

**CITY OF HAZELWOOD  
REGULAR COUNCIL MEETING  
March 4, 2015**

**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, March 4, 2015, 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  
Warren H. Taylor  
Rosalie Hendon  
Mary G. Singleton  
Carol A. Stroker  
Robert M. Aubuchon  
Don W. Ryan

Ward 4 Councilman Mike Conley resigned on March 2, 2015.

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**

There being no amendments proposed, Mrs. Hendon moved, seconded by Mr. Taylor, the adoption of the agenda as printed. The motion passed unanimously.

**CONSENT AGENDA**

Mrs. Singleton moved, seconded by Mrs. Stroker, 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	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	

Mr. Aubuchon  
Mr. Ryan

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), was adopted.

**APPROVAL OF MINUTES**

Mrs. Singleton moved, seconded by Mrs. Stroker, to approve the minutes of the February 18 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.

Hundreds took the plunge last Saturday at Creve Coeur Lake to benefit Special Olympics. Hazelwood was well represented by teams from the Police Department, Hazelwood West High School, and other local organizations.

The Police Department will be out in full force as part of the nationwide St. Patrick's Day "Drive Sober or Get Pulled Over" campaign and will be implementing DWI saturation patrols and sobriety checkpoints to enhance their enforcement efforts from March 14 to March 17. In addition, the department will be participating in a statewide youth seat belt enforcement effort from March 15 through March 31.

Upcoming events and programs include the Adult Easter Egg Hunt on March 27 and the MLB Pitch, Hit & Run on April 26. Additional information on City programs and events is available on the City's website at [www.hazelwoodmo.org](http://www.hazelwoodmo.org).

**EMPLOYEE INTRODUCTIONS**

The following new employees were introduced: Recreation Supervisor-Aquatics Travis Vancil; Firefighter/Paramedics Amy Kurtzeborn and Andrew Friehoff; Police Officers Ralph Ruffin, IV, Ryan Prewitt, and Yurie Fernand; and Police Recruit Nikolao Mafuli.

In addition, new Police K-9 Rolf was introduced.

**SERVICE AWARDS**

As their biographies were read, Major Ken Jewson was presented with a 35 year service award and Councilwoman Carol Stroker was presented with a five year service award.

**PROCLAMATIONS AND RESOLUTIONS**

**WASTE REDUCTION GRANT RESOLUTION**

City Planner Earl Bradfield reported staff recommends applying for 2015 Waste Reduction Grant funds of \$5,613.63

for advertising of the June 4, 2016 Recycle Day.

Advertising would provide residents information on what can and cannot be recycled and would include direct mailing of postcards, articles in the City newsletter and on the City website, news releases, and ads in newspapers. In addition, email addresses would be purchased for an email blast to City residents. The local match would be made by approximately 84 hours of in-kind staff time. A resolution supporting the grant application is required as part of the application process.

There were no objections and Resolution 1502 was read by title only:

**A RESOLUTION OF THE COUNCIL OF THE CITY OF HAZELWOOD, MISSOURI, SUPPORTING APPLICATION TO THE ST. LOUIS COUNTY DEPARTMENT OF HEALTH FOR 2015 WASTE REDUCTION GRANT FUNDS TO BE USED FOR THE CITY'S RECYCLE DAY ON JUNE 4, 2016.**

Mr. Aubuchon moved, seconded by Mrs. Singleton, the adoption of Resolution 1502. The following vote was recorded on the motion:

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

Resolution 1502 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.

RESIDENT COMMENT	Marvin Davis, 677 Coachway Lane, stated this is the first Council meeting he has attended and he's present to observe.
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SLUP EXTENSION 7541 N. LINDBERGH	A request for a six month extension of the Special Land Use Permit deadline to commence operation of Aroma Indian Grill at 7541 North Lindbergh Boulevard was received.
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Mr. Bradfield reported their last extension was from November 20, 2014 to March 20, 2015. The restaurant has passed a drywall inspection. Roof and hood inspections have

not yet been performed. In addition, the restaurant must pass a St. Louis County Department of Health inspection. Mr. Bradfield stated they expect to be open by March 20, but are requesting the extension in the event there are additional delays.

