

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
JANUARY 16, 2013**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Matthew G. Robinson at 7:30 p.m. on Wednesday, January 16, 2013 in the Council Chambers of Hazelwood City Hall, 415 Elm Grove Lane.

Mayor Robinson asked those present to join in a moment of silent meditation followed by the Pledge of Allegiance.

On roll call the following members of the Council were present:

Matthew G. Robinson
Russell Todd
Warren H. Taylor
Rosalie Hendon
Mary G. Singleton
Carol A. Stroker
Robert M. Aubuchon
Don W. Ryan
Michael J. Conley

Mrs. Wolf declared a quorum was present.

Also present were City Manager Edwin G. Carlstrom, City Attorney Kevin O'Keefe, and City Clerk Colleen Wolf.

AGENDA

There being no amendments proposed, Mr. Taylor moved, seconded by Mr. Ryan, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

Mr. Todd moved, seconded by Mrs. Hendon, the adoption of the consent agenda as printed. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mayor Robinson	
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	

Mr. Ryan
Mr. Conley

The motion passed unanimously and the consent agenda was adopted.

**APPROVAL OF
MINUTES**

Mr. Todd moved, seconded by Mrs. Hendon, to approve the minutes of the January 2 regular Council meeting as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

WHAT'S NEW

Assistant City Manager Bob Frank reported on City news, events, and programs.

The City has received 21 outdoor recycling bins for use in our parks from a grant from the St. Louis-Jefferson Solid Waste District. Hazelwood's waste collection and recycling provider, Allied Waste, applied for the grant on behalf of the City. The containers retail for over \$700. Sturdy, covered, and tip-resistant, they are ideal for recycling in public places.

Communication Coordinator Tim Davidson received the Community Development Award from the Northwest Chamber of Commerce to recognize his outstanding work in promoting the City and his assistance to the chamber. The award is one of only two given each year.

Upcoming City and community events include the Tribute to Dr. Martin Luther King, Jr., on January 20, the Daddy-Daughter Dance on February 2, and the Mayors' Shamrock Ball to benefit Valley Industries sheltered workshop on March 2. Additional information on City programs and upcoming events is available on the City's website at www.hazelwoodmo.org.

**PRESENTATION
RE: TOWER
INSTALLATION**

Fire Chief Dave Radel gave a presentation on the installation of a 190 foot emergency communications tower along the Howdershell Road corridor.

Chief Radel stated the purpose of this presentation is to brief the Council on the events leading up to and the facts surrounding the imminent installation of the tower. Staff has been communicating with the director of the Emergency Management Communications Commission (ECC) in order to ascertain the necessity of this installation and come to an agreement as to the least obstructive location possible which still meets the operational mission of the commission. As a result of the passage of the E911 tax two years ago, and in conjunction with the federal mandate to convert all radio frequencies from VHF to an 800MHz broadband system, a complete change out of all radio equipment throughout St. Louis, St. Charles, and Jefferson Counties is underway. This includes all police, fire, and public works departments. The origin of this mandate started with communication failures occurring during the September 11 attacks. All portable radios,

walkie talkies, chargers, and batteries will be exchanged on a one-for-one basis. To this end, all affected departments have provided the ECC with a complete inventory of existing equipment. In addition to the radio equipment, the new system requires 25 specifically located towers of varying heights throughout St. Louis County. One 190 foot tower must be placed near Howdershell Road. Alternate locations are severely limited due to operational considerations of the communications system. It has also been confirmed by the City Attorney that the federal mandate and St. Louis County mission directives take precedence over municipal codes and ordinances. A tower will be installed along this corridor and it's our responsibility to find the location that would provide the least amount of negative impact with respect to aesthetics and safety. To this end, staff recommends the location originally identified as optimally operational by the ECC, with a setback to address aesthetics and safety. This location is the maintenance facility at the former Beldt's Aquarium property. Locating the tower at this site would impact City maintenance buildings only and would be less obtrusive than the location originally proposed which is closer to Howdershell Road. City Code requires a fall zone equal to 60 percent of the tower height. The maintenance facility site would provide a 190 foot fall zone, the full height of the tower. In spite of the challenges presented by this situation, there are positive outcomes. Interoperability between emergency agencies will be vastly improved. Hazelwood agencies will be receiving several hundred thousand dollars of radio equipment and years of maintenance expense paid by the E911 tax. In addition, the new tower will produce signal strength much more powerful than the previous system. Chief Radel stated a draft lease has been received from St. Louis County and is being reviewed by the City Attorney. Negotiations for lease payments are beginning. He noted ECC Director Dave Barney is present this evening to answer any questions the Council may have and has committed to holding a public hearing for informational purposes before breaking ground at the site.

