hill. Now, the owners of property on the north side of the development, RPA2 want good money for their houses, which is the right thing to try to achieve. He would like to see the board get into a room with Novus and go to the end, saying that we can either do this together, or decide not to (do this project. Or perhaps the development size could be shrunk. But you can't do that or abandon those homeowners by only encompassing the commercial area. What about the other half of the TIF being used complete this project? Before we go to another RFP, we should be diligent in making sure that all avenues have been looked at to try and accomplish the project as designed by Novus. Litigation would just slow things down.

Josephine Hughes 1114 N Rock Hill: I want to say that we should not close the day care center; second, I think you should go with Novus, increase the TIF, expedite it and get it over with.

Lucious Carey: doesn't think shrinking the area (of redevelopment) is a good idea and doesn't know that TIF would approve the additional 7 million, as they were reluctant to give the additional 700,000 for the sale. But he thinks we should do something a little bit different. He stated that all are tired of this and the project needs to get done.

6) **Public Hearings:** None

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

- a) Communication from NOVUS: nothing new or updated from last week on the south side development. Leonard Avenue street construction, a letter will be mailed to address time schedules for the project.
- b) Jonathon Brown: regarding the south side: everything is going well, tenants are lined up and looking forward to the grand opening in September. If there was any misunderstanding about interference or connection with the discussion that will come later with the north phase, there is no jeopardy or interference, as the mayor stated at the beginning of the meeting. Thank you to all of the residents, I enjoyed meeting with them as I passed out a letter on Friday, May 11.
- c) Review and discussion and approval of issuing a new Request for Proposals for RPA-2: City Administrator, George Liyeos stated that he believes that everyone has received first draft that Mr. Caglione put together, he has completed some comments, have received comments from the City Attorney, Alderman DiPlacido and from Finance Director, Don Cary, and will be assembled for final review. If there any more comments, please submit them as soon as possible. That being said, the form that it's in currently seems to be near completion. Discussion continued amongst the Board regarding the comments under review. Alderman DiPlacido read his suggestion which was to replace the clause that stated that we were "looking for a developer who demonstrates significant site control so as to minimize the potential need for use of eminent domain." Alderman Di Placido suggested that the clause be replaced with: "developers that have demonstrated a history of proceeding without the use of eminent domain will receive favorable consideration". Discussion continued regarding how copies of the RFP can be obtained and the costs involved. Alderman Johnson questions the cost and availability of those documents. Alderwoman McCann moves that issue the RFP as amended. Alderman DiPlacido seconds the motion. Motion passes by voice vote.
- d) Carl Rainey-Stiffel, Nicolaus Consulting: regarding the financial feasibility on the RPA1, specifically as it related to the TIF commission recommendation for the additional \$700,000. For those council members that were at the TIF commission hearing, there was some additional testimony that was given during that period of time that resulted in our (Stiffel, Nicolaus), revising our analysis from what was delivered to the TIF commission, based upon a new projection of openings of the south side, we would have a revision coming forth to the council, the biggest difference that you would see would be in the TIF Commission analysis, we anticipated that there would be a necessity to hold what are called subordinated notes, revenues produced would not generate enough to redeem all of the developer notes as well as the accrued interest. With the additional information from the TIF Commission meeting, the analysis did change as shown in the report. It was concluded that the projected accrued interest as well as the outstanding principal on the developer notes would be redeemed without the necessity of having a subordination of any debt held by the developer. On an expectations case basis that the debt would go way within a period of 14 years, this based on the assumptions that are available today, although when the time comes for the notes to be converted to bonds that a new financial projection will be done at that time, new revenue projections and market conditions will vary.

- 8) **Old Business: None**
- 9) **Minutes of Previous meetings:**
 - a) Phil Scherry moves to approve the minutes of the May 1st meeting
 - b) Alderwoman Mc Cann seconds the motion.
 - c) Alderman DiPlacido questions who made the motion for the PGAV draft and RFP
 - d) Motion carries by unanimous vote
- 10) **New Business**
- 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. 1706:** AN ORDINANCE AUTHORIZING AN AMENDED DEVELOPMENT PLAN AND AGREEMENT BY AND BETWEEN THE CITY OF ROCK HILL, MISSOURI AND 9700 MANCHESTER REDEVELOPMENT CORPORATION.