Mayor Robinson commented the roof looks nice and they are making progress.

Mr. Ryan noted they had a setback caused by frozen pipes.

In response to Mr. Aubuchon's inquiry, Mr. Bradfield stated this is their third extension request.

Mr. Ryan asked if the contractor foresees any delays.

Rich Neitzert, the contractor, replied he doesn't and the restaurant should be ready to open by March 20. He stated, in addition to the roof upgrade, there have been plumbing and electrical upgrades.

Mr. Ryan moved, seconded by Mr. Aubuchon, 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.

LIQUOR LICENSE	A request for an additional 30 day temporary Full Liquor
BALLARD'S	License, with Sunday license, was received from
6186 HOWDERSHELL	Barbie Ballard for Ballard's Restaurant at 6186 Howdershell
	Road.

Ms. Ballard stated she needs 15 more days to prove the required food sales. At this time, food sales significantly exceed liquor sales.

Mr. Aubuchon moved, seconded by Mr. Ryan, to grant the additional 30 day temporary Full Liquor License, with Sunday license, for Ballard's Restaurant at 6186 Howdershell Road. The motion passed unanimously.

## **PUBLIC HEARINGS**

SUBDIVISION PETITION	Mayor Robinson called to order the public hearing to
7766 & 7770	consider the petition by Mission Hills Development Co.,
N. LINDBERGH BLVD.	Inc., for subdivision to consolidate 7766 and 7770 North
	Lindbergh Boulevard into one lot.

Mrs. Wolf had provided the Council with notice that the petitioner did not attend the February City Plan Commission meeting. Therefore, recommendations from the commission on the subdivision and Special Land Use Permit petitions have not been received.



Ms. Lewis replied she currently works with the Department of Mental Health and has a caseload of young adults. Usually, individuals with developmental disabilities graduate from school at age 21 and there isn't much for them to do except go to an adult day care. Adult day cares are generally for adults age 65 and older. There's a need for day care focused on the needs of young adults in order for them to develop the life skills they need to allow them to be productive and possibly attain competitive employment.

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 Special Land Use Permit for adult day care facility in an R-5 Single-Family Dwelling zoning district located at 126 Flora Avenue in Ward 6." She stated the motion passed unanimously.

Mr. Taylor moved, seconded by Mrs. Singleton, to concur with the City Plan Commission recommendation to grant a Special Land Use Permit for an adult day care facility at 126 Flora Avenue 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.

SLUP PETITION                      Mayor Robinson called to order the public hearing to  
6020 N. LINDBERGH                consider the petition by Dent Wizard International Corp.  
for a Special Land Use Permit for a vehicle service and  
repair facility at 6020 North Lindbergh Boulevard.

Mr. Bradfield gave a staff report and described the zoning of the site and surrounding area. The site is currently vacant. The proposed hours of operation for the business are 7:00 a.m. to 5:00 p.m., Monday through Friday. The proposed use meets the parking requirements and is consistent with the Comprehensive Plan.

Mr. Aubuchon asked if they will be working on engines and transmissions.

Mr. Bradfield responded they would not.

Mrs. Stroker asked if they replace windshields.

Brian Schaper of Dent Wizard replied they do not. He stated originally the business was a retail company offering paintless dent repair for things such as hail damage and door dings and was located on Dunn Road. They are moving back to the City as a reconditioning company for used car dealerships. Repair work includes wheels, bumpers, interiors such as from cigarette burns, carpet stains, touch-up paint, and windshield chips. Mr. Schaper stated initially Dent Wizard would lease 16,500 square feet, approximately 1/3 of the building, at 6020 North Lindbergh Boulevard for three

years. He gave a PowerPoint presentation of the site and stated all repairs would be performed indoors. A portion of the building is office space and won't be utilized at this time.

