

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
OCTOBER 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, October 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
Rosalie Hendon
Mary G. Singleton
Carol A. Stroker
Robert M. Aubuchon
Don W. Ryan
Michael J. Conley

Councilman Warren H. Taylor was not present. 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, Mrs. Hendon moved, seconded by Mr. Conley, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

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

<u>AYE - 8</u>	<u>NAY - 0</u>
Mayor Robinson	
Mr. Todd	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Conley	

and a felony; one fugitive arrest; one revoked license violation; two suspended license violations; one drug arrest for the possession of marijuana; and 18 traffic citations.

The St. Louis County Department of Highways and Traffic is hosting an open house for the Northwest Parkway corridor project on October 24, from 4:00 p.m. to 7:00 p.m., at the JFK Community Center at Howdershell and Charbonier Roads. The public is invited to attend to learn about and comment on the alternatives and impacts of the project such as minimizing flood related traffic disruptions, improved access, and reduced traffic congestion.

Hazelwood is among a few municipalities continuing to provide a fall leaf collection program. Collections begin the week of October 21. A schedule can be found on the City's website or in the Parks and Recreation Fall Activity Guide. Leaves should be raked to the curb on the weekend before the pickup week and should not be raked into the street.

Complete Auto Body, at 6041 North Lindbergh Boulevard, is offering Trunk or Treat on October 22, at 5:00 p.m., to provide a safe and fun environment for children to celebrate Halloween. Costumes are required. Prizes will be awarded for the most creative costume and for outstanding trunk decorations.

Upcoming City programs and events include radKIDS from October 19 through November 16 which teaches life and safety skills to children, a Prescription Drug Take-Back Day on October 26, and Halloween Happenings on October 31. Additional information on these and other City programs and upcoming events is available on the City's website at www.hazelwoodmo.org.

OATH OF OFFICE Mrs. Wolf administered the oath of office to Charles Naeger who was reappointed to the Civil Service Board on September 18.

Mr. Naeger was presented with a commission certificate.

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.

MAINTENANCE OF MISSOURI R-O-W Victor Frentzel, 8727 Nyflot Avenue, stated MoDOT isn't maintaining the right-of-way in front of his home which is now overgrown with vines and trees.

Mr. Frentzel stated he understands the City of Florissant has filed suit against MoDOT for failing to mow the Florissant Road right-of-way and he would like Hazelwood to file suit as well.

Mayor Robinson referred the concern to Public Works Director David Stewart and stated the City would provide a response. He added the City has been in contact with MoDOT in an attempt to encourage them to maintain the rights-of-way. He stated the City doesn't have the funds or manpower to maintain state rights-of-way.

**CITY MANAGER'S
STATUS REPORT**

Mr. Frank stated the Council has been provided with a copy of a letter sent to Mr. Osecki by Code Administrator Pat McSheehy in response to concerns he expressed during the October 2 Council meeting relative to re-roofing requirements.

Mr. Frank stated Mr. McSheehy cited a portion of the 2009 International Residential Code that states all additions, alterations or repairs shall conform to the requirements for a new structure without requiring the existing structure to comply with all the requirements of the Code.

Rick Osecki, 27 Riverwood Estates Boulevard, asked for clarification. He asked, for example, if a homeowner would be required to replace the entire roof deck if just a few pieces of the plywood were damaged.

Mr. O'Keefe responded these decisions are made at the time of inspection and a hypothetical situation is not productive to this discussion.

Mr. Osecki stated at 49 Riverwood Estates Boulevard there were three out of approximately 90 pieces of plywood damaged and the homeowner was required to replace the entire roof deck. He stated he believes this is unreasonable. He asked if the Council would consider grandfathering homes with .375 inch plywood decks or taking some action to provide relief to homeowners to lessen the financial burden of replacing an entire roof deck.

Mayor Robinson stated the Council discussed the re-roofing requirements at length during their recent work session and agreed enforcement of the Code as adopted is in the best interest of the City and its residents.

PUBLIC HEARINGS - None

COMMUNICATIONS

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

HAZARD MITIGATION GRANT PROGRAM A letter soliciting mitigation project proposals to receive Hazard Mitigation Grant Program funds, as a result of the storms and flooding from August 2 through August 14, was received from the State of Missouri Emergency Management Agency.

MCDONNELL BLVD. & AIRPORT ROAD INFRASTRUCTURE PROJECT Notice of authorization for the St. Louis County Director of Procurement to advertise for bids for the McDonnell Boulevard/Airport Road Infrastructure Project was received from the St. Louis County Council.

