

**CITY OF HAZELWOOD  
REGULAR COUNCIL MEETING  
DECEMBER 4, 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, December 4, 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:

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

Mrs. Wolf declared a quorum was present.

Also present were City Manager Matt Zimmerman, City Attorney Kevin O'Keefe, and City Clerk Colleen Wolf.

**AGENDA**

Mayor Robinson requested the addition of a closed session under item 10, Unfinished Business, to consult with the City Attorney.

Mrs. Stroker moved, seconded by Mrs. Hendon, to amend the agenda by the addition of a closed session as a consent item under Unfinished Business and to adopt the agenda as amended. 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:

AYE - 9

NAY - 0

Mr. Taylor  
Mrs. Hendon  
Mrs. Singleton

Mrs. Stroker  
Mr. Aubuchon  
Mr. Ryan  
Mr. Conley  
Mayor Robinson  
Mr. Todd

The motion passed unanimously and the consent agenda, including a closed meeting to consult with the City Attorney in accordance with the provisions of RSMo 610.021(1), was adopted.

**APPROVAL OF MINUTES**

Mrs. Singleton moved, seconded by Mr. Ryan, to approve the minutes of the November 20 regular 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.

The Hazelwood Newsletter and Parks and Recreation Activity Guide are scheduled to be delivered to residents by December 14.

The NFL Flag Football League champions, The Chiefs, were presented with trophies during an awards banquet on November 26. Due to the program's popularity a second season is scheduled for March 20 to May 17.

In an effort to keep intoxicated drivers off local roads, the Police Department will conduct sobriety checkpoints during the weekend of December 6 and December 7. Alcohol related traffic incidents and fatalities usually spike during the month of December since more people attend holiday parties where alcoholic beverages are served.

The Police Explorers Post 9217 is hosting a non-perishable food collection drive through December 10. Collection boxes are located in Dispatch and the City Hall lobby.

Hazelwood School District bands will perform at St. Louis Outlet Mall during the holiday season. The 100 member Hazelwood Advanced Elementary Band will perform on December 13 at 6:30 near Cabela's. The 35 member Hazelwood West High School Band will perform on December 14 at 4:00 p.m. near Ross Dress for Less.

Buckeye Partners, LP are repairing a petroleum pipeline near the 200 block of Williams Boulevard. Work consists of welding a sleeve on the thin area of the pipeline, backfilling with compacted rock, and replacing the street to meet City infrastructure specifications. The street will be closed to public traffic for about one week. The easiest detour route is from Sadonia Avenue to Moran Drive to Manning Avenue or vice-versa.

Upcoming events include the Visit with Santa and Holiday Craft Bazaar on December 7 at the Community Center. Additional information on this and other upcoming events and City programs is available on the City's website at [www.hazelwoodmo.org](http://www.hazelwoodmo.org).

**MODOT PRESENTATION ON I-270 ASSESSMENT & IMPROVEMENT ALTERNATIVES** Missouri Department of Transportation Area Engineer Larry Welty gave a PowerPoint presentation while explaining the I-270 North Environmental Assessment and improvement alternatives.

Mr. Welty stated the feasibility study was performed and presented to the Council last year. The environmental assessment is the next step in the process. He explained the assessment is required by the National Environmental Policy Act of 1969 in order to obtain federal funding. He noted the 15 mile assessment area is from I-70 to the Mississippi River, includes 19 interchanges, and touches five municipalities plus the Village of Calverton Park and unincorporated portions of St. Louis County as well as St. Louis City. The assessment addresses all environmental impacts for the proposed improvement including environmental, social, and economic. Mr. Welty stated once identified, every attempt is made to avoid or mitigate impacts. Goals of the study include improved safety, improved mobility and operations, improved accessibility, repair or replacement of aging infrastructure, and providing flexibility in design. Flexible design allows more efficient use of taxpayer money, encourages innovation in final design and construction, identifies best solutions for best value, and brings new ideas to MoDOT. Mr. Welty stated there has been extensive public involvement in the study process. A Technical Advisory Committee was established with members from St. Louis County, Metro, Lambert Airport, and East-West Gateway. Representatives from North County Incorporated, emergency responders, business owners, developers, and property owners participated in the Community Advisory Committee. In addition, key stakeholders such as churches and schools have been involved in the process. Finally, an open house was held to provide an opportunity for the general public to ask questions and provide input. Mr. Welty stated generally three conceptual alternatives are developed. However, due to the length of the I-270 corridor, the corridor was divided into 11 segments. Most segments have three alternatives, but some only have two. Two alternatives provide two-way outer roads and one incorporates one-way outer roads. All alternatives add lanes on I-270; improves interchanges; accommodates pedestrian, bicycle, and transit modes; and updates facilities. The next steps in the process include holding a second open house in February to present the alternatives, evaluating the alternatives, identifying a preferred alternative, drafting the environmental assessment document, hosting a final public hearing, and completing and submitting the assessment with the hopes of receiving a finding of no significant impact. Mr. Welty noted aesthetic improvements are not part of this study and there is currently no funding available for design, right-of-way, or construction. He stated MoDOT has been working on a long range plan which has four goals: maintain the current system, keep travelers in all modes of transportation safe, invest in projects that spur economic growth and create jobs, and give Missourians better transportation choices.

