

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
AUGUST 21, 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, August 21, 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:

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

Mrs. Wolf declared a quorum was present.

Also present were interim City Manager Bob Frank, City Attorney Kevin O'Keefe, and City Clerk Colleen Wolf.

AGENDA

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

CONSENT AGENDA

Mrs. Hendon moved, seconded by Mr. Conley, to amend the consent agenda by the addition of a discussion of property acquisition to the closed session. The motion passed unanimously.

Mrs. Singleton moved, seconded by Mr. Aubuchon, the adoption of the consent agenda as amended. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mr. Ryan	
Mr. Conley	
Mayor Robinson	

Mr. Todd
Mr. Taylor
Mrs. Hendon
Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to discuss a proprietary interest in accordance with the provisions of RSMo 610.021(15) and property acquisition in accordance with the provisions of RSMo 610.021(2), was adopted.

APPROVAL OF MINUTES

Mrs. Singleton moved, seconded by Mr. Aubuchon, to approve the minutes of the July 31 and August 5 special closed Council meetings, the August 7 regular and closed Council meetings, and the August 14 special closed Council meeting as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

WHAT'S NEW

Communications Coordinator Tim Davidson reported on City news, events, and programs.

Stan Busken of Liberty, Missouri, the great-grandson of Joseph Knobbe, Sr., recently made a trip to Hazelwood to donate three framed photos for addition to the family photo collection at the Knobbe House. The first, taken in 1879, is of his great-grandfather with his first wife. The second is of Joseph S. Knobbe, Sr., at the age of 15 before he came to America. The third is of Joseph Knobbe, Sr., with three of his brothers who joined him in America.

A crowd of fifty plus represented Hazelwood during Bommarito's Skyfox helicopter flyover at the Bommarito Honda dealership. The helicopter is used for making traffic reports and shooting video of late breaking local news.

Another sobriety check will be conducted by the Police Department at two undisclosed locations this weekend, August 23 and August 24. Citizens are urged to report any vehicle operating in a careless manner by using *55 on their cell phone.

A pre-season meeting for parents interested in registering their children, ages seven through 15, to play NFL flag football is scheduled for August 26. To launch the program, the Harvestfest will feature an NFL Punt, Pass & Kick competition.

Every year, North County Incorporated salutes 30 leaders in their 30's for making a significant positive impact on our community through their profession and community involvement. One of this year's award recipients is Melissa Watson, the accounting specialist in the Finance Department.

Upcoming City events include the last concert of the 2013 Summer Concert Series on August 31 with the Woo Daddies and Harvestfest on September 14. Additional information on City programs and upcoming events is available on the City's website at www.hazelwoodmo.org.

BOARD/COMMISSION OATH OF OFFICE No board or commission members were present to receive the oath of office.

NEW EMPLOYEE INTRODUCTION Police Chief Gregg Hall introduced newly hired Police Officer Matthew B. Curry who began employment with the City on August 5.

POLICE DEPARTMENT PROMOTIONS Chief Hall introduced newly promoted Sergeant David Roth, Sergeant Timothy Herr, and Lieutenant Andy Eagan and told a little about their backgrounds in law enforcement.

Mrs. Wolf administered their oaths of office.

PROCLAMATIONS AND RESOLUTIONS - None

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. He noted some of this evening's audience members are present due to an interest in the street name change procedure on the agenda under the City Manager's Report. He asked City Planner Earl Bradfield to provide them with a copy of the proposed procedure. He explained, if the Council chooses to adopt a procedure, the second reading of the bill would occur during the next regular Council meeting. He urged anyone who had comments or concerns about the procedure to present them at this time or to contact the City Council or staff prior to second reading of the bill.

PETITION TO RENAME BOELLNER DRIVE John Fultz of 7326 Boellner Drive stated he's lived on the street for 40 years and expressed opposition to the petition to change its name to Awesome Street.

Mr. Fultz stated, if the petition comes to a final vote, he believes the Council should consider the costs and inconvenience involved. He stated in addition to the inconvenience of making address change notifications and the cost of new signage there may also be legal costs associated with those contesting or defending the change. He stated he believes petitions such as this should be signed by the homeowner, not a tenant who isn't a permanent resident, and the signatures should be validated. Finally, he stated he likes the street name, sees no need for a change, and wants it to remain the same.