ITEMS TO BE CONSIDERED FOR SECOND READING AND OR ADOPTION:

- b) **Bill No. 1699:** AN ORDINANCE APPROVING THE MARKET AT MC KNIGHT RIGHT OF WAY DEDICATION PLAT IN THE CITY OF ROCK HILL, MISSOURI.
 - 1.) Alderman ...moved to approve the ordinance
 - 2.) Alderwoman Mc Cann seconds the motion
 - 3.) The motion carries by roll call vote.
- c) **Bill No. 1700:** AN ORDINANCE AUTHORIZING A SECOND AMENDED REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROCK HILL, MISSOURI AND NOVUS DEVELOPMENT COMPANY OR ITS ASSIGNEES.
 - 1.) Alderwoman McCann moves to approve the ordinance
 - 2.) Alderman...seconds the motion
 - 3.) Alderman DiPlacido questions why the Board was never informed about the possibility of recovering the lost Brownfield Credit funds from SCI, and why was that option never explored with the Board. The reply from NOVUS and validated by City Administrator, George Liyeos was that the Board was notified in a letter regarding this issue in October 2006.
 - 4.) The Motion passed by majority roll call vote. Alderman DiPlacido voted against.
- d) **Bill No. 1701:** AN ORDINANCE OF THE CITY OF ROCK HILL, MISSOURI AMENDING THE REDEVELOPMENT PLAN FOR THE NORTHWEST/SOUTHWEST REDEVELOPMENT AREA.
 - 1.) Alderwoman McCann moves to approve the ordinance
 - 2.) Alderman Johnson seconds the motion.
 - 3.) The motion passes by majority roll call vote: Alderman DiPlacido votes against.

e) **Bill No. 1702:** AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR AVIS RENTAL TO OPERATE A VEHICLE LEASING BUSINESS AT 9201 MANCHESTER ROAD.

1.) City Administrator, George Liyeos notes a correction that needs to be made Section 2 needs to be removed, there is a clerical error that was brought to attention by City Attorney Ken Heinz., Section 1, and needs grammatical correction as well.

2.) Voice vote for the amendments is called

3.) Amendments pass by unanimous voice vote.

4.) Alderman Scherry moves to approve the ordinance.

5.) Alderwoman Mc Cann? seconds the motion.

6.) Alderwoman McCann questions whether there have been any comments by the citizens, voicing concerns.

7.) The motion carries by unanimous roll call vote.

f) **Bill No. 1704:** AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF ROCK HILL FOR THE FISCAL YEAR ENDED MARCH 31, 2007.

1.) Alderman Scherry moves to approve the ordinance.

2.) Alderman Scherry moves to second the motion.

3.) The motion carries by unanimous roll call vote.

g) **Bill No. 1705:** AN ORDINANCE APPROVING THE PLAT FOR MCKNIGHT CROSSING AT TILLES PARK CONDOMINIUM BY ORDER OF MCKNIGHT CROSSING AT TILLES PARK, L.L.C.

1.) Alderman Johnson moves to approve the ordinance

2.) Alderwoman McCann moves to second the motion.

3.) The motion carries by unanimous roll call vote.

h) **Resolution 07-03:** A RESOLUTION AUTHORIZING AND DIRECTING EXECUTION OF A MEDICAL DIRECTOR AGREEMENT AND BUSINESS ASSOCIATE AGREEMENT WITH SSM HEALTH CARE ST.LOUIS REGARDING THE ROCK HILL FIRE DEPARTMENT.

1.) Alderwoman Wofford moves to approve the resolution.

2.) Alderman ...seconds the motion

3.) The motion carries by unanimous voice vote.