Mr. Conley asked if highway noise abatement for residential properties adjacent to I-270 would be part of the I-270 improvement project.

Mr. Welty replied affirmatively stating this study would identify sensitive receptors and a preliminary analysis to determine the impact would be performed. Any increase in sound would be addressed and analyzed during the design phase and methods to minimize the impacts would be considered at that time.

Mr. Conley stated a new Canal Bridge is under construction and asked if there are any plans to widen the Chain of Rocks Bridge, which is two lanes in both directions, and may bottleneck when the new Canal Bridge is complete.

Mr. Welty responded there's been discussion with the Illinois Department of Transportation, but there are no definite plans at this point. He stated the bridge is Illinois'. Although Missouri would pay half of any project cost, Illinois would lead the project. He noted Illinois currently has other priorities and limited funds.

Mrs. Stroker asked when improvements to the I-270 north corridor could be made.

Mr. Wetly replied if funds were currently available it would probably take at least three years before construction began under a design/build. With a normal project, it would be about five years. He stated although funding is not currently available this is a top priority project. He stated the area from Lindbergh Boulevard to Highway 367 has the greatest need.

FY 2013 CAFR PRESENTATION                      Copies of the fiscal year 2013 Comprehensive Annual Financial Report and the auditor's management comments and recommendations had been provided to the Council.

Penny Scovill, the auditing director for Hochschild, Bloom & Company, presented the audit and gave an overview of the findings. She stated no material weaknesses or significant deficiencies were found in internal controls. Several suggestions were made to improve internal controls and Ms. Helle is currently working to address those issues.

## **PROCLAMATIONS AND RESOLUTIONS**

CHAPLAIN GREINER RETIREMENT PROCLAMATION                      Mayor Robinson called for the reading of a proclamation in honor of Reverend David Greiner who is retiring from service as the City's chaplain.

There were no objections and Proclamation 1319 was read.

Mr. Aubuchon moved, seconded by Mr. Conley, the adoption of Proclamation 1319 expressing recognition, appreciation and gratitude to Reverend David Greiner for his many years of dedicated service to our City and wishing him well on his future endeavors. The motion passed unanimously.

The proclamation was presented to Reverend Greiner who stated it was a joy and a privilege to work with Hazelwood employees, their families, and the residents for the past 17 years.

**BANKING SERVICES** Finance Director Lori Helle recommended the Council  
**RESOLUTION** designate Reliance Bank as the depository for City funds.

Ms. Helle reported a request for proposal was sent to all seven financial institutions within the City limits. Three bids were received: one from PNC Bank, the City's current bank; one from Pulaski Bank; and one from Reliance Bank. The successful bidder will receive the City's business for the next three years and has the option to renew for two additional one year periods. All three of the banks were qualified. However, Reliance Bank had the lowest fees as well as the highest earnings credit rate and sweep rate. In addition, they will continue to offer free checking to City employees. With a switch to Reliance Bank, the City would receive approximately \$14,000 more per year in investment income based on the average amount of idle funds during a fiscal year. In evaluating the bids, the Texas Ratio was used as an indicator of the amount of funds a bank has available compared to their total value of at-risk loans. Generally, a bank with a ratio greater than 100 percent is considered to be a risk. Reliance Bank had a Texas Ratio of 42.8 percent as of June 30, 2013 and a ratio of 91.8 percent the previous year. They have stated the current ratio is approximately 38 percent and should be down to 20 percent by the end of this fiscal year. Ms. Helle noted Reliance Bank is FDIC insured. She added the recommendation complies with the City's purchasing policy to contract with the lowest responsible bidder.

