

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
APRIL 16, 2014**

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, April 16, 2014 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:

Robert M. Aubuchon
Don W. Ryan
Matthew G. Robinson
Russell Todd
Rosalie Hendon
Mary G. Singleton
Carol A. Stroker

Councilmen Michael J. Conley and Warren H. Taylor were not present. 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

Mr. Aubuchon moved, seconded by Mrs. Stroker, to amend the agenda by the addition of a request from The Column Banquet Center for a temporary Caterer's Permit as item 7.b and to adopt the agenda as amended. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 7

NAY - 0

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

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to consult with the City Attorney in accordance with the provisions of RSMo 610.021(1) and to discuss a personnel matter in accordance with the provisions of RSMo 610.021(3) and negotiations with employee groups in accordance with the provisions of RSMo 610.021(9), was adopted.

APPROVAL OF MINUTES

Mrs. Hendon moved, seconded by Mrs. Singleton, to approve the minutes of the April 2 regular and closed Council meetings as submitted. The motion passed unanimously.

SPECIAL ORDER OF BUSINESS

WHAT'S NEW

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

Work to reconstruct Fee Fee Road from Chapel Ridge Drive to McDonnell Boulevard is nearing completion and the road is open to traffic in both directions. Improvements made to the roadway include new concrete pavement, a center turn lane, a dedicated right turn lane, and a continuous sidewalk through the corridor. Eighty percent of the project was funded by a Federal grant.

Allied Waste Services recently launched "My Resource," a portal allowing customers to self-serve their account. Features include the ability to pay bills online, schedule pickups, report missed pickups, order or request repair of containers, and discover new products and services. Visit RepublicServices.com for more information.

Registration for the Hazelwood Sharks swim team remains open to children ages five to eighteen. The first home meet is scheduled for June 19.

The Hazelwood Firefighters' Community Outreach Organization will host a Public Safety Awareness Day on Saturday, May 10, from 11:00 a.m. to 3:00 p.m., at Howdershell Park. The free event features the landing of an ARCH emergency medical helicopter (weather permitting), a child's bike helmet fitting station, blood pressure screenings, a fire truck display, and a free raffle for an extinguisher. Proceeds from food sales will benefit the program.

Upcoming events include the Easter Eggstravaganza on April 19, the Fishing Derby on May 10, and the Hazelwood Police Explorer Post #9217 Trivia Night on June 14. Additional information on City programs and upcoming events is available on the City's website at www.hazelwoodmo.org.

MUNICIPAL JUDGE OATH OF OFFICE

Mrs. Wolf administered the oath of office to Municipal Judge Kevin Kelly who was reappointed to a three year term on April 2.

BOARD/COMMISSION OATHS OF OFFICE Mrs. Wolf administered the oath of office to Rudy Bess who was appointed to serve on the Architectural Board of Review and Board of Adjustment.

EMPLOYEE SERVICE AWARDS As their biographies were read, Police Officer Richard Berry and Communications Coordinator Tim Davidson were presented with five year service awards.

VOLUNTEER RECOGNITION City staff and volunteers who assisted with recovery after the April 10, 2013 tornado were recognized.

Fire Chief Dave Radel, Police Chief Gregg Hall, Regina Weber representing United Way 211, Mary Claire Schaughnessy representing the Red Cross, Pastor Jim Walker and Craig Hickerson of Hazelwood Baptist Church, Bruce Bailey from AmeriCorps, Andrea Zekovsky representing Team Rubicon, Dave Roth and John Sanderson of Electrical Workers Local One, and Hazelwood School District Superintendent Doctor Grayling Tobias representing the staff and students were recognized for responding to the needs of the Hazelwood community by coordinating the recovery effort and donating their services and resources.

Mayor Robinson also thanked City of Florissant Mayor Tom Schneider and City of Ferguson Mayor James Knowles who were not present.

PROCLAMATIONS AND RESOLUTIONS

DAY OF PRAYER PROCLAMATION Mayor Robinson called for the reading of a proclamation designating May 1 as a Day of Prayer.

There were no objections and Proclamation 1407 was read.

Mr. Ryan moved, seconded by Mr. Todd, the adoption of Proclamation 1407 designating May 1, 2014 as a Day of Prayer in the City of Hazelwood, Missouri, when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our City, state, and nation. The motion passed unanimously.

The proclamation was presented to Pastor Jim Walker of Hazelwood Baptist Church.

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
7541 N. LINDBERGH deadline to commence operation of Aroma Indian Grill at
7541 North Lindbergh Boulevard, from May 20 to November
20, had been received.

City Planner Earl Bradfield reported the permit was approved on November 20, 2013. During the cold winter, multiple water pipes burst in the restaurant and caused significant damage to the building. Aroma is currently negotiating with their insurance company on the repairs. Plans are to open the restaurant in three months. A six month extension has been requested in the event there are difficulties which prevent them from meeting the three month goal.

