



June 6, 2017

CITY OF ROCK HILL

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**City of Rock Hill
Minutes for the Board of
Aldermen meeting, Tuesday,
June 6, 2017
7:00 P.M.**

- 1) Mayor Mahan called the meeting to order at 7:00 p.m. and led everyone in the Pledge of Allegiance.
- 2) The Mayor called the roll and the following members of the Aldermanic Board were in attendance: Mr. Robert Weider, Mr. James Killion, Mr. Ed Johnson, Ms. Mary Wofford, and Mr. Phillip Scherry. Ms. Sabrina Westfall was absent.
- 3) **Citizens to Address the Board:** David Chiodini, 1054 N. Rock Hill Rd. Discussed the torn down house at 1052 N. Rock Hill Rd. and parking problems at Farotto's.
- 4) **Announcements, Presentations, Proclamations, Communications & Invitations:** none
- 5) Public Hearing: Amendment to Section 405.770 "Site Plan Review" of the City's Zoning Code.

Mayor Mahan opened the Public Hearing at 7:04.

City Administer Jennifer Yackley entered into the record the public hearing notice, the affidavit of publication, the Planning and Zoning minutes from May 2017, the staff report, the City code and the City file.

Ms. Yackley explained that the proposed text amendment generated from a request from the Board of Alderman based on discussions regarding changes made to the City's masonry amendment. There was a request to include within the City's code an appeals process for decisions of the Planning and Zoning Commission relative to site plans as an interim step prior to an appeal to the Circuit Court.

In reviewing Section 405.770 "Site Plan Review" staff noticed that the process outlined in that section is not in conformity to what the City has been doing since 2004. Prior to August 2004, the Board of Aldermen reviewed and approved site plans and the Planning Commission only provided recommendations to the Board. On August 8, 2004, the Building Commissioner came to the Board of Alderman and requested that the Planning and Zoning Commission be given the authority to review and approve site plans. The Board of Alderman voted in favor of that and directed the then-city attorney to draft an ordinance to that effect. From that point forward, the Planning and Zoning Commission began the process of review and approval of

site plans and information was reported back to the Board.

In November of 2004, a text amendment amended 405.760, and gave the Commission the authority to review new construction and exterior additions, but it didn't amend 405.770. This text amendment not only provides the appeal process that the Board requested, but it also cleans up the site plan process, which should have been done in 2004.

There are some changes in the text amendment to things that are no longer necessary. Beginning on page one, it asks the applicant to file 20 copies of the site plan, which is unnecessary. We currently ask for two to be filed at the beginning and 10 to be filed when it goes to the Planning and Zoning Commission. On the next page there is language added in that allows rezoning in a site plan to be reviewed simultaneously by the Commission and then the rezoning would come to the Board for a public hearing and ultimate review and approval. Next, another error is corrected regarding the size and scale of site plans. The City requests that the size of the site plans be submitted in a size that 1 inch equals 20 to no less than 1 inch equals 50. The appeals process is letter D. The appeal process states that within 15 days of the Commission's decision, the aggrieved party must file a written request for reconsideration to the Board of Alderman. They have to provide a concise written request that discusses the decision they feel they have been aggrieved by and it must be filed with the City Clerk. They must also provide the same notice to the applicant if they are not the applicant. It also provides the method in which they must do that and establishes the proof they must provide to the City Clerk that they provided notice to the applicant. It grants the Board of Alderman the right to consider the appeal at their next regular meeting, but not sooner than 15 days following the Commission's decision. The Board can consider the appeal on the record or the Board has the authority to ask for additional information. In order to overrule the Commission's decision, at least 2/3 of the full membership of the Board must vote in favor of overturning the Commission's decision. Lastly, letter "G" is simply a rewording of the Code that talks to revisions of the site plan.

The Planning and Zoning Commission reviewed this in May and are putting forth to the Board a recommendation to approve the text amendment.

Mayor Mahan asked if there were any questions from the Board or from the public.

Hearing no questions, Mayor Mahan closed the Public Hearing at 7:11 p.m.

6) Public Hearing: Community Development Block Grant

Mayor Mahan opened the Public Hearing at 7:12.

City Administer Jennifer Yackley entered into the record the public hearing notice and the affidavit of publication.

Ms. Yackley explained that this is an annual program that the City traditionally

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allots toward the Home Repair Program for low income families that is administered through St. Louis County. There is a total of \$20,000 available, and the money will be available January 1, 2018.