Mr. Todd inquired about the size and shape of the tower.

Chief Radel replied the fenced area around the tower would be 60 feet by 60 feet. There would be a small brick structure with a propane tank. He stated the fence would be constructed of materials approved by the City. He stated the tower is steel and not the type that can be made to look like a Christmas tree and there would not be guide wires.

Mr. Taylor asked how close to Truman Park boundaries the tower would be located.

Chief Radel responded the fall zone would cross park boundaries, but the tower would be outside of the park on City owned property. He added there are no structures in the fall zone with the exception of a small portion of the maintenance garage.

Mrs. Singleton asked if the tower would have any other negative impact on nearby homes such as sound.

Chief Radel replied he did not believe it would produce any sound as it's a microwave tower. He added the towers are all line-of-sight towers and must be point-to-point. He stated there are seven existing towers and seven new towers must be erected.

PROCLAMATIONS AND RESOLUTIONS

BLACK HISTORY MONTH PROCLAMATION Mayor Robinson called for the reading of a proclamation designating the month of February 2013 as Black History Month.

There were no objections and Proclamation 1302 was read.

Mr. Todd moved, seconded by Mr. Taylor, the adoption of Proclamation 1302 designating the month of February 2013 as Black History Month in the City of Hazelwood and calling upon all citizens to observe this month with appropriate ceremonies, activities, and programs. The motion passed unanimously.

The proclamation was presented to members of the Community Enrichment Commission.

DUNN ROAD R-O-W SUBLEASE RESOLUTION Mayor Robinson called for the reading of a resolution consenting to the sublease of right-of-way, adjacent to the Toyota dealership at 9091 Dunn Road, which was leased by the City to the Jim Lynch Revocable Living Trust.

Mr. O'Keefe explained the City acquired the excess right-of-way from the State of Missouri. The City had no need for the property and did not want to maintain it. The lease allowed Jim Lynch Toyota to put the property to good use and provided for its maintenance. Mr. O'Keefe stated the dealership has been leased to a successor. The sublease provides for continued use of the property by the successor and does not release the current lessee from the lease obligations. Both the lessee and sub-lessee are obligated to pay the rent specified in the lease.

There were no objections and Resolution 1301 was read by title only:

A RESOLUTION PROVIDING THE CITY'S CONSENT TO THE SUBLEASE OF CERTAIN PROPERTY LEASED BY THE CITY OF HAZELWOOD TO JIM LYNCH REVOCABLE LIVING TRUST UNDER GROUND LEASE DATED JANUARY 1, 2008.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Resolution 1301. The following vote was recorded on the motion:

AYE - 9

Mayor Robinson

Mr. Todd

Mr. Taylor

NAY - 0

Mrs. Hendon
Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon
Mr. Ryan
Mr. Conley

Resolution 1301 was unanimously adopted.

CITIZEN HEARINGS AND PRESENTATION OF PETITIONS

Mayor Robinson explained the procedures to be followed during a hearing. He invited anyone desiring to make a comment to come forward at this time.

No one came forward to address the Council.

PUBLIC HEARINGS - None

COMMUNICATIONS

AIRPORT OPPOSITION TO MAP PLAN	A letter expressing opposition to the Map Plan submitted to the St. Louis County Boundary Commission by the City was received from Lambert-St. Louis International Airport.
GNCCC MEMBERSHIP	A correspondence concerning membership opportunities was received from the Greater North County Chamber of Commerce.
GNCCC NEWSLETTER	The Greater North County Chamber of Commerce's January newsletter was received.
NCI NEWSLETTER	North County Incorporated's January newsletter was received.
LOCAL GOVERNMENT BRIEFINGS	The January 3 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.
CHARTER RATE INCREASES	Notification of rate increases to be effective February 2013 was received from Charter.
LOCAL GOVERNMENT BRIEFINGS	The January 10 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

MML NEWSLETTER The Missouri Municipal League's January newsletter was received.

