

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
MAY 7, 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, May 7, 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:

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

Councilmen Michael J. Conley and Russell Todd were not present. Mrs. Thomas declared a quorum was present. Also present were City Manager Matt Zimmerman, City Attorney Kevin O'Keefe, and Deputy City Clerk Chris Thomas.

AGENDA

Mr. Aubuchon moved, seconded by Mrs. Hendon, to amend the agenda by the addition of Emergency Medical Services Proclamation as item 8.d and to adopt the agenda as amended. The motion passed unanimously.

CONSENT AGENDA

Mrs. Stroker moved, seconded by Mr. Taylor, to remove item 9.123, a Special Land Use Permit Petition from Boonce Academy, from the consent agenda and to adopt the consent agenda as amended. The following vote was recorded on the motion:

AYE - 7

NAY - 0

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

The motion passed unanimously and the consent agenda was adopted.

APPROVAL OF MINUTES

Mrs. Stroker moved, seconded by Mr. Taylor, to approve the minutes of the April 14 special Council meeting and the April 16 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.

Missouri is celebrating the value of services provided by local governments during Local Government Week from May 5 through May 9 with the theme, "Your Local Government Works For You All Day. Every Day."

One of the City's top employers, Mallinckrodt Pharmaceuticals, allowed the City to host a Business Appreciation Dinner at their facility last week. Business owners, entrepreneurs, and executives were thanked for the contributions they make to the community on a daily basis.

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.

The Police Department will join other law enforcement agencies across the state in an aggressive "Click It or Ticket" mobilization campaign from May 19 to June 1 to enforce seat belt regulations.

Hazelwood Police Officers will participate in the Torch Run for Special Olympics on May 22. The officers will run 2.2 miles along Lindbergh Boulevard from Charbonier Road in Florissant to the Hazelwood Post Office. The event raises awareness and funds for Special Olympics Missouri.

A National Oceanic Atmospheric Administration commemorative marker has been installed near the Charbonier Bluff in the St. Stanislaus Historic Conservation Area. The site marks one of Lewis & Clark's stops as recorded in their journal on May 16, 1804. A dedication ceremony will be held on Saturday, May 24, at Charbonier and Aubuchon Roads in St. Stanislaus Park. Mayor Robinson will be one of several national and local dignitaries giving speeches.

Upcoming events include the Fishing Derby on May 10 at Truman Park, the first concert of the Summer Concert Series with The Lucky Old Sons on May 31 at Truman Park, and the Community Art Fair and Used Book Sale on June 7 at the Community Center. Additional information on City programs and upcoming events is available on the City's website at www.hazelwoodmo.org.

APRIL 8 ELECTION CERTIFIED RESULTS Mrs. Thomas reported the certified results from the April 8 election.

Bob Aubuchon received 59 votes for the position of Ward 2 Council member. Mike Conley received 67 votes for the position of Ward 4 Council member. Butch Taylor received 76 votes for the position of Ward 6 Council member. Mary Singleton received 168 votes for the position of Ward 8 Council member. All candidates received the requisite majority of votes in accordance with the City Charter and are qualified to serve.

COUNCIL OATHS OF OFFICE Mrs. Thomas administered the oath of office to Ward 2 Councilman Bob Aubuchon, Ward 6 Councilman Butch Taylor, and Ward 8 Councilwoman Mary Singleton who were reelected to an additional three year term.

ELECTION OF MAYOR PRO TEMPORE Mrs. Stroker moved, seconded by Mrs. Singleton, to appoint Mr. Ryan to serve as 2014 Mayor Pro Tempore. The motion passed unanimously.

AMEND AGENDA Mayor Robinson suggested changing the order of the agenda to allow the Council to hold a closed session after the reception.

Mrs. Singleton moved, seconded by Mrs. Stroker, to change the order of the agenda as follows: Proclamations and Resolutions, Citizens Hearings and Presentation of Petitions (citizens' comments only), and reception. The motion passed unanimously.

PROCLAMATIONS AND RESOLUTIONS

BUILDING SAFETY WEEK PROCLAMATION Mayor Robinson called for the reading of a proclamation designating the month of May as Building Safety Month.

There were no objections and Proclamation 1408 was read.

Mr. Taylor moved, seconded by Mr. Ryan, the adoption of Proclamation 1408 designating the month of May 2014 as Building Safety Month in the City of Hazelwood and encouraging all citizens to assist with efforts to improve building safety. The motion passed unanimously.

The proclamation was presented to Code Administrator Pat McSheehy and Code Enforcement Officer Travis Ham.

POLICE WEEK
PROCLAMATION

Mayor Robinson called for the reading of a proclamation designating the week of May 12 through May 16 as Police Week 2014.

