

**CITY COUNCIL
CITY OF RICHMOND HEIGHTS,
MISSOURI**

SPECIAL MEETING, November 28, 2008

A Special Meeting of the City Council of the City of Richmond Heights, Missouri was held on Friday, November 28, 2008 at 4:00 P.M. in the Council Chambers at City Hall. Present were Mayor James J. Beck, Council Members Ed Notter, Mike Jones, Tim Gallagher, Connie Williams, Jim Thomson, Gina Mitten and Paul Lore. Camille Greenwald was necessarily absent. Also present was Bola Akande, Assistant City Manager and City Attorney, Ken Heinz.

ANNOUNCEMENTS

Mayor Beck announced there was one item on this Special Meeting agenda; Bill No. 5233 (as amended).

Mr. Gallagher announced the D.A.R.E. Graduation would be held December 14, 2008 at 6:00 p.m. at The Heights.

CITIZEN'S COMMENTS NO. 1

None.

CITY MANAGER'S REPORT

None.

CITY ATTORNEY'S REPORT

Mr. Heinz stated that while negotiations with the Developer had taken place since the Council Meeting of November 24, 2009, no agreement had been reached and Mr. Heinz stated he would like to report on that issue to the Council in a closed session.

Closed Session

At approximately 4:08 p.m, Mr. Gallagher moved, Ms. Mitten seconded, to hold a closed meeting with closed record and closed voting pursuant to Subsections (1), (2), and (12) of Section 610.021, RSMo., 2004, in order to discuss legal actions, causes of legal action or litigation involving a public governmental body, and any confidential or privileged communications between a public governmental body or its representatives 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 therefore, and documents related to a negotiated contract.

AYES: Ms. Williams, Mr. Jones, Mr. Notter, Ms. Mitten, Mr. Gallagher and Mayor Beck. NAYS: Mr. Thomson, Mr. Lore. Mayor Beck declared the Council would meet in closed session in the Mayor's Office.

At approximately 5:05 p.m., the Council returned to open session with all Council members present (Ms. Greenwald necessarily absent).

BILLS PREVIOUSLY INTRODUCED

**Bill No. 5233 (as amended); second reading
An Ordinance authorizing the execution
of a Seventh Amendment to the Redevelopment
Agreement with Michelson-Hadley Heights Development LLC.**

Mr. Jones moved, Mr. Notter seconded, a motion for the second reading of Bill No. 5233, as amended. Carried unanimously. Bill No. 5233, as amended, was presented and read.

AN ORDINANCE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI APPROVING A SEVENTH AMENDMENT TO REDEVELOPMENT AGREEMENT BY AND BETWEEN MICHELSON-HADLEY HEIGHTS DEVELOPMENT, L.L.C. AND THE CITY OF RICHMOND HEIGHTS, MISSOURI, FOR THE HADLEY TOWNSHIP REDEVELOPMENT AREA.

Mr. Gallagher stated he had no further conviction that even with a year's extension that this project would be built and had not changed his vote to extend the Agreement.

Mr. Notter asked if he was correct that if passed this evening, Bill No. 5233, as amended, would give the owner-occupied owners a \$1500 payment by the end of the year.

Ms. Mitten stated yes, but this would also give the Developer a year's extension on the project.

Mr. Gallagher stated that whether this Seventh Amendment was approved or not, the Developer had an obligation according to the contract to give Notice to Close to the property owners by December 29, 2008.

Mayor Beck asked for a vote of approval of Bill No. 5233, as amended. AYES: Mr. Thomson, Mr. Jones, Mr. Notter, Mayor Beck. NAYS: Ms. Williams, Mr. Lore, Ms. Mitten, Mr. Gallagher. 4 AYES – 4 NAYS. Bill No. 5233, as amended, was NOT APPROVED.

With no further business to come before the meeting, at approximately 5:10 p.m., Ms. Mitten moved, Mr. Gallagher seconded, a motion to adjourn. Carried unanimously.

Mr. Lore asked if they could reopen the meeting briefly to decide on the December 1, 2008 regular council meeting. Ms. Mitten moved, Mr. Lore seconded, a motion to reopen the meeting. Carried unanimously.

Mr. Jones moved, Ms. Mitten seconded, a motion to cancel the December 1, 2008 regular council meeting as there was no business on the agenda. Carried unanimously.

Mayor Beck declared the next regularly scheduled Council meeting would be held December 15, 2008.

With no further business to come before the meeting, Ms. Mitten moved, Mr. Gallagher seconded, a motion to adjourn. Carried unanimously.

Mayor Beck declared the meeting, adjourned.

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED