

**CITY OF HAZELWOOD  
REGULAR COUNCIL MEETING  
SEPTEMBER 18, 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, September 18, 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:

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

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 Mr. Conley, the adoption of the agenda as printed. The motion passed unanimously.

**CONSENT AGENDA**

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

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

Mr. Aubuchon  
Mr. Ryan

The motion passed unanimously and the consent agenda was adopted.

**APPROVAL OF  
MINUTES**

Mrs. Singleton moved, seconded by Mr. Ryan, to approve the minutes of the September 3 special closed Council meeting and the September 4 special closed Council meeting, regular Council meeting, and 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.

A large crowd attended this year's Harvestfest due to the good publicity, beautiful weather, and new events.

This past weekend, Officer Mike Monticelli and his K-9 partner Onyxx were honored at the annual K-9 Awards ceremony hosted by the German Shepherd Dog Club of St. Louis. Onyxx was presented with two awards. The first was for suspect apprehension for assisting Berkeley officers in apprehending an armed robbery suspect on May 8, 2013. The second was for controlled substance detection while working with Homeland Security at a local U-Stor-It on May 5, 2013 on a case involving suspects transporting a large amount of marijuana.

The City has joined thousands of communities across the country in observing Celebrate Safe Communities, a national crime prevention program, on September 24. Residents are urged to support the effort to make Hazelwood a safer place to live by hosting a party.

Registration is ongoing for the new NFL Flag Football program. The registration deadline is September 23.

The Fire Department is gearing up for Fire Prevention Month in October by scheduling visits at the City's public and private elementary schools. The visits will feature safety presentations and a look at the fire truck.

The next Prescription Drug Take-Back Day is scheduled for October 26. Collection points will be set up at City Hall and St. Louis Outlet Mall.

Additional information on these as well as other City programs and upcoming events is available on the City's website at [www.hazelwoodmo.org](http://www.hazelwoodmo.org).

MISS HAZELWOOD Mayor Robinson introduced 2013 Miss Hazelwood  
INTRODUCTION Paige Frye.

Miss Frye stated she looks forward to serving the City and thanked the Council for the huge honor.

## **PROCLAMATIONS AND RESOLUTIONS**

CELEBRATE Mayor Robinson called for the reading of a proclamation  
SAFE COMMUNITIES designating September as Crime Prevention Month and  
PROCLAMATION urging support of the Celebrate Safe Communities initiative  
on September 24.

There were no objections and Proclamation 1316 was read.

Mr. Aubuchon moved, seconded by Mr. Conley, the adoption of Proclamation 1316 proclaiming the month of September as Crime Prevention Month in the City of Hazelwood; urging all citizens, government agencies, public and private institutions and businesses to join and support our Celebrate Safe Communities initiative, which will be held on Tuesday, September 24, 2013; and calling upon everyone to invest in the power of prevention and community cooperation to ensure Hazelwood remains a safe, strong and caring community in which all may safely live, learn, work and play. The motion passed unanimously.

The proclamation was presented to Police Chief Gregg Hall.

Fy'13 FUND TRANSFER Mayor Robinson called for the reading of a resolution  
RESOLUTION to transfer unencumbered appropriations within the fiscal  
year 2013 General Fund budget.

Finance Director Lori Helle explained the resolution would transfer appropriations from one department to another for expenses that were over budget or unbudgeted. It's a housekeeping measure and does not reduce the reserve balance. This resolution provides for the transfer of \$8,900 from the Street Maintenance Division, with \$3,500 going to the Fire Department and \$5,400 going to fire district fees.

There were no objections and Resolution 1311 was read by title only:

### **A RESOLUTION PROVIDING FOR THE TRANSFER OF UNENCUMBERED APPROPRIATIONS FOR FISCAL YEAR 2013 AS REQUESTED BY THE CITY MANAGER.**

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Resolution 1311. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Resolution 1311 was unanimously adopted.