There were no objections and Proclamation 1409 was read.

Mr. Taylor moved, seconded by Mrs. Hendon, the adoption of Proclamation 1409 designating the week of May 12 through May 16, 2014 as "Police Week 2014," publicly saluting our law enforcement officers for their countless hours of service, and calling upon all citizens to observe this week with appropriate ceremonies commemorating police officers both past and present. The motion passed unanimously.

The proclamation was presented to Police Chief Gregg Hall.

MASONIC HOME
PROCLAMATION

Mayor Robinson called for the reading of a proclamation designating June 14 as Masonic Home of Missouri Day.

There were no objections and Proclamation 1410 was read.

Mrs. Singleton moved, seconded by Mr. Ryan, the adoption of Proclamation 1410 designating June 14, 2014 as Masonic Home of Missouri Day in the City of Hazelwood, Missouri, and encouraging all of our citizens to recognize the Masonic Home of Missouri and the Beacon Lodge #3 for the impact they have made and continue to make in our community. The motion passed unanimously.

The proclamation was presented to members of Beacon Lodge #3.

PUBLIC WORKS
WEEK PROCLAMATION

Mayor Robinson called for the reading of a proclamation designating the week of May 18 to May 24 as Public Works Week.

There were no objections and Proclamation 1411 was read.

Mrs. Singleton moved, seconded by Mrs. Hendon, the adoption of Proclamation 1411 designating the week of May 18 to May 24 as Public Works Week and calling upon all citizens to recognize the contributions public works employees make every day to our health, safety, comfort, and quality of life. The motion passed unanimously.

The proclamation was presented to Public Works Director David Stewart.

BUDGET AMENDMENT
RESOLUTION

Mayor Robinson called for the reading of a resolution to amend the fiscal year 2014 budget by transferring asset forfeiture revenues and expenses from the General Fund to the newly created Asset Forfeiture Fund.

Finance Director Lori Helle explained Federal rules require a separate fund for asset forfeitures. The separate fund will also allow for better tracking for accounting and auditing purposes. The resolution authorizes the transfer of \$1,042,992.58 from General Fund revenues to Asset Forfeiture Fund revenues and \$980,000 from General Fund expenditures to Asset Forfeiture Fund expenditures.

There were no objections and Resolution 1403 was read by title only:

A RESOLUTION PROVIDING FOR AMENDMENT OF THE FISCAL YEAR 2014 BUDGET TO TRANSFER REVENUES AND EXPENDITURES FROM THE GENERAL FUND TO THE ASSET FORFEITURE FUND AS REQUESTED BY THE CITY MANAGER.

Mrs. Hendon moved, seconded by Mr. Ryan, the adoption of Resolution 1403. The following vote was recorded on the motion:

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

Resolution 1403 was unanimously adopted.

EMS WEEK
PROCLAMATION

Mayor Robinson called for the reading of a proclamation designating the week of May 18 through May 24 as EMS Week.

There were no objections and Proclamation 1412 was read.

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Proclamation 1412 designating the week of May 18 to May 24 as EMS Week and encouraging the community to observe this week with appropriate programs, ceremonies, and activities. The motion passed unanimously.

The proclamation was presented to Fire Chief Dave Radel.

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.

AMEND AGENDA Mrs. Singleton moved, seconded by Mrs. Hendon, to amend the agenda by the addition of Consideration of a Referendum for a Sales Tax for Fire Department Operations as item 12.f under City Manager's Report. The motion passed unanimously.

CITIZEN HEARINGS AND PRESENTATION OF PETITIONS (continued)

FULL LIQUOR LICENSE Due to a change in managing officer, an application for a Full
6827 HOWDERSHELL Liquor License was received from Margarita Garcia for El Malecon at 6827 Howdershell Road.

The requisite police record check was conducted and Chief Hall has recommended approval of the application.

The applicant was present to answer questions from the Council.

Mrs. Hendon moved, seconded by Mrs. Stroker, to grant the liquor license for El Malecon at 6827 Howdershell Road. The motion passed unanimously.

PUBLIC HEARINGS

SLUP PETITION Mayor Robinson called to order the public hearing to
6186, 6190, & 6194 consider the petition by J. Ballards, LLC, d/b/a Ballard's
HOWDERSHELL RD. Restaurant & Sports Bar, for a Special Land Use Permit for a restaurant at 6186, 6190, and 6194 Howdershell Road.

City Planner Earl Bradfield stated he was notified by the petitioner yesterday that she was unable to be present this evening and would not be available until the June 4 Council meeting.

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.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to continue the hearing to June 4. The motion passed unanimously.

