

CITY OF ROCK HILL
MINUTES OF THE BOARD OF ALDERMAN MEETING
TUESDAY, NOVEMBER 20, 2007
7:00PM

- 1) Mayor Morgan called the meeting to order at 7:01 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: Daniel DiPlacido, Edward Johnson, Mary Wofford, Philip Scherry. Alderman T.J. Redmond and Alderwoman Sheri McCann were absent.
- 4) **Emergency items to be added to the agenda:** None
- 5) **Citizens to Address the Board:**
Jeanie Weider 1028 Charleville: There is no left hand turn lane from Manchester Road onto North Rock Hill Road. The lane has been made a continuous left turn into the Market at McKnight, and needs to be corrected.
Chris Musial 801 Leonard: The cul de sac at the end of Leonard Drive has been completed and looks great, although the landscaping has not been completed and needs to be.
- 6) **Announcements, Presentations, Proclamations, Communications and Invitations:**
 - a) Market at McKnight I, LLC (NOVUS) representative Jonathon Browne reported that construction is wrapping up. They are installing awnings, doing build outs with the tenants and Starbuck's is opening next week. Cartridge World will be next to open. Knobs and Pulls is working on their build out now. Baskin Robbins has signed their lease and is going through the final drawings for their permits. There will be an urgent care facility occupying one of the spaces. The traffic lane issues are being addressed with MoDOT. The original fountain design did not work due to the use of the ground around it. Our (NOVUS) revised design is similar to fountains that are at Chesterfield Commons. They are beautiful and should fit sharing the area with the underground utilities. The sign for the center has been submitted to the City for review, and it quite similar to the original design as well.

The cell tower is still sitting. We have done everything to have the tower relocated. The contract with the owner has not been signed. Would the city consider using the power of eminent domain to condemn the tower? Why they want to jeopardize the revenue they receive by not relocating the tower is unclear. The frustration level is high. Please discuss the option of eminent domain for the relocation. Please advise NOVUS if there is another legal option or direction to move towards.

Alderman DiPlacido wants to know if there has been a leased signed yet with the Urgent Care Center. Mr. Browne indicated that the Urgent Care Center has given NOVUS a letter of intent, and terms are being negotiated. The broker that represents the doctor is moving things along quickly, having already met and spoken with the City. They are anxious to pull permits and start build out.

Steinmart is doing well and has far exceeded their projected sales. Mr. Brown also stated that he is very pleased with the lease activity and interest in the development and projects that there will be much more activity after the first of the year.

- 7) **Old Business:** NONE
- 8) **Minutes of the previous meeting:** Alderman Scherry moves to approve the minutes of the November 6, 2007 meeting. Alderman DiPlacido seconds the motion. Motion carries by voice vote unanimously.
- 9) **New Business:** None
- 10) **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: NONE

ITEMS TO BE CONSIDERED FOR SECOND READING AND OR ADOPTION:

Bill No. 1708: AN ORDINANCE IMPLEMENTING THE 2007 VIDEO SERVICES PROVIDERS ACT AND THE 2001 PUBLIC RIGHTS OF WAY LAW BY ESTABLISHING REGULATIONS FOR THE PROVISION OF VIDEO SERVICES AND FOR THE PLACEMENT OF UTILITY AND SIMILAR FACILITIES IN THE PUBLIC RIGHTS OF WAY AND ON PRIVATE PROPERTY. Alderman Scherry moves to table the Bill until the December 18th meeting. Alderman Johnson seconds the motion. Motion carries by voice vote unanimously.

Bill No. 1712: AN ORDINANCE AMENDING SCHEDULE III OF THE ROCK HILL CITY CODE REGARDING STOP INTERSECTIONS. Upon no objection from the Board of Alderman, Bill No. 1712 was read by the City Attorney by "Title" only. Alderwoman Wofford moves to approve Bill No. 1712. Alderman Scherry seconds the motion. Mayor Morgan proceeded with the roll call vote on the motion: DiPlacido, Johnson, Wofford, and Scherry voting in favor of the bill. Motion passes unanimously.

Resolution No. 07-10: AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO ACCEPT THE PROPOSAL FROM CREATIVE CONSTRUCTION SOLUTIONS TO PROCEED WITH THE RENOVATION PROJECT FOR THE PARK BUILDING TO BE USED AS CITY HALL. After much discussion and information provided to the board from Finance Director, Ann Robertson, Alderman Scherry moves to approve the resolution. Alderwoman Wofford seconds the motion. Motion passes unanimously by voice vote.