FY' 13 APPROPRIATION Mayor Robinson called for the reading of a resolution  
RESOLUTION to provide for the emergency appropriation of Capital  
Improvement funds in fiscal year 2013.

Ms. Helle stated this resolution would appropriate funds for an unbudgeted capital improvement project. She explained a portion of the Civic Center East roof had to be replaced, due to safety hazards, at a cost of \$68,000. The appropriation will reduce the Capital Improvement Fund reserve balance.

There were no objections and Resolution 1312 was read by title only:

**A RESOLUTION PROVIDING FOR THE EMERGENCY APPROPRIATION OF CAPITAL IMPROVEMENT FUNDS IN FISCAL YEAR 2013 AS RECOMMENDED BY THE CITY MANAGER.**

Mr. Conley moved, seconded by Mr. Ryan, the adoption of Resolution 1312. The following vote was recorded on the motion:

AYE - 9

NAY - 0

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

Resolution 1312 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.

**PKG. LIQUOR LICENSE** An application for a Package Malt Liquor License, including  
**6901 HOWDERSHELL** Sunday, for use at Phillips 66 at 6901 Howdershell Road was received from Raees Khan.

The requisite police record check had been performed and Chief Hall has recommended approval of the application.

Raees Khan, the applicant, was present to answer questions from the Council.

Mr. Aubuchon stated there have been problems at the minimart in the past with selling to underage customers and asked if all the employees have taken classes on selling liquor and checking identification.

Mr. Khan replied the minimart is under new management and all the employees are new. He stated he knows how to check identification and he would assure all employees take a class.

Mrs. Hendon expressed concerns with issuing a new liquor license because in the past it was uncomfortable, annoying, and difficult to get in the door with lots of people loitering at all times of the day.

Mr. Khan responded the loitering was caused by friends of two former minimart employees. He stated signs have been posted and there is no more loitering. He emphasized loitering will not be tolerated and identification will be checked when selling liquor.

Mr. O'Keefe asked if Mr. Khan is aware that nothing over five percent beer and no single servings can be sold.

Mr. Khan replied affirmatively.

In response to Mr. Conley and Mrs. Singleton's inquiries, Mr. Khan stated he leased the minimart in July and has been managing it since that time. He stated the problems occurred under a different owner and management. He added he has a three year lease.

Mr. Ryan asked what specific steps would be taken to assure alcohol is not sold to minors.

Mr. Khan responded signs would be posted stating identification will be checked for anyone purchasing alcohol or tobacco products. He added he would monitor his employees.

Mrs. Singleton asked if it has been a year since the liquor license was revoked.

Mrs. Wolf replied the revoked license was issued to a person who is no longer employed by the minimart.

Mrs. Hendon moved, seconded by Mr. Todd, to concur with the staff recommendation and grant the Package Malt Liquor License, including Sunday, to Raees Khan for use at Phillips 66 at 6901 Howdershell Road.

Mayor Robinson called for a roll call vote and the following vote was recorded on the motion:

<u>AYE - 5</u>	<u>NAY - 4</u>
Mayor Robinson	Mr. Conley
Mr. Todd	Mr. Taylor
Mrs. Hendon	Mrs. Singleton
Mrs. Stroker	Mr. Ryan
Mr. Aubuchon	

The motion passed by a vote of five in favor and four opposed with Messrs Conley, Taylor and Ryan and Mrs. Singleton casting the opposing votes.

SLUP EXTENSION                      A request for a six month extension of the Special Land Use  
323 TAYLOR ROAD                      Permit October 19, 2013 deadline to commence operation  
of Holiday Inn Express at 323 Taylor Road had been  
received.

Dan Govero of Govero Land Services, representing the petitioner, stated the roof has been constructed and drywall is being installed at this time. He stated due to MSD water quality requirements, the petitioner had to get additional financing of \$60,000 and a delay was caused. He stated the financing was obtained and a six month extension is being requested to complete construction.

Mr. Aubuchon asked if MSD approval was obtained prior to beginning the project.