12) **Departmental Reports**

a) **Parks Director, Al Hayden** reports that he has hired the temporary seasonal help for the summer, and have started or are starting work at this time. Mr. Hayden also reported that he is meeting with Mayor Morgan and the church officials regarding the preschool program for next year and hope to be offered a proposal at that time to use the facility

next year. The church is going to be the site for this year's summer day camp for the older children at no cost. Thursday evening is the Parks and Recreation Commission meeting at Stroup Field going through the grant proposal making sure all are on the same page, prior to moving ahead with the project improvements for the softball field, which is slated to begin in September and completed by November 2007.

b) Public Works Department: Al Hayden, Parks Director reports for Ron Meyer, Public Works Superintendent that work has been completed on one lane of the Oakleaf construction project, and the Boulder Court resurfacing project. Both projects should be completed by June 25. Asphalt repair will begin on Oakleaf and other streets within the city. Due to the rain, special attention has been paid to the drains in the city and they are working diligently to keep up with all the rain.

13) **City Attorney Report** – None

14) **Planning and Zoning Report:** Alderman T.J. Redmond reports that there are many housing projects underway. More signs are being brought in for review. The sign code is completed.

15) **Mayor's Report:** Mayor Morgan stated that the Spring Newsletter is ready and will be in the mail by Friday, May 18, 2007, or Monday, May 21 at the latest. The Mayor restated that there would be a meeting with the appropriate members of the Presbyterian Church to discuss the preschool, and there would be a special meeting with the Board shortly thereafter. Alderman DiPlacido requested that the meeting could be held with the parents at the next Board of Alderman meeting, but due to the fact that the next meeting is not until June 5, and Mayor Morgan stated that she wants to have a special meeting held prior to this time, therefore an ordinance could be drawn up by the city attorney and voted on at the next Board of Alderman meeting, which is on behalf of the request of the preschool parents, to expedite this meeting, moving forward with the preschool relocation, and thus putting their minds at ease. Mayor Morgan thanked Alderman DiPlacido and Alderwoman Wofford for their participation and support at the Crestfield Association event.

16) **City Administrator's Report:** George Liyeos, City Administrator reports on the work session regarding the demolition of the 5 houses on N Rock Hill Road, held last week. Alderman DiPlacido has serious issue with the expense involved in doing so, that it is not prudent for the City to use funds in excess of \$135,000 to complete the project. He states that the money could be better spent on street repairs, or other things. Mayor Morgan stated that she has received many email from residents in support of the demolition, as it in the best interest of the city. Philip Scherry commented on the use of the space for the fire department.

1.) Alderwoman ? moves to proceed with the demolition of the homes

2.) Alderwoman ? seconds the motion:

3.) Alderman DiPlacido commented on his support of making the parks building the permanent City Hall. He also stated that there has never been any formal discussion in building a multi million dollar city complex at the site where the 5 houses are.

4.) Alderwoman Mc Cann comments that this discussion tonight and the motion on the table is directly related to the demolishing of the homes, and to proceed with the use of the parks building by City Hall for their permanent location. The future use of the area where the 5 homes are being demolished has not been decided or even thoroughly discussed. Alderman Johnson recognizes that the City does need a permanent place for the Fire Department, and Rock Hill Road provides better access for the department. Alderman Scherry wonders why Alderman DiPlacido has an issue with tearing down the houses right now. Not about what the land will be used for in the future. Alderman DiPlacido states again that the money can be used for vital street repair. City Administrator Liyeos comments that there have been funds allocated for major street repair, and that amount was voted on and approved at the budget meeting.

5.) The motion to proceed with the demolition of the city owned homes on N Rock Hill Road was passed by majority voice vote. Alderman DiPlacido voted against.

6.) A motion was withdrawn to proceed with the parks building renovation for City Hall.

7.) Notice on CDBG Public Hearing will be set for the June 5th Board of Alderman meeting.

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, disciplining or promoting of an employee of a public governmental body; and documents related to a negotiated contract. : **None**

18) Return to Open Session (if necessary): None

19) ADJOURN

POSTED AT CITY HALL ON FRIDAY, MAY 25, 2007