Mr. Todd asked if there would be a paint booth.

Mr. Schaper replied they would like to install a paint booth and all painting would be done inside the booth. He confirmed all necessary permits would be obtained. The booth would cost approximately \$60,000 and would be fully fire suppressed with stand-alone fire suppression.

Mrs. Hendon asked if any retail service would be offered.

Mr. Schaper responded it would not. No walk-ins would be accepted and there would be no advertising.

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 Special Land Use Permit for vehicle service and repair facility in an I-2 Heavy Industrial zoning district located at 6020 North Lindbergh Boulevard in Ward 2 with the following conditions: a) Vehicles being repaired cannot remain on the property for more than a 30 day period, b) Vehicles must be parked in a designated parking space, c) Tires or vehicle parts or inventory for the vehicle service and repair facility cannot be stored and no vehicle repairs or maintenance work can be performed or goods delivered to customers at any location on the exterior of the premises, and d) That vehicles without license plates cannot be located on property." She stated the motion passed unanimously.

Mr. O'Keefe asked if the business will be servicing cars purchased by dealerships and if they would have license plates.

Mr. Schaper replied affirmatively and stated they have State of Missouri drive-away license plates, also called transportation plates.

Mr. Aubuchon moved, seconded by Mr. Taylor, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for a vehicle service and repair facility at 6020 North Lindbergh Boulevard 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.

## COMMUNICATIONS

LOCAL GOVERNMENT BRIEFINGS The February 12 issue of Local Government Briefings was received from East-West Gateway Council of Governments.

MSD MEETING An invitation to attend a meeting for a Project Clear update and information on the 2015 Rate Commission process was received from Metropolitan St. Louis Sewer District.

LOCAL GOVERNMENT BRIEFINGS The February 19 issue of Local Government Briefings was received from East-West Gateway Council of Governments.

METRO MAYORS OF ST. LOUIS An activities update was received from Metro Mayors of St. Louis.

Mrs. Singleton moved, seconded by Mrs. Stroker, to receive and file all communications. The motion passed unanimously.

**UNFINISHED BUSINESS** - None

## MAYOR AND COUNCIL REPORTS

WORK SESSION AGENDA ITEMS Mr. Aubuchon suggested canceling the March 11 work session and moving the agenda items to the next work session agenda.

There were no objections and Mr. Aubuchon moved, seconded by Mrs. Stoker, to cancel the March 11 work session. The motion passed unanimously.

CAMPAIGN COMMITTEE Mrs. Singleton reported the Campaign Committee met Monday night.

Mrs. Singleton stated she has circulated a post card the committee recommends sending out to citizens from the Council to provide information on the April 7 sales tax ballot issue. There would be one mailing and all Council names would be on the postcard.

## CITY MANAGER'S REPORT

AMEND TRAFFIC CODE RE: MO. BOTTOM RD. SPEED LIMIT Police Chief Gregg Hall reported staff recommends amendment of *Table I-A: Speed Limits* of the Traffic Code to reflect the correct speed limits along Missouri Bottom Road.

It recently came to the attention of Lieutenant Burger that the speed limit for Missouri Bottom Road from the east City limits to Leaf Crest drive is posted as 40 mph, but the

Speed Limits table reflects a limit of 35 mph. In 1996, the St. Louis County Department of Highways and Traffic conducted a speed study and determined the speed should be changed to 40 mph from US Highway 67 to I-270 along Missouri Bottom Road. The County Council adopted an ordinance to this effect and the City was notified. However, an ordinance to update the City Code was never adopted. Further investigation revealed an additional discrepancy. The portion of Missouri Bottom Road between its two intersections with Leaf Crest Drive, City roadway, is posted as 25 mph. However, this is not reflected in the Code. Staff is recommending amendment of the Code to reflect the following speed limits:

Missouri Bottom Road (east City limits to northwest side of I-270)	40 mph
Missouri Bottom Road (northwest side of I-270 to east intersection of Leaf Crest Drive)	30 mph
Missouri Bottom Road (east intersection of Leaf Crest Drive to west intersection of Leaf Crest Drive)	25 mph
Missouri Bottom Road (west intersection of Leaf Crest Drive to St. Louis Mills Boulevard)	30 mph

Mrs. Hendon moved, seconded by Mr. Taylor, to concur with the staff recommendation to amend *Table I-A: Speed Limits* of the Traffic Code relative to speed limits on Missouri Bottom Road 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.