Mr. Govero responded partial approval was obtained initially, but MSD later required additional water quality items.

Mr. Aubuchon asked if the petitioner was previously granted an extension.

City Planner Earl Bradfield responded they were granted a one year extension.

Rajul Patel, project manager for Gateway Hospitality, the property owner, explained MSD required the installation of sewer lines in addition to what was originally approved which caused a delay. In addition, a City inspector had issues with the weatherproofing and placed a 12 week stop work order on the property. He stated the most current up-to-date commercial weatherproofing was used and the inspector wasn't familiar with the product. He stated a specialist came from Phoenix to ensure the product was properly installed. As a result, a delay was caused. Also, there was a delay when Ameren required the installation of a new pole, in addition to the three existing poles, at the cost of \$28,000 to \$30,000. He stated the anticipated opening date is November 15, dependent upon the weather.

Public Works Director David Stewart stated there were several building Code concerns during this construction project. For instance, there was a lot of back and forth between the City and the project architect concerning flashing around the windows and assuring there was certification that the work was done properly and per Code. He emphasized assuring Code compliance is part of the process.

Mr. Patel stated paperwork from the supplier was submitted to the City which certified the product was installed correctly.

Mr. Aubuchon moved, seconded by Mr. Ryan, to grant the additional six month extension of the Special Land Use Permit for a hotel at 323 Taylor Road with the condition this will be the final extension and to place the draft bill on the agenda for introduction. The motion passed by a vote of eight in favor and one opposed, with Mr. Conley casting the opposing vote. The bill was added to the agenda as item 17.a.

**PUBLIC HEARINGS** - None

**COMMUNICATIONS**

**GNCCC NEWSLETTER** The Greater North County Chamber of Commerce's September newsletter was received.

**APPRECIATION FOR NLC MEMBERSHIP** A letter of appreciation for the City's membership renewal was received from the National League of Cities.

**LOCAL GOVERNMENT BRIEFINGS** The September 5 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

**REQUEST FOR DEFERRED COMP. CONTRIBUTION** A request for consideration of a contribution to his deferred compensation plan based on his accrued vacation was received from Ed Carlstrom, former city manager.

Mrs. Singleton moved, seconded by Mr. Todd, to authorize a contribution to



**ITS IMMEDIATE PASSAGE.**

Mr. Taylor moved, seconded by Mrs. Hendon, to find and declare an emergency exists with respect to the adoption of Bill 4403, in accordance with Section 8 of Article II of the City Charter, and to give it second reading and consideration for adoption at this time. The motion passed unanimously.

There were no objections and Bill 4403 was read a second time by title only:

**AN ORDINANCE APPOINTING MATTHEW ZIMMERMAN AS THE HAZELWOOD CITY MANAGER AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT AND DECLARING AN EMERGENCY EXISTS FOR ITS IMMEDIATE PASSAGE.**

Mr. Taylor moved, seconded by Mr. Aubuchon, the adoption of Bill 4403 as an ordinance. The following vote was recorded on the motion:

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

Bill 4403 was unanimously adopted as Ordinance 4294-13.

**CITY MANAGER'S REPORT**

FIRE TRUCK PURCHASE	Mr. Frank reported staff recommends the purchase of a Smeal CAFS Pumper on a Smeal Sirius Chassis from Smeal Fire Apparatus Company at a cost not to exceed \$602,265.
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Mr. Frank stated funds for the fire truck purchase were allocated in this year's Capital Improvement Fund budget as a lease/purchase over a seven year period. The truck will replace a 16-year-old truck for which repairs have become increasingly unsustainable.

Mrs. Singleton asked if the City will take advantage of the \$6,884 chassis prepayment discount.

Mr. Frank replied affirmatively.

Mr. Aubuchon moved, seconded by Mrs. Singleton, to concur with the staff recommendation to authorize the contract to purchase the fire truck 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.

HCC WEIGHT ROOM AUDIO/VISUAL EQUIP Mr. Frank reported staff recommends authorization of a contract with Technical Productions, Inc., for the purchase and installation of audio/visual equipment in the Community Center weight room at a cost not to exceed \$23,378.