COMMUNICATIONS

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

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

LOCAL GOVERNMENT BRIEFINGS The April 17 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

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

SLUP PETITION 615 DUNN ROAD A petition for a Special Land Use Permit for a child care center at 615 Dunn Road was received from Boonce Academy.

Mrs. Stroker stated the academy will operate under the multiple intelligence concept of teaching. She stated she's been invited to visit the new City of St. Louis school, which utilizes the concept, and invited the Council to accompany her.

ST. LOUIS COUNTY LEVEE MAPPING PROJECT An update on the St. Louis County levee mapping project was received from the U.S. Department of Homeland Security, FEMA Region VII.

LOCAL GOVERNMENT BRIEFINGS The April 24 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

TIP FUND OBLIGATION DEADLINE A reminder of the September 30, 2014 Transportation Improvement Project construction fund obligation deadline for the McDonnell Bridge Enhancement and Fee Fee Road projects was received from the East-West Gateway Council of Governments.

Mrs. Stroker moved, seconded by Mr. Taylor, to refer the petition to the City Plan Commission and to receive and file all communications. The motion passed unanimously.

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

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

Mayor Robinson stated the Council has not had a retreat in over a year and he was going to suggest holding a Council retreat.

CAMPAIGN COMMITTEE Mayor Robinson stated five residents have volunteered to serve on the Campaign Committee.

Following are the committee members: Leslie Henderson, Gretchen Bangert, Carl Wolf, Tom Jackson, and Pat Piotrowicz. The committee will choose a chairman, co-chairman, and treasurer.

Mrs. Singleton volunteered to serve as the liaison. There were no objections from the Council.

BOARD/COMMISSION APPOINTMENTS Mr. Aubuchon nominated Stella Carlin, 224 Elm Grove Lane, for appointment to the Parks and Recreation Board.

Mrs. Singleton nominated the following for reappointment to their respective board/commission: Dorothy Hitt, Historic Preservation Commission; Jackie Ostrowski, Industrial Development Authority; Bill Hammerly, Neighborhood Watch Commission; and Pat Piotrowicz, City Plan Commission.

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

The newly appointed and reappointed board and commission members will be invited to a Council meeting to receive their oaths of office and commission certificates.

CITY MANAGER'S REPORT

HVAC SERVICES Mr. Stewart reported staff recommends authorization of a contract with C & R Mechanical Company for maintenance and repair of the heating, ventilation and air conditioning (HVAC) systems in all City buildings, from July 1, 2014 through June 30, 2017, at a cost not to exceed \$141,780.

C & R's bid was the lowest of the three bids received with a cost of just under \$45,000 for the first year and with two 5% increases for each of the two subsequent years. C & R is our current contractor and has performed satisfactorily.

Mrs. Singleton asked if Mr. Stewart knew why C & R's bid was so much less than the other bidders.

Mr. Stewart replied there have been various bidders over the years. Some of the bids are close and some are high. He stated he spoke with one of the higher bidders and confirmed the bid was for comparable services.

Mrs. Stroker moved, seconded by Mr. Ryan, to concur with the staff recommendation to authorize the contract with C & R Mechanical Company and to place the draft bill on this

Mrs. Hendon moved, seconded by Mrs. Singleton, to concur with the staff recommendation to authorize Supplemental Cooperation Agreement No. 2014 to the St. Louis County Municipal Housing and Community Development Cooperation Agreement 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.

ADJUST HOTEL/MOTEL TAX Ms. Helle reported staff recommends adjusting the hotel/motel tax from 4% to 5%.

Ms. Helle stated in 2004 the City imposed a 5% hotel/motel sales tax and in 2006 voluntarily suspended 1% of the tax imposition. Due to current budget conditions, an adjustment back to 5% is recommended and would take effect July 1. Approximately \$66,000 in General Fund revenue would be generated for the purpose of promoting tourism. With adoption of the bill as an ordinance on May 21, there would be sufficient time to notify the hotels/motels.

Mr. Zimmerman stated the revenue has been incorporated in the proposed fiscal year 2015 budget and the proposed budget would be impacted if the ordinance is not adopted.

Mr. Aubuchon moved, seconded by Mrs. Stroker, to concur with the staff recommendation to adjust the hotel/motel tax from 4% to 5% 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.

SALES TAX PROPOSITION FOR FIRE DEPARTMENT Mr. Zimmerman stated in considering the size of the City's structural deficit and in reviewing options to address it, a referendum for a ¼ cent sales tax for Fire Department operations has been discussed.