Mayor Robinson called for the reading of a resolution naming Reliance Bank as the designated depository for City funds.

There were no objections and Resolution 1314 was read by title only:

**A RESOLUTION NAMING RELIANCE BANK AS THE DESIGNATED DEPOSITORY FOR FUNDS OF THE CITY OF HAZELWOOD, MISSOURI.**

Mr. Conley moved, seconded by Mr. Ryan, the adoption of Resolution 1314. The following vote was recorded on the motion:

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

Resolution 1314 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.

**SLUP EXTENSION**                      A request for an extension of the Special Land Use Permit  
**7238 N. LINDBERGH**                      deadline to commence operation of a restaurant at  
7238 North Lindbergh Boulevard, from January 18, 2014 to  
June 30, 2014, was received from WWIF Inc.

The petitioner was not present.

Mr. O'Keefe commented if the extension isn't granted the Special Land Use Permit will expire and the petitioner will have to go through the entire Special Land Use Permit process again. He noted a draft bill to grant the extension has been prepared and suggested the Council place it on the agenda for first reading.

Mayor Robinson stated the petitioner could explain the request before first reading this evening, if he is present at that time, or prior to second reading at the next Council meeting.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to extend the Special Land Use Permit deadline to commence operation of a restaurant at 7238 North Lindbergh Boulevard to June 30, 2014 and to place the draft bill on the agenda for introduction.

Mr. O'Keefe suggested City Planner Earl Bradfield explain the request.

Mr. Bradfield stated World Wide International Foods petitioned for a Special Land Use Permit for a restaurant about two years ago. They didn't open and were granted two extensions, a six month and a one year extension. He stated recently he contacted them numerous times to notify them that the permit will be expiring soon and they finally came in to submit an extension request.

After additional discussion, Mr. Zimmerman noted the permit doesn't expire until January 18, 2014 and first reading of the bill could be given on December 18 with second reading on January 15.

A vote was then taken on the motion and the motion passed by majority, with Messrs. Conley and Taylor casting the dissenting votes, and the bill was added to the agenda as item 17.a.

## **PUBLIC HEARINGS**

SLUP  
5656 CAMPUS PKWY. Mayor Robinson called to order the public hearing to consider the petition by Buckeye International, Inc., for a Special Land Use Permit for manufacturing of plastic products at 5656 Campus Parkway.

Scott Maag, vice-president of research and operations for Buckeye International, stated the company has been headquartered in Maryland Heights since 1969 and is a specialty chemical manufacturer. While giving a PowerPoint presentation, he explained the history of the company and the petition request. He stated as they move forward, research, chemistry and delivering their products to end users across the country are key business components. Users are institutional and industrial and include schools, nursing homes, hospitals, and retail outlets. They have 190 independent distributors in the United States, Canada, Mexico, Hong Kong, the United Kingdom, Ireland, and Japan. In addition, they have 28 wholly owned subsidiaries located across the country. He discussed the types of products they manufacture such as hand soaps, polymers for paint and dust control companies, environmentally friendly products, and oil and water based wood floor coatings. He stated geographic location is important and Hazelwood's central location will allow them to expand in all directions. He stated they not only produce products made from chemicals, they also produce garbage can liners and soap bags which they propose to manufacture at the Hazelwood facility. He explained the manufacturing process.

In response to Mrs. Stroker's inquiry, Mr. Maag stated they would start by moving 15 employees from the Maryland Heights facility to the Hazelwood facility and would add five to six employees based on growth.

Mrs. Singleton asked if the manufacturing process would create any negative environmental impacts and, if so, what abatement steps would be taken.

Mr. Maag replied there would be no negative odors and no additional noise. Waste would be negligible. The facility would have a repro unit and waste would go through the unit and would be used to produce more bags.