Technical Productions, Inc., submitted the lowest of the three bids received. Funds have been allocated in this year's Capital Improvement Fund budget for the purchase.

Mr. Taylor moved, seconded by Mrs. Hendon, to concur with the staff recommendation to authorize the contract with Technical Productions, Inc., for the purchase and installation of audio/visual equipment in the Community Center weight room 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.c.

CCE WEIGHT ROOM AUDIO/VISUAL EQUIP Mr. Frank reported staff recommends authorization of a contract with Technical Productions, Inc., for the purchase and installation of audio/visual equipment in the Civic Center East weight room at a cost not to exceed \$15,970.

Technical Productions, Inc., submitted the lowest of the three bids received. Funds have been allocated in this year's Capital Improvement Funds budget for the purchase.

In response to Mrs. Stroker's inquiry, Mr. Frank confirmed the Capital Improvement Fund allocation of \$41,750 will cover both audio/visual purchases.

Mr. Taylor moved, seconded by Mr. Conley, to concur with the staff recommendation to authorize the contract with Technical Productions, Inc., for the purchase and installation of audio/visual equipment in the Community Center weight room 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.d.

PAYROLL & HR SRVCS. AGREEMENTS Mr. Frank reported staff recommends authorization of agreements with Paycor, Inc., for employee payroll and human resource (HR) services at rates guaranteed for a two year period.

Mr. Frank stated the existing contract with ADP, Inc., for payroll services will expire shortly. Proposals from four other companies were evaluated by staff. The Paycor bid is \$2,000 less than what the City is currently paying for ADP's services. In addition, the Paycor bid includes an HR module that will help streamline the HR and payroll process by eliminating duplicate entries and improving data accuracy, plus many other benefits.

Ms. Helle stated she checked the references, met with several of Paycor's staff members, and believes it's a very good system.

Mr. Ryan asked if Ms. Helle has an estimate of how much the new system would save based on staff hours.

Ms. Helle stated the data could be collected for the next Council meeting.

Mr. Aubuchon moved, seconded by Mrs. Singleton, to concur with the staff recommendation to authorize the agreements with Paycor, Inc., for employee payroll and human resource services 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.e.

**CITY ATTORNEY'S REPORT - None**

**CITY CLERK'S REPORT - None**

**COMMISSION AND BOARD REPORTS** Mrs. Singleton moved, seconded by Mr. Ryan, to receive and file the minutes of the July 11 and August 8 City Plan Commission meetings and the August 26 Historic Preservation Commission meeting. The motion passed unanimously.

**NEW BUSINESS - None**

**INTRODUCTION AND FIRST READING OF BILLS**

**SLUP EXTENSION** Mayor Robinson called for the first reading of a bill to grant a six month extension of the Special Land Use Permit deadline to commence operation of a hotel at 323 Taylor Road.  
**323 TAYLOR ROAD**

There were no objections and Bill 4402 was read by title only:

**AN ORDINANCE AMENDING ORDINANCE 4181-11 BY EXTENDING THE DEADLINE FOR COMMENCEMENT OF FULL OPERATION OF A HOTEL AT 323 TAYLOR ROAD, AS GRANTED TO SPA HOTELS, LLC, D/B/A HOLIDAY INN EXPRESS, TO MARCH 19, 2014.**

Bill 4402 will be on the agenda for second reading on October 2.

**CONTRACT** Mayor Robinson called for the first reading of a bill to authorize a contract for the purchase of a Smeal fire truck.  
**FIRE TRUCK**

There were no objections and Bill 4404 was read by title only:



## SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4398  
AMEND CODE  
Mayor Robinson called for the second reading of Bill 4398 to amend the Code to establish a procedure for changing a street name.

Mr. O’Keefe noted staff has provided the Council with an amended version of the bill designated as Bill 4398.1.