Resolution No. 07-11: APPOINTING JAMES HEFFNER TO THE PLANNING AND ZONING COMMISSION FOR A TERM SET TO EXPIRE APRIL 1, 2009. Mayor Morgan stated that she had met with James Heffner, who had previously expressed an interest to Alderman Johnson, in getting involved with the city. Mr. Heffner is a resident of Ward 1, an attorney at Danna and McKendrick practicing real estate and corporate law. Mayor Morgan feels that Mr. Heffner would be an excellent asset to the planning and zoning commission. Alderwoman Wofford moves to approve the resolution. Alderman Scherry seconds the motion. Motion passes unanimously by voice vote.

11) Departmental Reports:

Parks and Public Works: Al Hayden, Director of Parks and Recreation reported on the near completion of the grant program for Stroup Field, and should be able to apply for reimbursement shortly.

The City is considering a dog park for the property purchased approximately 10 years ago, commonly known as the Ott property, which is adjacent to Oak Haven Park. Neil Cantwell and I have visited Maplewood and University City's dog parks to get some ideas. The major expenses involved would be fencing and parking, although there will be some more information available to present to the board by the 18th of December.

Mayor Morgan indicated that this could be a joint project with Warson Woods and Glendale. We are in our homework phase with discussions continuing with the mayors of both Glendale and Warson Woods.

If anyone is interested in being on the holiday lighting contest committee, please let Al know. The judging will take place the week of the 17th.

Public Works has been focusing on the refurbishing and renovation of the parks building, with demolition of the existing porch and preparation of the building for reconstruction. The public works department is ready for winter weather and storms. The annual salt delivery has arrived and the trucks are ready to go.

12) City Attorney's Report: None

14) Mayor's Report: Everyone needs to take a look at their calendars; the next TIF Commission meeting is scheduled for December 3rd. After an extensive meeting today with Miller Weingarten Mr. Carl Ramey is running some new numbers. We will need to meet next Wednesday, November 28th as a board to review these figures. Time is yet to be determined. Please respond by e mail as soon as possible to verify availability.

The Mayor would like to wish everyone on the board and present here at the meeting a Happy Thanksgiving.

15) City Administrator's Report: City Administrator, George Liyeos issues a reminder about the TIF Public Hearing at 7:00pm at Steger Auditorium, December 3rd.

The updated code book has been received and needs to be circulated to everyone on the board. Hard copies are available and anyone who wishes to have their book updated may bring their code book to City Hall and the staff will take care of that for you.

Something that has been done in the past is a canned food and toy drive, sponsored by Webster-Rock Hill Ministries. We have already received some donations. We will receive donations on their behalf through the middle of December.

There is a question from Alderman Scherry with regards to a special use permit requirement for the proposed urgent care. There is a certain amount of allowed use in the plan for non revenue producing tenants. The city is trying to get clarification on the

amount of their floor space that is revenue producing. The Tan Company, possibly another business that is non revenue producing. The Tan Company does sell tanning products as well as providing massage therapy, and the guidelines for revenue taxation are under review.

Alderman DiPlacido wants to know if the Mueck Terrace Public Hearing date has been set yet. There has been a draft agenda sent to the members of the commission and a time, date and discussion agenda is being reviewed. This will be a meeting for those to voice their concern and see if there is a solution and compromise that everyone will be satisfied with.

Mayor Morgan mentions that the Rock Hill City Employee holiday party will be on December 14th at 11:30am at City Hall. It is potluck, with each department bringing in the components of the meal.

Alderman Scherry wants to know when the board will see some preliminary budget information for the next fiscal year. We are waiting for the department heads to submit their capital item requirements, and the revenues that the city will receive for property and personal property taxes from the residents. The proposed meeting date with the board will be some time around the President's Day holiday in February.

- 16) **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. Alderwoman Wofford moves to go into closed session at 7:48pm. Alderman Scherry seconds the motion. Mayor Morgan proceeded with the roll call vote on the motion: DiPlacido, Johnson, Wofford and Scherry voted in favor. The motion carries unanimously.
- 17) **Return to open session:** at 8:33pm
- 18) **Adjourn:** Alderwoman Wofford moves to adjourn the open session at 8:33pm. Alderman DiPlacido seconds the motion. The motion carries unanimously by voice vote. Meeting adjourns.