Deborah Hagler of 7280 Boellner Drive stated she's lived in the neighborhood for 47 years and Mary Bruening of 7278 Boellner Drive stated she's lived there for 40 years. On behalf of herself and Ms. Bruening, Ms. Hagler expressed opposition to the petition to rename the street. She stated she didn't realize the proposal was serious and asked if the Council is giving it consideration.

Mayor Robinson stated the City currently doesn't have a procedure in place to change a street name. He stated staff has drafted a policy that the Council will consider later in this meeting. He noted that does not mean the Council supports this name change request.

PUBLIC HEARINGS

2013 AD VALOREM TAX RATES Mayor Robinson called to order the public hearing to consider establishing the 2013 real estate and personal property tax rates and the Sewer Lateral Service Line Repair Fee.

Interim City Manager Bob Frank stated the City's total assessed valuation is \$559,698,455, which includes \$60,000,000 from the TIF areas, and is ranked 11th of 90 cities in the St. Louis County area. He noted this is a reassessment year and total assessment is subject to change due to Board of Equalization determinations. The 2013 total assessed valuation reflects approximately a two percent increase from 2012. Based on a 98 percent collection rate, total property tax revenue is estimated at \$4,800,000 including the street bond levy. Mr. Frank noted the amount collected is dependent upon protested and delinquent taxes. General Fund property tax revenue is estimated at \$4,100,000 which represents 17 percent of the City's total operating revenue. The proposed 2013 tax rates remain unchanged from 2012 with residential at the maximum of \$.767 per \$100, commercial at the maximum of \$.77 per \$100, agricultural at the maximum of \$.778 per \$100, and personal property at \$.754 per \$100. The street bond levy would remain at \$.222 per \$100 of assessed valuation and the Sewer Lateral Service Line Repair Fee would remain at \$5. He noted the maximum voter approved levy for the fee is \$28. Mr. Frank reiterated residents will see no change on their real estate tax bill from Hazelwood taxes. He explained the bill includes 10.5 percent in Special School District taxes, 64.2 percent in Hazelwood School District taxes, 10.2 percent in Hazelwood taxes, 6.1 percent in County taxes, and 9 percent in other taxes.

Mayor Robinson asked if anyone present wished to speak in favor of or in opposition to the proposed tax rates or Sewer Lateral Service Line Repair Fee.

No one spoke in favor of or in opposition to the proposed rates or fee and Mayor Robinson declared the hearing closed.

Mr. Taylor moved, seconded by Mr. Todd, to concur with the staff recommendation to establish the 2013 property tax rates and Sewer Lateral Service Line Repair Fee and to

place the draft bill on this agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.a.

COMMUNICATIONS

HBA
REQUEST FOR
SUPPORT

A letter requesting support of their recommended changes to the proposed 2015 International Residential Code during the International Code Council's Final Action Hearings in October was received from the Home Builders Association of St. Louis & Eastern Missouri.

LOCAL GOVERNMENT
BRIEFINGS

The August 1 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

GNCCC NEWSLETTER

The Greater North County Chamber of Commerce's August newsletter was received.

SLCML
ACTIVITIES REPORT

The St. Louis County Municipal League's annual report of league activities and dues statement were received.

NLC REPORT ON
LEADERSHIP FOR
CHILDREN & FAMILIES

A summary of the National League of Cities' report on "Municipal Leadership for Children and Families in Small and Mid-Sized Cities" was received.

REQUEST FOR
CATERER'S PERMIT

A request for a temporary caterer's permit for the Harvestfest on September 14, from 10:00 a.m. to 6:00 p.m., at Howdershell Park was received from the Parks and Recreation Division.

LOCAL GOVERNMENT
BRIEFINGS

The August 8 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

30 LEADERS
IN THEIR 30'S

Notice that Melissa Watson will be recognized as a "30 Leaders in Their 30's" award recipient during a luncheon and reception on September 27 and a sponsorship form were received from North County Incorporated.

Mrs. Singleton moved, seconded by Mr. Aubuchon, to approve the liquor license request and to receive and file all communications. The motion passed unanimously.

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

WORK SESSION Mrs. Singleton requested a discussion of the procedure to
AGENDA ITEMS add items to the agenda be added to the work session agenda.

Mr. Aubuchon requested the addition of a discussion of the Charter review procedure.

There were no objections and these two items will be added to the October 9 Council work session agenda.

BOARD/COMMISSION Mrs. Stroker nominated Chris Holway, 1938 Cherokee Trail
APPOINTMENTS Lane, for appointment to the Board of Adjustment and Architectural Board of Review and Irene Salkowski, 2025 Gerard Park, for appointment to the Community Enrichment Commission.

Mr. Todd nominated Nancy Senter for reappointment to the Community Enrichment Commission and Greg Corcoran, 143 St. Cin Lane, for appointment to the Neighborhood Watch Commission.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to make the preceding appointments. The motion passed unanimously.

Mrs. Wolf will invite the appointees to the September 4 Council meeting to receive their oaths of office and commission certificates.

CITY MANAGER'S REPORT

STREET NAME CHANGE Mr. Frank reported staff recommends adoption of an
PROCEDURE ordinance to amend the Code to establish a procedure for changing a street name.

Mr. Frank stated a proposed procedure and petition form were provided to the Council for consideration during a previous meeting. Some minor changes have been made. The first step in the process is preparation of the petition listing the printed names and addresses of all property owners and renters abutting the subject street and other affected parties as determined by the Public Works Department. The petitioner would be required to contact the Public Works Department and St. Louis County's Information Technology GIS Service Center to assure there is no duplication of street names and to focus on any addressing problems which could result from the change. The process would require submittal of a \$75 nonrefundable fee and a \$500 deposit. Approval by 100 percent of the property owners and renters would be mandatory. Signatures would be verified. The petition would then be placed on the City Council agenda for referral to the City Plan Commission and Historic Preservation Commission for their review and

recommendations. The number of new street name signs needed would be determined by the Public Works Department. If approved by the Council, the signs would be ordered and installed as appropriate.

Mr. Aubuchon suggested the petition include a statement that the petitioners are responsible for all address change notifications to financial institutions, etc.

Mrs. Singleton suggested including a space for the petitioners' phone numbers on the petition form for the purpose of signature verification.

City Planner Earl Bradfield explained a list of current property owners would be obtained from St. Louis County GIS. A list of renters would be obtained from the City's occupancy permit records.

In response to questions from Mrs. Singleton regarding the deposit, Mr. Bradfield stated the cost of any signage would be deducted from the deposit. The petitioners would be required to pay for any costs in excess of the deposit. If the request is denied, the deposit would be refunded.

Mr. Taylor suggested making the statement on the petition requiring 100 percent of signatures in bold print. He added he doesn't believe renter approval should be required.

Mayor Robinson explained renters were included because they would be affected by the street name change.

Mrs. Singleton noted apartments with many renters would be affected.

Mrs. Stroker commented St. Louis County no longer allows duplication of street names.

Mr. Aubuchon stated there are many stipulations in the procedure, yet something may have been missed. He suggested voting to deny any street name change requests.

Mayor Robinson stated he believes adopting a procedure is fair for all concerned parties.

Mr. Todd noted the requirement for 100 percent of signatures is in the administrative procedure and asked if it should be included in the ordinance to eliminate the possibility of it being administratively changed.

Mr. O'Keefe replied the bill can be revised at the Council's discretion. He stated staff has included the requirement of Council approval of a street name change in the procedure.

Mr. Frank stated staff drafted this procedure in light of comments made by the Council.

Mr. O'Keefe stated businesses may have a greater interest in changing a street name than residents and the procedure terminology should be revised to cover non-residential streets.

Mr. Conley suggested making it a requirement for the City to send a letter to all affected residential/commercial properties notifying them of the date the Council will consider the petition in order to provide them with an opportunity to comment.

In response to comments by Mr. Conley regarding the validity of signatures, Mr. O'Keefe suggested adding an affidavit to the petition for the circulator to sign stating all of the signatures are genuine and were made in his presence.

Mrs. Singleton asked if the Council would have any grounds to deny a petition when 100 percent of signatures were obtained and favorable recommendations were received from the City Plan Commission and Historic Preservation Commission.

Mr. O'Keefe replied the Council has legislative discretion.

Mr. Taylor moved, seconded by Mr. Conley, to concur with the staff recommendation to amend the Code to adopt the street name change procedure and to place the draft bill on this agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.b.