Mr. Todd moved, seconded by Mrs. Hendon, to receive and file all communications. The motion passed unanimously.

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

WORK SESSION No items were added to the February 13 Council work
AGENDA ITEMS session agenda.

APPOINTMENT OF Mrs. Wolf had provided the Council with a memo explaining
LIQUOR LICENSE the need to appoint a Liquor License Review Committee in
REVIEW COMMITTEE response to liquor license violation complaints received on
H&H Corner, Inc., d/b/a Howdershell 66, at 6901
Howdershell Road and HMS Host USA, LLC, d/b/a Tony
Roma's, at 5555 St. Louis Mills Boulevard.

Typically, three Council members are appointed and the Council member representing the ward where the violation occurred is not appointed. Both violations occurred in Ward 7. After the appointments are made, a date for the hearings will be set and the licensees will be notified. The licensees may be represented by counsel and will be given the opportunity to produce witnesses on their behalf. Upon conclusion of the hearings, the committee may recommend revocation, suspension or discipline of the license to the full Council.

Mr. O'Keefe explained a committee is appointed in order to avoid consuming a Council meeting with these proceedings. He stated a transcript of the hearing is made and provided to the entire Council for consideration. He stated the Council may choose to appoint a committee or to schedule a hearing in front of the entire Council.

After discussion, Messrs. Conley and Aubuchon and Mrs. Singleton volunteered to serve on the Liquor License Review Committee.

Mr. O'Keefe stated Associate City Attorney Stephanie Karr would be present at the hearings.

SOCIAL MEETING Mayor Robinson suggested scheduling a social meeting with
WITH HSD members of the Hazelwood School District to discuss issues
BOARD MEMBERS of common interest.

Mrs. Wolf will provide the Council and board members with tentative dates.

CITY MANAGER'S REPORT - None

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mr. Todd moved, seconded by Mrs. Hendon, to receive and file the minutes of the December 10 Board of Adjustment meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS - None

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4359 Mayor Robinson called for the second reading of Bill 4359 to extend the Special Land Use Permit deadline to commence operation of a restaurant at 7238 North Lindbergh Boulevard.
SLUP EXTENSION

There were no objections and Bill 4359 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4196-12 BY GRANTING A 12 MONTH EXTENSION OF THE DEADLINE TO COMMENCE FULL OPERATION OF A RESTAURANT AT 7238 NORTH LINDBERGH BOULEVARD TO WWIF INC., D/B/A WORLD WIDE INTERNATIONAL FOODS.

Mt. Aubuchon moved, seconded by Mr. Conley, the adoption of Bill 4359 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mayor Robinson	
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Conley	

Bill 4359 was unanimously adopted as Ordinance 4255-13.

BILL 4360 Mayor Robinson called for the second reading of Bill 4360 to authorize an agreement for consulting and insurance brokerage services.
AGREEMENT

There were no objections and Bill 4360 was read by title only:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH HOLMES MURPHY & ASSOCIATES, INC., FOR CONSULTING AND INSURANCE BROKERAGE SERVICES FOR A TERM COMMENCING MARCH 1, 2013 AND ENDING FEBRUARY 28, 2015, AT A COST NOT TO EXCEED 1.75 PERCENT OF THE HEALTH INSURANCE PREMIUM AND 10 PERCENT OF THE VISION INSURANCE PREMIUM.

Mr. Conley moved, seconded by Mr. Ryan, the adoption of Bill 4360 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mayor Robinson	
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Conley	

Bill 4360 was unanimously adopted as Ordinance 4256-13.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, February 6, at 7:30 p.m., in the Council Chambers.

ADJOURNMENT There being no further business to come before the Council, the meeting was adjourned at 8:10 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

Colleen Wolf, MMC - City Clerk
City of Hazelwood, Missouri