Mayor Mahan closed the Public Hearing at 7:13 p.m.

- 7) **Minutes of Previous Meeting** – May 16, 2017: Alderman Scherry moved and Alderman Weider seconded a motion to approve the minutes for the May 16, 2017 meeting. The minutes were approved unanimously by voice vote.
- 8) **Treasurer’s Report:** Treasurer Sandy Stephens reported:

Mrs. Stephens asked if there were any questions regarding the warrant.

Hearing no questions, Mrs. Stephens requested that the Board approve the Warrant.

Alderman Scherry moved and Alderman Weider seconded a motion to approve the Warrant.

The Warrant was approved unanimously by voice vote.

- 9) **Community Development Commission Report: Ed Johnson reported:**

- Met last month and are working on the Fall Festival and parade.

- 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:

- a) **Bill No. 1940: AN ORDINANCE APPROVING AN STP-URBAN PROGRAM AGREEMENT BETWEEN THE CITY OF ROCK HILL AND THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION FOR IMPROVEMENTS TO KORTWRIGHT AVENUE. (staff requests two readings)**

City Attorney Paul Martin read **Bill No. 1940** for the first time by “title” only.

Mayor Mahan advised that staff has requested two readings.

City Attorney Paul Martin read **Bill No. 1940** a second time by “title” only.

Alderman Scherry moved and Alderman Weider seconded a motion to approve **Bill No. 1940**.

The Board of Alderman discussed **Bill No. 1940**.

The members of the Aldermanic Board voting in favor of the motion were: Weider, Killion, Johnson, Wofford, and Scherry. Motion passes with a vote of 5-0.

Bill No. 1940 becomes **Ordinance No. 1858**.

- b) **Bill No. 1941: AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE CITY OF ROCK HILL FOR THE PERIOD OF APRIL 1, 2016 THROUGH MARCH 31, 2017. (staff requests two readings)**

City Attorney Paul Martin read **Bill No. 1941** for the first time by “title” only.

Mayor Mahan advised that staff has requested two readings.

City Attorney Paul Martin read **Bill No. 1941** a second time by “title” only.

Alderman Scherry moved and Alderman Weider seconded a motion to approve **Bill No. 1941**.

The members of the Aldermanic Board voting in favor of the motion were: Scherry, Wofford, Johnson, Killion, and Weider. Motion passes with a vote of 5-0.

Bill No. 1941 becomes **Ordinance No. 1859**.

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

- c) **Resolution 17-16: A RESOLUTION AUTHORIZING AND DIRECTING EXECUTION OF AN AGREEMENT TO RETAIN SPECIAL COUNSEL RELATED TO THE ENFORCEMENT OF A SETTLEMENT AGREEMENT WITH AT&T MOBILITY AND ASSOCIATED ENTITIES.**

City Attorney Paul Martin read **Resolution 17-16** by “title” only.

Alderman Scherry moved and Alderman Weider seconded a motion to approve **Resolution 17-16**.

City Attorney Paul Martin explained **Resolution 17-16**.

The Board of Aldermen discussed **Resolution 17-16**.

The motion was approved unanimously by voice vote.

- d) **Resolution 17-17: A RESOLUTION ACCEPTING TWO EASEMENTS GRANTED BY MARKET AT MCKNIGHT I, LLC.**

City Attorney Paul Martin read **Resolution 17-17** by “title” only.

Alderman Johnson moved and Alderman Scherry seconded a motion to approve **Resolution 17-17**.

City Administrator Jennifer Yackley explained **Resolution 17-17**.

The motion was approved unanimously by voice vote.

- e) **Resolution 17-18: A RESOLUTION PROVIDING FOR THE DISPOSAL OF**

**CERTAIN PERSONAL PROPERTY DEEMED TO BE SURPLUS TO THE
REASONABLY FORESEEABLE NEEDS OF THE CITY OF ROCK HILL.**

City Attorney Paul Martin read **Resolution 17-18** by “title” only.

City Administrator Jennifer Yackley stated that staff would like to add 14 sections of 100-foot, 4 inch supply fire house to the list of items to be disposed of.

Alderman Scherry moved and Alderman Weider seconded a motion amend **Resolution 17-18** to include the disposal of 14 sections of 100-foot, 4 inch supply fire house.

The motion was approved unanimously by voice vote.

City Attorney Paul Martin read **Resolution 17-18** by “title” only, as amended.

Alderman Scherry moved and Alderman Johnson seconded a motion to approve **Resolution 17-18**, as amended.

The motion was approved unanimously by voice vote.

- f) **Resolution 17-19: A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF ROCK HILL, MISSOURI AND GERSHENSON FOR STREET IMPROVEMENTS TO COUNTY HILLS DRIVE, WEBSTER COURT, AND PLATEAU AVENUE.**

City Attorney Paul Martin read **Resolution 17-19** by “title” only.

Alderman Johnson moved and Alderman Scherry seconded a motion to approve **Resolution 17-19**.

The Board of Aldermen discussed **Resolution 17-19**.

The motion was approved unanimously by voice vote.

- g) **Resolution 17-20: A RESOLUTION RE-APPOINTING JENNIFER YACKLEY, LARRY HOYT, AND PETER SEBELSKI AS DIRECTORS TO THE BOARD OF DIRECTORS OF THE MARKET AT MCKNIGHT CID.**

City Attorney Paul Martin read **Resolution 17-20** by “title” only.

Alderman Scherry moved and Alderman Killion seconded a motion to approve **Resolution 17-20**.

The motion was approved unanimously by voice vote.

11) Fire Department – Fire Chief Kevin Halloran Reported:

- Busy month with storm related calls and fires in Webster, Kirkwood, and Frontenac.

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- Crews having been doing a lot of training. Last month went to Olivette to work on car fires.
- Barry Keith is enrolled in the Rescue Tech program.
- The 4 inch supply hose is ready to be sold on Gov Deals.

Alderman Scherry asked who covers the City's calls when the Fire Department is in training.

Chief Halloran advised that ECDC sends the call to the closest department.

12) Police Department – Police Chief Don Wickenhauser Reported:

- Completed yearly taser training put on by Lt. McGee.
- Recently participated in the Click it or Ticket grant.
- Attended the Hudson School year-end picnic.
- Still in the hiring process for the new officer.

11) New and Old Business – Mayor and Board of Alderman: The Board discussed the use of the Webster Grove's pool at the resident rate. Alderman Johnson moved and Alderman Weider seconded a motion to allocate the CDBG monies to the Home Improvement program.

Alderman Weider moved and Alderman Killion seconded a motion to appoint Alderman Westfall as President of the Board of Aldermen. The motion was approved unanimously by voice vote.

Alderman Weider moved and Alderman Scherry seconded a motion to reappoint Alderman Johnson as Board Liaison to the Community Development Commission. The motion was approved unanimously by voice vote.

Alderman Johnson moved and Alderman Wofford seconded a motion to reappoint Alderman Scherry as Board Liaison to the Parks and Recreation Commission. The motion was approved unanimously by voice vote.

Alderman Weider moved and Alderman Scherry seconded a motion to reappoint Alderman Westfall as Board Liaison to the Planning and Zoning Commission. The motion was approved unanimously by voice vote.

12) City Attorney's Report: May be on vacation for the July 18th meeting, but will send an associate. Requested closed session for attorney/client communications and litigation.

13) City Administrator's Report:

- Broke ground on the new facilities this evening. Expect St. Louis County to release the land disturbance permit tomorrow afternoon.
- Received word from the State that the City has received the archiving grant in order to microfilm the City's permanent records.
- The City has received a request from St. Louis County that they are applying for a grant to create a county-wide biking and walking plan and would like a letter of support.
- The employee BBQ is June 16 from 12-1:30.

14) Mayor's Report: On May 23rd attended an event with the Fire Department in Columbia, Illinois, on May 31st attended the Metro Municipal League Installation Dinner, on June 2nd

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attended the gala opening for the Rock Hill Library.

15) Citizens to Address the Board: none

16) Closed Session: Alderman Scherry moved and Alderman Weider seconded a motion to hold a closed meeting with closed record and closed voting, pursuant to Subsection (1) 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. Members of the Aldermanic Board voting in favor of the motion were: Weider, Killion, Johnson, Wofford, and Scherry. Motion passes with a vote of 5-0.

17) Adjournment: The Mayor adjourned the meeting at 7:46 p.m.

Mayor Edward Mahan

Attested to:

Amy Perrin, City Clerk