Richard Neitzert, the general contractor, stated the water pipe incident occurred on January 8. The insurance company switched adjusters after the claim was filed delaying the process. Damages are currently being negotiated. He stated he expects the project to be complete in three to four months.

Mr. Ryan moved, seconded by Mrs. Hendon, to grant a six month extension of the Special Land Use Permit deadline to commence operation of Aroma Indian Grill at 7541 North Lindbergh Boulevard 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.a.

REQUEST FOR A request for a temporary caterer's license to serve alcoholic
TEMPORARY beverages during the City's Business Appreciation Dinner at
CATERER'S LICENSE Mallinckrodt, 675 McDonnell Boulevard, on May 1 from
5:00 p.m. to 9:00 p.m., was received from Douglas Risch of
The Columns Banquet Center.

Mr. Risch explained a letter from the City is needed to secure state and county licenses.

Mr. Aubuchon moved, seconded by Mrs. Stroker, to grant the temporary caterer's license to The Columns Banquet Center for a City event on May 1 from 5:00 p.m. to 9:00 p.m. at Mallinckrodt, 675 McDonnell Boulevard. The motion passed unanimously.

PUBLIC HEARINGS - None

COMMUNICATIONS

LOCAL GOVERNMENT The March 27 issue of Local Government Briefings was
BRIEFINGS received from the East-West Gateway Council of
Governments.

LOCAL GOVERNMENT The April 3 issue of Local Government Briefings was
BRIEFINGS received from the East-West Gateway Council of
Governments.

APPRECIATION FOR DINNER A letter expressing appreciation for the joint boards and commissions dinner was received from the Board of Appeals.

APPRECIATION FOR DINNER A letter expressing appreciation for the joint boards and commissions dinner was received from the Parks and Recreation Board.

APPRECIATION FOR DINNER A letter expressing appreciation for the joint boards and commissions dinner was received from the Board of Adjustment.

MSD SURVEY A notice of proposed survey work to be performed for the Duchesne and Gott I/I Reduction project, in the area from Pershall Road on the north to the intersection of Gott Avenue at Connolly Drive, was received from Metropolitan St. Louis Sewer District.

APPRECIATION FOR DINNER A letter expressing appreciation for the joint boards and commissions dinner was received from the Community Enrichment Commission.

TEMPORARY LIQUOR LICENSE EXPANSION A request for a temporary expansion of their Full Liquor License to include a 30 by 40 foot outdoor area for an event on May 3 through May 5 was received from Bertha Morales of Pueblo Nuevo, 7401 North Lindbergh Boulevard.

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

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

UNFINISHED BUSINESS

RESIDENTIAL UTILITY TAX PROPOSITION Mr. Zimmerman stated the City's operating revenues have not been keeping pace with operating expenses, especially with the loss of red light camera revenue, and the Council has been considering placing a residential utility tax proposition on the August 5 ballot.

Mr. Zimmerman stated the Council has found it necessary to identify a new source of revenue. He stated the City currently has a 6% utility tax on non-residential properties. A survey of comparable communities was performed and there are six cities with a residential utility tax above 6%, one at 6%, and four below 6%. The City of Hazelwood is

Mrs. Singleton asked why Nature's Bakery doesn't wish to be a party to the agreement and if they would be compelled to comply with the job and salary requirements.

Mr. Zimmerman stated Nature's Bakery has been reluctant to provide employment records, but the terms of the agreement would be violated and the City would call the letter of credit if they don't comply.

Mr. O'Keefe stated the distinction is the buyer is not taking the debt from Theodoro. Great Southern Bank continues to be a guarantor of achievement by the business and to carry the debt. The bank will be relieved of the debt if the business achieves the employment goals.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to authorize the Economic Development and New Employment Training and Opportunities Loan Agreement with Great Southern Bank and Theodoro Baking Company, Inc., 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.

POLICE VEHICLE Police Chief Gregg Hall reported staff recommends authorization to purchase a 2014 Ford F-150 pickup truck from Bommarito Ford at a cost of \$23,542.

On October 16, 2013, a proposal to purchase four police vehicles to replace five vehicles was presented to the Council. The purchase of three vehicles was approved and they were purchased. At that time, staff planned to purchase the fourth vehicle, a pickup truck, from a separate state contract that would not be available until January 2014. On March 5, 2014, staff recommended purchase of the pickup truck from the state contract and the Council authorized the purchase. Upon additional consideration, staff decided to go out for bids for the pickup truck to give our local vendors a sales opportunity. The bid process was completed and Bommarito Ford's bid was the lowest of the two bids received and \$100 lower than the state contract price.

Mrs. Singleton asked if Bommarito's price includes the additional items required to deploy the vehicle.

Chief Hall replied the price doesn't include police equipment. He stated the equipment will be placed in the vehicle after it's acquired. He noted funds for the purchase of the vehicle and the equipment have been budgeted. He added the purchase is well below budget.

Mrs. Stroker asked the purpose of the truck.