Mayor Robinson asked if anyone present wished to speak in favor of or in opposition to the proposal.

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

Mrs. Wolf read the City Plan Commission motion "to recommend approval to the City Council for a Petition for a Special Land Use Permit for manufacturing plastic products in an I-2 Heavy Industrial zoning district located at 5656 Campus Parkway, Hazelwood, MO 63042." She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for manufacturing of plastic products at 5656 Campus Parkway and place the draft bill on this agenda for introduction. Mr. Conley stated he has a family member involved with the company and abstained from the vote. The motion passed and the bill was added to the agenda as item 17.b.

## **COMMUNICATIONS**

**LOCAL GOVERNMENT BRIEFINGS** The November 14 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

**SLCML NEWSLETTER** The St. Louis County Municipal League's November newsletter was received.

**NCI MEMBERSHIP** A letter expressing appreciation for the City's membership and reviewing membership benefits was received from North County Incorporated.

**LOCAL GOVERNMENT BRIEFINGS** The November 21 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

**CHARTER CHANNEL LINEUP** Notice that Charter will begin removing the analog format of every channel from their lineup on or after January 21 and will add more than 76 new high definition channels was received.

**NWCC MEMBERSHIP** A letter regarding the City's membership renewal was received from the Northwest Chamber of Commerce.

**SLUP PETITION 6879 HOWDERSHELL** A petition for a Special Land Use Permit for a vehicle service and repair facility at 6879 Howdershell Road was received from Eastern Autocare, Inc.

**CHARTER FEE CHANGES** Notice of service fee changes effective January 2014 was received from Charter.

**SLUP PETITION 6901 HOWDERSHELL** A petition for an expansion of the Special Land Use Permit at 6901 Howdershell Road to include a drive-in restaurant was received from RAK Petroleum, LLC, d/b/a Howdershell 66.

Mrs. Singleton moved, seconded by Mr. Ryan, to refer the petitions to the City Plan Commission and to receive and file all communications. The motion passed unanimously.

## **UNFINISHED BUSINESS**

The meeting was recessed at 8:50 p.m., an executive session was held, and the meeting was reconvened at 9:30 p.m. with all Council members in attendance.

## **MAYOR AND COUNCIL REPORTS**

**SPECIAL COUNCIL MEETING AGENDA** No items were added to the December 11 Special Council meeting agenda.

**WORK SESSION AGENDA** No items were added to the February 12 Council work session agenda.

**COMMISSION APPOINTMENTS** Mr. Conley nominated Bill Young for appointment to the Charter Review Commission.

Mrs. Hendon nominated Greg Fowler, 6709 Freeland Drive, for appointment to the Historic Preservation Commission.

Mrs. Singleton moved, seconded by Mr. Taylor, to appoint Mr. Young to the Charter Review Commission and Mr. Fowler to the Historic Preservation Commission. The motion passed unanimously.

## **CITY MANAGER'S REPORT**

**PROPOSED BOEING EXPANSION** Mr. Zimmerman stated staff has been working closely with state officials to bring the proposed Boeing expansion to build the 777X to Hazelwood.

**UPCOMING MAJOR WINTER EVENT** Mr. Zimmerman asked Public Works Director David Stewart to report on steps the City is taking in readiness for the upcoming major winter event.

Mr. Stewart stated crews and equipment are being prepared for what appears will be the first snow event of the season. Since the crews who do leaf collection also do snow removal, the leaf equipment is being removed from the vehicles and snow plows installed. Therefore, there will be a temporary interruption in the leaf collection program. Currently, leaf collection is one week behind schedule. Mr. Stewart stated the City built its own brine machine and purchased a tank and the problem areas that tend to ice and those with steep grades will be pre-treated with brine.

## **CITY ATTORNEY'S REPORT**

**AUTOMATED PHOTO ENFORCEMENT OF TRAFFIC REGULATIONS AT INTERSECTIONS** Mr. O'Keefe reported, subsequent to the recent court decisions addressing claims related to public safety enforcement through automated cameras at traffic intersections, a bill has been drafted to amend *Title III. Traffic Code* to reinforce this public safety enforcement program which has proven successful.

Mr. O'Keefe stated the Police Department has monitored dangerous intersections over the past few years and asked Police Chief Gregg Hall to provide a report.