PIPELINE NOTICE A Pipeline Notice listing safety and emergency procedures was received from Laclede Gas Company.

PRAISE FOR TORNADO RESPONSE EFFORTS A letter of praise for the City's tornado disaster response efforts was received from Keith Rice of 1316 Chatillon Estates Drive.

Mrs. Wolf read portions of the letter which lauded the City's first responders for doing a superb job in a totally chaotic environment.

2014 WASTE REDUCTION & RECYCLING GRANT PROGRAM Notice of the availability of 2014 Waste Reduction and Recycling Grant Program applications, with information on the program, was received from the St. Louis-Jefferson Solid Waste Management District.

FY '14 TIP FUNDS OBLIGATION DEADLINE A reminder of the September 30, 2014 construction funds obligation deadline for fiscal year 2014 Transportation Improvement Program projects, including the McDonnell Bridge Enhancement and Fee Fee Road reconstruction projects, was received from the East-West Gateway Council of Governments.

LOCAL GOVERNMENT BRIEFINGS The October 10 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

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

UNFINISHED BUSINESS

EMPLOYEE HEALTH INSURANCE Mr. Frank stated, as reported during the October 9 work session, meetings with employees were held and staff's recommendation remains to contract with Cigna for employee health insurance effective January 1, 2014.

Mr. Frank stated the open enrollment process would begin early to mid-November.

Mr. Todd moved, seconded by Mr. Conley, to concur with the staff recommendation to contract with Cigna for employee health insurance effective January 1, 2014. The motion passed unanimously.

MAYOR AND COUNCIL REPORTS

WORK SESSION
AGENDA ITEMS No items were added to the December 11 Council work session agenda.

JANUARY 1, 2014
COUNCIL MEETING After discussion, Mrs. Singleton moved, seconded by Mr. Ryan, to cancel the January 1 Council meeting and reschedule it at a later time, if necessary. The motion passed unanimously.

CHARTER REVIEW
COMMISSION No appointments were made to the Charter Review Commission.

CITY MANAGER'S REPORT

CONTRACT
STL COUNTY MENTAL
HEALTH COURT Mr. Frank reported staff recommends authorization of a contract with St. Louis County for referral of certain municipal ordinance violations to the St. Louis County Mental Health Court.

Mr. Frank stated this is also the recommendation of the City's prosecuting attorney. Certain cases would be referred to the Mental Health Court at a cost of \$300 per referral with a maximum cost of \$3,000 per year. Litigation of municipal charges in these cases would be transferred to the Mental Health Court and all fines or costs associated with the cases would remain with that program.

Mrs. Singleton questioned the referral fee. She asked who determines if a person has mental illness and if the fee is charged because people with mental illness are difficult to handle.

Police Chief Gregg Hall stated these are bona fide cases and most are recurring in the City's municipal court. He stated the Mental Health Court would be used only as a last resort when other means have been exhausted and resolution has not been reached for a person with desperate needs. He stated the program is set up to allow these individuals to participate in various programs that are not available on the municipal level.

Mrs. Singleton asked what would prohibit a person from acting crazy and why a fee is charged.

Chief Hall responded the City's judge, police officers, and prosecutors are competent and experienced. They will make the referrals when all other means are exhausted. He stated the fee enables County to run the program.

Mrs. Singleton asked if the City can recover the cost from the person who was referred.

Chief Hall stated he doesn't believe that will be a concern of the Mental Health Court judges.

Mr. Todd asked if the Chief believes the fee would be well spent to get the person out of the City's court system.

Chief Hall replied participation in this program has been considered for several years. After reviewing some cases and the money spent housing individuals in the St. Louis County jail, it was determined a great deal more money was spent than would have been spent with this service which could possibly have resolved the circumstances sooner. He stated he believes it's the City's responsibility in the community to provide as many resources as possible, especially to those who are not able to reach out and realize themselves what they need.

Mr. O'Keefe stated one of the reasons this has not come before the Council previously is some of the jurisdictional statutes affecting the St. Louis County court conflicted with being able to take municipal cases. He stated his office, working with the county counselor and the attorney general's office, drafted the legislation passed last year to enable execution of this contract. He stated the program deals with a select subset of people in our court where the traditional means of persuading conforming conduct have proven unsuccessful. County has resources readily on hand with professionals in a variety of disciplines to deal with these problem cases. He stated it avoids the scenario of periodically arresting the same individual and housing them in St. Louis County jail at the City's cost and provides an option for dealing with intransigent cases and an opportunity to change the paradigm.