Mrs. Singleton stated she likes the revisions and asked for clarification on the meaning of Section 2.

Mr. O’Keefe replied the section is in all ordinances enacting new Code. It authorizes the City’s codifier to use their editorial judgment in organizing the Code book and to put the new Code in a more appropriate place if they believe it’s necessary.

Mr. Taylor moved, seconded by Mr. Conley, to amend Bill 4398 by the text of Bill 4398.1. The motion passed unanimously.

There were no objections and Bill 4398, as amended, 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.**

Mr. Conley moved, seconded by Mr. Taylor, the adoption of Bill 4398, as amended, as an ordinance. The following vote was recorded on the motion:

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

Bill 4398, as amended, was unanimously adopted as Ordinance 4295-13.

BILL 4399  
SUBDIVISION  
Mayor Robinson called for the second reading of Bill 4399 to authorize the subdivision of 83 and 87 Charbonier Bluffs Drive.

There were no objections and Bill 4399 was read by title only:

**AN ORDINANCE APPROVING THE SUBDIVISION OF 83 AND 87 CHARBONIER BLUFFS DRIVE FROM TWO LOTS INTO ONE.**

Mrs. Singleton moved, seconded by Mr. Ryan, the adoption of Bill 4399 as an ordinance. The following vote was recorded on the motion:

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

Bill 4399 was unanimously adopted as Ordinance 4296-13.

BILL 4400 SLUP 7000 N. HANLEY RD.	Mayor Robinson called for the second reading of Bill 4400 to grant a Special Land Use Permit for a vehicle service station/minimart at 7000 North Hanley Road.
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Mr. O’Keefe stated the Council has received a staff recommendation relative to adding an additional condition to the legislation necessitating satisfaction of Missouri Department of Natural Resource requirements before operating the service station.

Mr. Taylor moved, seconded by Mr. Todd, to amend Bill 4400 by the addition of a condition that approval is obtained from the Missouri Department of Natural Resources prior to obtaining a commercial occupancy permit and a business license for the service station. The motion passed unanimously.

There were no objections and Bill 4400, as amended, was read by title only:

**AN ORDINANCE GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO TYPE A PROPERTIES, LLC, D/B/A HAZELWOOD BP, FOR A VEHICLE SERVICE STATION/MINIMART AT 7000 NORTH HANLEY ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Mr. Taylor moved, seconded by Mrs. Hendon, the adoption of Bill 4400, as amended, as an ordinance. The following vote was recorded on the motion:

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

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

Bill 4400, as amended, was unanimously adopted as Ordinance 4297-13.

BILL 4401  
CONTRACT  
980 ALTAVIA DRIVE  
ACQUISITION

Mayor Robinson called for the second reading of Bill 4001 to authorize a real estate donation contract for conveyance to the City of the real property and improvements at 980 Altavia Drive.

Mr. O'Keefe stated the Council has been provided with a redline version of Bill 4001.1 which more accurately reflects the consideration of the property acquisition by the City Plan Commission and their actions.

Mrs. Hendon moved, seconded by Mrs. Singleton, to amend the text of Bill 4001 by the text of Bill 4001.1. The motion passed unanimously.

There were no objections and Bill 4001, as amended, was read by title only:

**AN ORDINANCE AUTHORIZING A REAL ESTATE DONATION CONTRACT FOR CONVEYANCE TO THE CITY OF THE REAL PROPERTY AND IMPROVEMENTS AT 980 ALTAVIA DRIVE FOR NO MONETARY CONSIDERATION.**

Mrs. Hendon moved, seconded by Mrs. Stroker, the adoption of Bill 4401, as amended, as an ordinance. The following vote was recorded on the motion:

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

Bill 4401, as amended, was unanimously adopted as Ordinance 4298-13.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

**COUNCIL MEETING** Mayor Robinson announced the next regular Council meeting will be held Wednesday, October 2, 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 8:35 p.m.

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Matthew G. Robinson - Mayor  
City of Hazelwood, Missouri

ATTEST:

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