Chief Hall replied in the past the Traffic Unit had three vehicles. The unit transports a large amount of equipment including accident reconstruction equipment and emergency equipment such as barricades and cones. The department recently got rid of an old vehicle that was used to pull radar and emergency equipment trailers. He explained the

warranties on the newer vehicles would have been voided had they been used to pull trailers. By purchasing the pickup truck, two older vehicles were eliminated and the new truck can be used to pull trailers.

Mrs. Hendon moved, seconded by Mrs. Singleton, to concur with the staff recommendation to purchase a 2014 Ford F-150 pickup truck from Bommarito Ford at a cost of \$23,542. The motion passed unanimously.

RESIDENT SURVEY Mr. Zimmerman reported the resident survey concerning budget items has been completed and should be posted on the website this week.

In addition to being posted on the website, the survey will be available at City Hall, the Community Center, and Civic Center East. A flyer about the survey will be inserted in the City newsletter which will be going out next week. The survey results will be presented to the Council during the April 30 budget meeting.

COUNCIL CONCERN WITH NAME OF BUSINESS Mr. Zimmerman stated several Council members have expressed concern with the name of a business in Ward 3, on Lindbergh Boulevard.

Mr. Zimmerman stated staff contacted the owner of Nail Me Good to encourage him to change the business name on the basis it's contrary to good business practices. The owner believes the name is good for the business and isn't interested in changing it.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mrs. Hendon moved, seconded by Mrs. Singleton, to receive and file the minutes of the February 24 Historic Preservation Commission meeting, the March 10 Board of Adjustment meeting, and the March 24 Historic Preservation Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

SLUP EXTENSION 7541 N. LINDBERGH Mayor Robinson called for the first reading of a bill to extend the Special Land Use Permit deadline to commence operation of Aroma Indian Grill at 7541 North Lindbergh Boulevard.

There were no objections and Bill 4444 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4311-13 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE OPERATION OF AROMA INDIAN CUISINE, INC., D/B/A AROMA INDIAN GRILL, AT 7541 NORTH LINDBERGH BOULEVARD.

Bill 4444 will be on the agenda for second reading on May 7.

UTILITY TAX
PROPOSITION Mayor Robinson called for the first reading of a bill calling for submission to the voters of a proposition to authorize an occupational license tax on utility services.

There were no objections and Bill 4445 was read by title only:

AN ORDINANCE OF THE CITY OF HAZELWOOD, MISSOURI, CALLING FOR SUBMISSION TO THE VOTERS OF THE CITY OF A PROPOSITION AUTHORIZING AN OCCUPATIONAL LICENSE TAX ON THE BUSINESS OF PROVIDING RESIDENTIAL UTILITY SERVICES.

Bill 4445 will be on the agenda for second reading on May 7.

LOAN MODIFICATION
AGREEMENT Mayor Robinson called for the first reading of a bill to authorize a loan modification agreement with Theodoro Baking Company, Inc.

There were no objections and Bill 4446 was read by title only:

AN ORDINANCE APPROVING AN AGREEMENT TO MODIFY THE ECONOMIC DEVELOPMENT AND NEW EMPLOYMENT TRAINING AND OPPORTUNITIES AGREEMENT WITH THEODORO BAKING COMPANY, INC. AND AUTHORIZING EXECUTION OF DOCUMENTS RELATING THERETO.

Bill 4446 will be on the agenda for second reading on May 7.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4427
ED AGREEMENT The second reading of Bill 4427 to authorize an Economic Development and New Employment Training and Opportunities Loan Agreement with Fisher-Rosemount Systems, Inc., was postponed.

Mr. Zimmerman reported staff contacted the developer this past week and was told they are awaiting approval of the board of directors.

BILL 4442
SLUP EXTENSION Mayor Robinson called for the second reading of Bill 4442 to extend the deadline to commence operation of Jo Jo's Kitchen at 6845 Howdershell Road.

There were no objections and Bill 4442 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 TO JULY 19, 2014

Mrs. Hendon, moved, seconded by Mrs. Stroker, the adoption of Bill 4442 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Aubuchon	
Mr. Ryan	
Mayor Robinson	
Mr. Todd	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	

Bill 4442 was unanimously adopted as Ordinance 4335-14.

BILL 4443	Mayor Robinson called for the second reading of Bill 4443 to
CONTRACT	authorize a contract for employee health insurance.

There were no objections and Bill 4443 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH CIGNA HEALTH AND LIFE INSURANCE COMPANY FOR EMPLOYEE HEALTH INSURANCE FOR A ONE YEAR TERM BEGINNING JANUARY 1, 2014.

Mr. Ryan moved, seconded by Mrs. Hendon, the adoption of Bill 4443 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Aubuchon	
Mr. Ryan	
Mayor Robinson	
Mr. Todd	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	

Bill 4443 was unanimously adopted as Ordinance 4336-14.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETINGS Mayor Robinson announced a Council budget work session will be held Wednesday, April 30, at 5:30 p.m. in the Council Chambers and the next regular Council meeting will be held Wednesday, May 7, 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 8:45 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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