Mr. Zimmerman stated, during the February 18 Council meeting, the Council asked staff to determine if there were streets where weight limits have been adopted and signs have not been posted and vice versa. He reported all necessary signs have been posted. At the next Council meeting, staff will present a recommendation to amend the Code for those street locations where signs were posted and the Code did not reflect the weight limitation.

Mayor Robinson asked staff to confirm that these weight limit signs are still needed.

**MCDONNELL BRIDGE LANDSCAPING** Public Works Director David Stewart reported staff recommends authorization of a contract with Raineri Construction, LLC for I-270/McDonnell Boulevard overpass improvements at a cost not to exceed \$414,964.

In 2012, the City was awarded a grant for 80 percent of the project cost to make enhancements to the overpass. After completing the design and obtaining MoDOT approval on the plans in August of 2014, the City was authorized to bid the project. Two bids were received and Raineri Construction was the low bidder. Both the City's design engineer and MoDOT concurred with the bid. There are two issues related to the project. The first is the low bid is higher than the engineer's estimate and about \$50,000 higher than the grant will fund. Therefore, if we proceed with the full project, the City would fund 30 percent of the construction expense rather than 20 percent. The second is the City was contacted by MoDOT last week and, due to an oversight on their part,

the City was not notified of several requirements related to the design proposal. MoDOT considers the pillars to be placed at the four ends of the fence across the bridge as monuments and is requiring a monument agreement. The agreement between the City and MoDOT would require federal highway review, a legal description, exhibits, and certificates of insurance with MoDOT listed as an additional insured. They have also determined two of the four pillars don't meet MoDOT requirements and must be modified or deleted. A maintenance agreement for the decorative fence would also be required. The monument agreement and two pillars are the greatest concern because, with federal highway review and potential redesign to accommodate a guardrail in front of the two pillars, work would be delayed several months and costs would increase. The project was scheduled to start mid-April. Since this is mostly a landscape project, it's critical to plant during cool weather and the project would have to be rescheduled for the fall. Therefore, staff recommends deleting the columns which would reduce the total project cost by approximately \$71,000 and make it within the amount available by the grant. Almost \$20,000 would then be available as a cushion for any change orders that may occur during construction. In addition, any delay and additional costs caused by the need for agreements and redesign would be avoided. He noted deleting the columns at this time doesn't preclude the City from adding the columns as a separate project in the future.

Mr. Ryan asked how two of the four columns didn't meet MoDOT's design standards when they are identical.

Mr. Stewart replied two of the columns would not be protected by a guardrail or barrier. Unfortunately, the two unprotected columns are the ones that would greet the public as they entered the City.

Mrs. Stroker asked what effect deleting the columns would have on aesthetics.

Mr. Stewart replied this is primarily a landscape project with 2,800 shrubs and trees. The six foot wrought iron fence across the bridge, with a four foot diameter Hazelwood emblem, will also be a noticeable enhancement.

Mr. Ryan asked who would maintain the landscaping.

Mr. Stewart replied the City.

Mr. Zimmerman added they will be low maintenance plants.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to concur with the staff recommendation to authorize the contract with Raineri Construction, LLC for I-270/McDonnell Boulevard overpass improvements, without the pillars, 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.