Chief Hall stated the data compiled concerns accidents and number of violations. When this enforcement program was implemented in fiscal year 2006/2007, it was done for the purpose of increasing traffic safety. Two ways to measure this are statistics on accidents and violations. Data from fiscal year 2007/2008 compared to data from fiscal year 2012/2013 shows a 16 percent decrease in accidents at the intersections with cameras. In 2007/2008, there were 23,700 violations at intersections with cameras which decreased to 16,000 violations in 2012/2013, a 32 percent reduction. Chief Hall stated this is a clear indication of how the cameras have impacted traffic safety.

Mr. O'Keefe stated when the City increases enforcement of any kind of law it increases compliance. He noted the cameras are only at intersections with traffic signals and high traffic volume.

Mr. Conley moved, seconded by Mrs. Hendon, to amend *Title III. Traffic Code* relative to automated photo enforcement of traffic regulations at intersections and to place the draft bill on the agenda for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.c.

## **CITY CLERK'S REPORT - None**

**COMMISSION AND BOARD REPORTS** Mrs. Singleton moved, seconded by Mr. Ryan, to receive and file the minutes of the November 5 Parks and Recreation Board meeting and the November 12 Community Enrichment Commission meeting. The motion passed unanimously.

## **NEW BUSINESS - None**

## **INTRODUCTION AND FIRST READING OF BILLS**

**SLUP EXTENSION 7238 N. LINDBERGH** Mayor Robinson called for the first reading of a bill to grant an extension of the deadline to commence operation of a restaurant at 7238 North Lindbergh Boulevard.

There were no objections and Bill 4421 was read by title only:

**AN ORDINANCE AMENDING ORDINANCE 4196-12, AS AMENDED BY ORDINANCES 4223-12 AND 4255-13, BY GRANTING AN EXTENSION TO JUNE 30, 2014, 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.**

Bill 4421 will be on the agenda for second reading on December 18.

SLUP Mayor Robinson called for the first reading of a bill to  
5656 CAMPUS PKWY. grant a Special Land Use Permit for manufacturing of plastic products at 5656 Campus Parkway.

There were no objections and Bill 4422 was read by title only:

**AN ORDINANCE GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO BUCKEYE INTERNATIONAL, INC., FOR MANUFACTURING OF PLASTIC PRODUCTS AT 5656 CAMPUS PARKWAY AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Bill 4422 will be on the agenda for second reading on December 18.

AMEND Mayor Robinson called for the first reading of a bill to amend  
TRAFFIC CODE Title III. Traffic Code relative to automated photo enforcement of traffic regulations at intersections.

There were no objections and Bill 4423 was read by title only:

**AN ORDINANCE AMENDING CERTAIN SECTIONS OF *TITLE III. TRAFFIC CODE* OF THE HAZELWOOD CITY CODE RELATIVE TO AUTOMATED PHOTO ENFORCEMENT OF TRAFFIC REGULATIONS AT INTERSECTIONS.**

Bill 4423 will be on the agenda for second reading on December 18.

## **SECOND READING OF BILLS AND ACTION ON BILLS**

BILL 4420 Mayor Robinson called for the second reading of Bill 4420 to  
SLUP EXTENSION extend the deadline to commence operation of a restaurant at 6845 Howdershell Road to April 19, 2014.

There were no objections and Bill 4420 was read by title only:

**AN ORDINANCE AMENDING ORDINANCE 4278-13 BY EXTENDING THE DEADLINE TO COMMENCE OPERATION OF JO JO'S KITCHEN, LLC, D/B/A JO JO'S DINER, AT 6845 HOWDERSHELL ROAD.**

Mrs. Hendon moved, seconded by Mr. Taylor, the adoption of Bill 4420 as an ordinance. The following vote was recorded on the motion:

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

Bill 4420 was unanimously adopted as Ordinance 4316-13.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

**COUNCIL MEETING** Mayor Robinson announced a special Council meeting will be held Wednesday, December 11, at 6:00 p.m. in the Council Chambers and the next regular Council meeting will be held Wednesday, December 18, 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 9:40 p.m.

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Matthew G. Robinson - Mayor  
City of Hazelwood, Missouri

ATTEST:

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