Mr. Zimmerman stated the sales tax would not be shared by the pool. It would provide funding for a portion of Fire Department operations. The cost of department operations is \$4 million and revenue from the tax is estimated to be \$1.1 million. Combined with the utility tax, the sales tax would provide a sufficient revenue source to cover the projected deficit and any cost increases for several years.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the staff recommendation to call for submission to the voters of a proposition authorizing a sales tax for Fire Department operations 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. Stroker moved, seconded by Mr. Taylor, to receive and file the minutes of the February 13 City Plan Commission meeting, the April 1 Parks and Recreation Board meeting, the April 8 Community Enrichment Commission meeting, and the April 14 Neighborhood Watch Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

CONTRACT Mayor Robinson called for the first reading of a bill to authorize a contract for HVAC system maintenance in all City buildings.

There were no objections and Bill 4447 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH C & R MECHANICAL COMPANY FOR THE MAINTENANCE AND REPAIR OF THE HEATING, VENTILATION AND AIR CONDITIONING (HVAC) SYSTEMS IN ALL CITY BUILDINGS, FOR THE PERIOD FROM JULY 1, 2014 THROUGH JUNE 30, 2017, AT A COST NOT TO EXCEED ONE HUNDRED FORTY-ONE THOUSAND SEVEN HUNDRED EIGHTY DOLLARS (\$141,780).

Bill 4447 will be on the agenda for second reading on May 21.

AMEND Mayor Robinson called for the first reading of a bill to
CHAPTER 315 amend Chapter 315: Traffic Control Devices.

There were no objections and Bill 4448 was read by title only:

AN ORDINANCE AMENDING CHAPTER 315 OF THE HAZELWOOD CITY CODE RELATING TO TRAFFIC OFFENSES AND TRAFFIC SAFETY ENFORCEMENT.

Bill 4448 will be on the agenda for second reading on May 21.

MHCD Mayor Robinson called for the first reading of a bill to
SUPPLEMENTAL authorize Supplemental Cooperation Agreement No. 2014 to
AGREEMENT the Municipal Housing and Community Development Cooperation Agreement with St. Louis County.

There were no objections and Bill 4449 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF HAZELWOOD, MISSOURI, TO EXECUTE SUPPLEMENTAL COOPERATION

AGREEMENT NO. 2014 TO THE ST. LOUIS COUNTY MUNICIPAL HOUSING AND COMMUNITY DEVELOPMENT COOPERATION AGREEMENT OF JUNE 13, 1993.

Bill 4449 will be on the agenda for second reading on May 21.

HOTEL/MOTEL TAX Mayor Robinson called for the first reading of a bill to adjust the hotel/motel tax from 4% to 5%.

There were no objections and Bill 4450 was read by title only:

AN ORDINANCE ADJUSTING AND INCREASING THE RATE OF TAX ON THE CHARGES FOR ALL SLEEPING ROOMS PAID BY THE TRANSIENT GUESTS OF HOTELS AND MOTELS SITUATED IN THE CITY OF HAZELWOOD, MISSOURI, FROM FOUR PERCENT TO FIVE PERCENT.

Bill 4450 will be on the agenda for second reading on May 21.

REFERENDUM FOR SALES TAX FOR FIRE DEPARTMENT Mayor Robinson called for the first reading of a bill calling for submission to the voters of a sales tax for Fire Department operations.

There were no objections and Bill 4451 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 A SALES TAX FOR OPERATIONS OF THE HAZELWOOD FIRE DEPARTMENT.

Bill 4451 will be on the agenda for second reading on May 21.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4427 E.D. AGREEMENT The second reading of Bill 4427 to approve an Economic Development and New Employment Training and Opportunities Loan Agreement with Fisher-Rosemount Systems, Inc., has been postponed.

BILL 4444 SLUP EXTENSION Mayor Robinson called for the second reading of Bill 4444 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.

Mr. Ryan moved, seconded by Mrs. Hendon, the adoption of Bill 4444 as an ordinance. The following vote was recorded on the motion:

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

Bill 4444 was unanimously adopted as Ordinance 4337-14.

BILL 4445 UTILITY TAX PROPOSITION	Mayor Robinson called for the second reading of a bill calling for submission to the voters of a proposition to authorize a tax on residential utility services.
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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.

Mr. Aubuchon asked if the Council is going to consider amending the bill.

In light of last week's budget discussions, Mr. Zimmerman recommended the Council table the bill to allow staff to present the entire referendum proposal at the May 21 Council meeting.

Mr. Aubuchon moved, seconded by Mr. Ryan, to postpone consideration of adoption of Bill 4445 to May 21. The motion passed unanimously.

BILL 4446 E.D. AGREEMENT	The second reading of Bill 4446 to authorize an agreement with Great Southern Bank and Theodoro Baking Company, Inc., to modify the Economic Development and New Employment Training and Opportunities Loan Agreement with Theodoro Baking Company, Inc., has been postponed.
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MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, May 21, 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 9:32 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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