As a former legislative liaison for the Department of Mental Health, Mrs. Stoker expressed support of the proposal.

Mrs. Singleton asked if the City could participate in the program on a trial basis for one year.

Chief Hall responded the one year contract is renewable and contains a clause by which either party can terminate upon proper notice.

Mr. O'Keefe added fees are assessed on a per usage charge if the City chooses to use the program.

Mr. Conley moved, seconded by Mrs. Stroker, to concur with the staff recommendation to authorize the contract with St. Louis County for referral of certain municipal ordinance violations to the St. Louis County Mental Health Court 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.

POLICE VEHICLE PURCHASES

Mr. Frank reported staff recommends the purchase of two 2013 Dodge Chargers from Landmark Dodge at a cost of \$22,423 each and the purchase of a 2013 Ford Interceptor Utility AWD from Joe Machens Ford at a cost of \$25,525 plus a total of \$25,555 for striping and the purchase and installation of emergency equipment in these vehicles and the updated K-9 vehicle.

Mr. Frank stated the vehicles would be purchased off the State of Missouri contract. The purchases would be made through a lease/purchase agreement. Funds have been allocated in the Capital Improvement budget.

Mrs. Singleton asked what would happen to the vehicles being replaced.

Mr. Frank stated if the vehicles can't be utilized by the City for another purpose they would be sold at auction.

Mr. Todd moved, seconded by Mrs. Hendon, to concur with the staff recommendation to authorize the purchase of two 2013 Dodge Chargers from Landmark Dodge at a cost of \$22,423 each and the purchase of a 2013 Ford Interceptor Utility AWD from Joe Machens Ford at a cost of \$25,525 plus a total of \$21,450 for striping and the purchase and installation of emergency equipment in these vehicles and an additional \$4,105 for the purchase and installation of equipment in the updated canine vehicle. The motion passed unanimously.

E.D. AGREEMENT

INT'L FOOD PRODUCTS

Mr. Frank stated staff recommends authorization of an Economic Development and New Employment Training and Opportunities Forgivable Loan Agreement with International Food Products Corporation.

Mr. Frank stated International Food Products would utilize 120,000 square feet of the 250,000 square foot building currently under construction at Aviator Business Park. They are proposing to move 25 jobs from their present location to the Hazelwood facility as well as to hire an additional six employees over the course of the agreement. The St. Louis County Economic Council reviewed the application and found the company to be in good financial standing. The City's Economic Development Sales Tax Board concurred and recommended the Council approve the loan agreement in the amount of \$500,000.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to authorize the Economic Development and New Employment Training and Opportunities Forgivable Loan Agreement with International Food Products Corporation 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.

CONTRACT Mr. Frank reported staff recommends authorization of a
CITY HALL WINDOWS contract with Louis G. Chiodini, Inc., for architectural services for City Hall window replacement for a cost not to exceed \$49,225.

Mr. Frank stated City Hall was constructed 29 years ago and the windows are original. There have been considerable problems with the windows leaking and creating some mold issues and they're not energy efficient. He stated \$480,000 has been allocated in the Capital Improvement Fund budget for design, construction, and new windows. He noted Chiodini was selected several years ago through a RFQ process for design services for a City Hall update and expansion project.

Mrs. Stroker asked if there's a guarantee that the seals on the new windows would not break.

Mr. Stewart stated there would be a warranty. The length of the warranty would depend on the manufacturer and window selected.

Chris Chiodini stated they would need to check the specific glazing warranties which would go beyond the one year contractor warranty for installation. He stated the problems are the age and slope of the windows.

In response to Mr. Aubuchon's inquiry relative to the scope of the work, Mr. Chiodini stated the arched top windows are a significant primary design element and affect the entire look of the building. Therefore, he stated this involves more than just a window replacement. He stated they would present several options.

Mr. Todd moved, seconded by Mrs. Hendon, to concur with the staff recommendation to authorize the contract for architectural services for City Hall window replacement 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.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mr. Todd moved, seconded by Mr. Ryan, to receive and file the minutes of the September 3 Parks and Recreation Board meeting, the September 10 Community Enrichment Commission meeting, and the September 23 Historic

Preservation Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

CONTRACT MENTAL HEALTH CT. Mayor Robinson called for the first reading of a bill to authorize a contract for referral of certain municipal ordinance violations to the St. Louis County Mental Health Court.

There were no objections and Bill 4412 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF HAZELWOOD, MISSOURI, TO ENTER INTO AND EXECUTE A CONTRACT WITH ST. LOUIS COUNTY, MISSOURI, FOR REFERRAL OF CERTAIN MUNICIPAL ORDINANCE VIOLATIONS TO THE ST. LOUIS COUNTY MENTAL HEALTH COURT.