**CITY ATTORNEY'S REPORT - None**

**CITY CLERK'S REPORT - None**

**COMMISSION AND BOARD REPORTS**

Mrs. Singleton moved, seconded by Mrs. Stroker, to receive and file the minutes of the November 5, 2014 Economic Development Sales Tax Board meeting, the February 3 Parks and Recreation Board meeting, and the February 12 Industrial Development Authority 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 extend the Special Land Use Permit deadline to commence operations of Aroma Indian Grill at 7541 North Lindbergh Boulevard to September 20, 2015.

There were no objections and Bill 4503 was read by title only:

**AN ORDINANCE AMENDING ORDINANCE 4311-13, AS AMENDED BY ORDINANCES 4337-14 AND 4376-14, 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 4503 will be on the agenda for second reading on March 18.

**SLUP**

Mayor Robinson called for the first reading of a bill to grant a Special Land Use Permit for an adult day care facility at 126 Flora Avenue.

There were no objections and Bill 4504 was read by title only:

**AN ORDINANCE GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO BOUNTIFUL BLESSINGS, LLC FOR AN ADULT DAY CARE FACILITY AT 126 FLORA AVENUE AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Bill 4504 will be on the agenda for second reading on March 18.

**SLUP**

Mayor Robinson called for the first reading of a bill to grant a Special Land Use Permit for a vehicle service and repair facility at 6020 North Lindbergh Boulevard.

There were no objections and Bill 4505 was read by title only:

**AN ORDINANCE GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO DENT WIZARD INTERNATIONAL CORPORATION FOR A VEHICLE SERVICE AND REPAIR FACILITY AT 6020 NORTH LINDBERGH BOULEVARD AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Bill 4505 will be on the agenda for second reading on March 18.

AMEND TRAFFIC CODE Mayor Robinson called for the first reading of a bill to amend the Traffic Code relative to Missouri Bottom Road speed limits.

There were no objections and Bill 4506 was read by title only:

**AN ORDINANCE AMENDING TITLE III: TRAFFIC CODE, TABLE I-A: SPEED LIMITS, OF THE HAZELWOOD CITY CODE RELATIVE TO MISSOURI BOTTOM ROAD AND PROVIDING A PENALTY FOR VIOLATION THEREOF.**

Bill 4506 will be on the agenda for second reading on March 18.

CONTRACT Mayor Robinson called for the first reading of a bill to authorize a contract for I-270/McDonnell Boulevard overpass improvements.

There were no objections and Bill 4507 was read by title only:

**AN ORDINANCE AUTHORIZING A CONTRACT WITH RAINERI CONSTRUCTION, LLC FOR I-270/MCDONNELL BOULEVARD OVERPASS IMPROVEMENTS AT A COST NOT TO EXCEED FOUR HUNDRED FOURTEEN THOUSAND NINE HUNDRED SIXTY-FOUR DOLLARS (\$414,964).**

Bill 4507 will be on the agenda for second reading on March 18.

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

BILL 4502 Mayor Robinson called for the second reading of Bill 4502 to AMEND TRAFFIC CODE amend the Traffic Code by adding Riverwood Estates Boulevard to *Schedule IX: Weight Limits, Table IX-A: Vehicles Licensed in Excess of 12,000 Pounds Prohibited from Using Certain Streets.*

There were no objections and Bill 4502 was read by title only:

**AN ORDINANCE AMENDING TITLE III: TRAFFIC CODE OF THE HAZELWOOD CITY CODE BY ADDING RIVERWOOD ESTATES BOULEVARD TO SCHEDULE IX: WEIGHT LIMITS, TABLE IX-A: VEHICLES LICENSED IN EXCESS OF 12,000**

**POUNDS PROHIBITED FROM USING CERTAIN STREETS AND PROVIDING A PENALTY FOR VIOLATION THEREOF.**

Mrs. Singleton moved, seconded by Mrs. Stroker, the adoption of Bill 4502 as an ordinance. The following vote was recorded on the motion:

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

Bill 4502 was unanimously adopted as Ordinance 4394-15.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

**COUNCIL MEETING** Mayor Robinson announced the next regular Council meeting will be held Wednesday, March 18, 2015, 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 8:48 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