Mr. Aubuchon asked if the bill would be read with the changes submitted this evening.

Mr. O'Keefe stated the procedure, not the bill, has been changed. He stated the procedure will be updated and the Council will be provided with a revised copy.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS

Mrs. Singleton moved, seconded by Mr. Aubuchon, to receive and file the minutes of the July 2 Parks and Recreation Board meeting and the July 9 Community Enrichment Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

**2013
PROPERTY TAXES**

Mayor Robinson called for the first reading of a bill to establish the 2013 real estate and personal property tax rates and the Sewer Lateral Service Line Repair Fee.

There were no objections and Bill 4397 was read by title only:

AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF AD VALOREM TAXES LEVIED FOR THE YEAR 2013 FOR GENERAL AND OTHER MUNICIPAL PURPOSES ON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF HAZELWOOD, MISSOURI, AND THE ANNUAL FEE FOR THE CITY'S SEWER LATERAL SERVICE LINES REPAIR PROGRAM.

Bill 4397 will be on the agenda for second reading on September 4.

PROCEDURE FOR STREET NAME CHANGE Mayor Robinson called for the first reading of a bill to amend the Hazelwood City Code by establishing the procedure for changing a street name.

There were no objections and Bill 4398 was read by title only:

AN ORDINANCE AMENDING THE HAZELWOOD CITY CODE BY ENACTING CHAPTER 411: STREET NAME CHANGE ESTABLISHING THE PROCEDURE FOR CHANGE OF STREET NAME.

Bill 4398 will be on the agenda for second reading on September 4.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4394 SLUP Mayor Robinson called for the second reading of Bill 4394 to grant a Special Land Use Permit for vehicle/auto sales and a vehicle service and repair facility at 820 McDonnell Boulevard.

There were no objections and Bill 4394 was read by title only:

AN ORDINANCE GRANTING A SPECIAL LAND USE PERMIT TO KEN BEHLMANN AUTOMOTIVE SERVICES, INC., D/B/A GATEWAY BUICK GMC, FOR VEHICLE/AUTO SALES AND A VEHICLE SERVICE AND REPAIR FACILITY AT 820 MCDONNELL BOULEVARD WHERE A RIGHT OF USE HAS BEEN UTILIZED.

Mr. Aubuchon moved, seconded by Mr. Conley, the adoption of Bill 4394 as an ordinance. The following vote was recorded on the motion:

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

Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon

Bill 4394 was unanimously adopted as Ordinance 4290-13.

BILL 4395
CHANGE ORDER
Mayor Robinson called for the second reading of Bill 4395 to authorize a change order to the contract for milling and asphalt overlay of various City streets.

There were no objections and Bill 4395 was read by title only:

AN ORDINANCE AMENDING A CONTRACT WITH GERSHENSON CONSTRUCTION COMPANY, INC., AS AUTHORIZED BY ORDINANCE 4273-13, BY AUTHORIZING AN ADDITIONAL EXPENDITURE OF EIGHTY-FIVE THOUSAND THREE HUNDRED THIRTY-SEVEN DOLLARS (\$85,337).

Mr. Ryan moved, seconded by Mrs. Hendon, the adoption of Bill 4395 as an ordinance. The following vote was recorded on the motion:

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

Bill 4395 was unanimously adopted as Ordinance 4291-13.

BILL 4396
AGREEMENTS
Mayor Robinson called for the second reading of Bill 4396 to authorize agreements for flowage easements at the Hazelwood Sports Complex.

There were no objections and Bill 4396 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF HAZELWOOD, MISSOURI, TO EXECUTE AGREEMENTS WITH CONSOLIDATED NORTH COUNTY LEVEE DISTRICT FOR A FLOWAGE EASEMENT AT THE HAZELWOOD SPORTS COMPLEX AT 4622 AUBUCHON ROAD AND 1730 TESON ROAD.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4396 as an ordinance. The following vote was recorded on the motion:

AYE - 9

NAY - 0

Mr. Ryan
Mr. Conley
Mayor Robinson
Mr. Todd
Mr. Taylor
Mrs. Hendon
Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon

Bill 4396 was unanimously adopted as Ordinance 4292-13.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

LABOR DAY HOLIDAY Mayor Robinson announced City Hall will be closed on Monday, September 2, in observance of the Labor Day holiday.

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, September 4, 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 8:40 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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