Bill 4412 will be on the agenda for second reading on November 6.

ECONOMIC DEVELOPMENT AGREEMENT Mayor Robinson called for the first reading of a bill to authorize an Economic Development and New Employment Training and Opportunities Forgivable Loan Agreement with International Food Products Corp.

There were no objections and Bill 4413 was read by title only:

AN ORDINANCE APPROVING AN ECONOMIC DEVELOPMENT AND NEW EMPLOYMENT TRAINING AND OPPORTUNITIES AGREEMENT WITH INTERNATIONAL FOOD PRODUCTS CORPORATION AND AUTHORIZING EXECUTION OF DOCUMENTS RELATING THERETO.

Bill 4413 will be on the agenda for second reading on November 6.

CONTRACT CITY HALL WINDOWS Mayor Robinson called for the first reading of a bill to authorize a contract with Louis G. Chiodini, Inc., for architectural services for City Hall window replacement.

There were no objections and Bill 4414 was read by title only:

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH LOUIS G. CHIODINI, INC., FOR ARCHITECTURAL SERVICES FOR CITY HALL WINDOW REPLACEMENT AT A COST NOT TO EXCEED \$49,225.

Bill 4414 will be on the agenda for second reading on November 6.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4408 Mayor Robinson called for the second reading of Bill 4408 to
SLUP grant a Special Land Use Permit for outdoor storage at
11992 & 12000 MO. BTM. 11992 and 12000 Missouri Bottom Road.

Mr. O’Keefe stated the Council has been provided with Bill 4408.1 which addresses screening of the outdoor storage area as discussed during the October 2 meeting.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to amend Bill 4408 by the text of Bill 4408.1. The motion passed unanimously.

There were no objections and Bill 4408, as amended, was read by title only:

AN ORDINANCE GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO KENNY CONSTRUCTION COMPANY FOR OUTDOOR STORAGE AT 11992 AND 12000 MISSOURI BOTTOM ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mr. Todd, the adoption of Bill 4408, as amended, as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mayor Robinson	
Mr. Todd	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Conley	

Bill 4408, as amended, was unanimously adopted as Ordinance 4304-13.

BILL 4409 Mayor Robinson called for the second reading of Bill 4409 to
SLUP grant a Special Land Use Permit for a moving and storage
1600 PARK 370, STE. 7 company at 1600 Park 370 Boulevard, Suite 7.

There were no objections and Bill 4409 was read by title only:

AN ORDINANCE GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO DANIEL’S MOVING AND STORAGE OF ST. LOUIS, LLC FOR A MOVING AND STORAGE COMPANY AT 1600 PARK 370 BOULEVARD, SUITE 7 AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4409 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mayor Robinson	
Mr. Todd	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Conley	

Bill 4409 was unanimously adopted as Ordinance 4305-13.

BILL 4410 AMEND CHAP. 135: PURCHASING PROCEDURES	Mayor Robinson called for the second reading of Bill 4410 to amend Chapter 135: Purchasing Procedures to raise the purchasing limits and to designate the party responsible for approving purchases at each level.
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There were no objections and Bill 4410 was read by title only:

AN ORDINANCE AMENDING PARAGRAPHS 1 THROUGH 4 OF SECTION 135.010: PURCHASING PROCEDURES OF CHAPTER 135: PURCHASING PROCEDURES OF THE HAZELWOOD CITY CODE.

Mrs. Singleton moved, seconded by Mrs. Hendon, the adoption of Bill 4410 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mayor Robinson	
Mr. Todd	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Conley	

Bill 4410 was unanimously adopted as Ordinance 4306-13.

BILL 4411 AMEND CHAP. 500: BUILDING CODES	Mayor Robinson called for the second reading of Bill 4411 to amend Chapter 500: Building Codes and Building Regulations by increasing building permit fees.
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There were no objections and Bill 4411 was read by title only:

AN ORDINANCE AMENDING SECTION 500.140: PERMITS, OF ARTICLE V. BUILDING AND OCCUPANCY PERMITS, OF CHAPTER 500: BUILDING CODES AND BUILDING REGULATIONS, OF THE HAZELWOOD CITY CODE.

Mr. Todd moved, seconded by Mr. Conley, the adoption of Bill 4411 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mayor Robinson	
Mr. Todd	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Conley	

Bill 4411 was unanimously adopted as Ordinance 4307-13.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, November 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 8:50 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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