

**CITY OF HAZELWOOD  
REGULAR COUNCIL MEETING  
AUGUST 19, 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, August 19, 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:

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

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, Mr. Taylor moved, seconded by Mr. Todd, 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:

AYE - 8

NAY - 0

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

The motion passed unanimously and the consent agenda was adopted.

**APPROVAL OF MINUTES**

Mrs. Singleton moved, seconded by Mrs. Stroker, to approve the minutes of the August 5 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.

On August 6, a story on White Birch Bay was featured on KSDK's Show Me St. Louis. It was a great promo piece for Hazelwood's popular aquatic center. With schools in session, the aquatic center is now only open on weekends until Labor Day.

Residents interested in filling the Ward 4 vacancy on the City Council can obtain an application from the City Clerk's office. Qualified candidates must be at least age 21, a registered voter, a resident of the City for at least two years prior to appointment, and a current Ward 4 resident. After August 27, the Council will review the applications and conduct interviews. The person appointed will serve until the next regular election in April 2016. They may then run for election to finish the unexpired term.

The public is invited to attend the next Formerly Utilized Sites Remedial Action Program (FUSRAP) meeting at Civic Center East on August 20 from 6:00 p.m. to 8:00 p.m. The U.S. Army Corp of Engineers will give updates on the testing and cleanup of Coldwater Creek and adjacent properties, including parks. In addition, an update on the cancer mapping project and ongoing health study of residents in North County will be provided.

Applications are now being accepted from single women, ages 15 to 18, for 2015 Miss Hazelwood. Applications are available at the aquatic center, Civic Center East, and Community Center and must be turned in by August 24 with a sponsorship fee of \$75. The coronation will be held during the Harvestfest on September 12. This year's Harvestfest will feature Human Sphere Races, the Boot Camp Blitz Obstacle Course, the Wacky World Obstacle Course, trackless train rides, and violinist Justin Meaux.

Other upcoming events include the last free outdoor summer concert at Truman Park featuring Gentlemen Bandits on August 22, the Drug Take-Back event on September 26, and Celebrate Safe Communities on September 29. Additional information on these and other upcoming events and City programs is available on the City's website at [www.hazelwoodmo.org](http://www.hazelwoodmo.org).

**READING IS**

**ELEMENTARY AWARDS**

Facility Manager Pam Reynolds explained Reading Is Elementary is a reading incentive program for kindergarten through fifth grade students.

Participants are required to read for a minimum of 300 minutes, complete a program entry form, and submit it to the recreation office. The top 10 readers are recognized annually. The top ten Reading Is Elementary award recipients for 2015 are as follows:

Wilson Decker	540 Minutes
Jasiah Lewis	595 Minutes
Piercen Millikan	695 Minutes
Annalise Millikan	695 Minutes
Emily Winkler	915 Minutes
Yazmin Darden	1,049 Minutes
Alexander Frank	1,301 Minutes
Minh Hoang	1,800 Minutes
Kyler Whitehead	6,300 Minutes
Kendon Whitehead	6,300 Minutes

Mayor Robinson presented the award recipients with certificates and t-shirts with the assistance of Miss Hazelwood Briana Barr.

**NEW EMPLOYEE INTRODUCTIONS** Fire Chief Dave Radel introduced newly hired Fire Marshal Dale Harbison.

Police Chief Gregg Hall introduced newly hired Adult Abuse Coordinator Heather Berding and Telecommunicator Samantha Kimrey.

**EMPLOYEE SERVICE AWARD** Police Officer Craig Tudor was presented with a 10 year service award as his biography was read.

**LIFE SAVING AWARD** Darryl and Nikia Bennett were unable to attend the meeting this evening to receive the Citizens Service Citation.

**OFFICER OF THE YEAR AWARD** Chief Hall reported Officer Scott Schnurbusch was one of four Missouri officers to receive the 2015 Law Enforcement Traffic Safety Advisory Council's Officer of the Year Award.

Officer Schnurbusch has played an integral role in making the Traffic Safety Program successful. He is an expert in fatal crash reconstruction and performs a large amount of public relations work such as teaching law enforcement classes at Hazelwood schools, including impaired driving classes at Hazelwood West High School.

## **PROCLAMATIONS AND RESOLUTIONS**

**BETH RAY RETIREMENT PROCLAMATION** Mayor Robinson called for the reading of a proclamation in honor of Adult Abuse Coordinator Beth Ray who is retiring on September 1.

There were no objections and Proclamation 1518 was read.

Mr. Ryan moved, seconded by Mr. Aubuchon, the adoption of Proclamation 1518 expressing recognition and gratitude to Beth Ray for her many years of compassionate and devoted service to our community and wishing her a long and happy retirement. The motion passed unanimously.

## **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.

**HAZELWOOD COURT SYSTEM** Marvin Davis of 677 Coachway Lane stated he recently saw a television documentary about area court systems and expressed concerns with Hazelwood's court system and the ratio of blacks in the community to blacks in the courtroom.

Mayor Robinson replied Mr. Zimmerman can meet with him to explain the changes that have been made to our court system and show him the City's statistics which fall far below the area of concern.

**PUBLIC HEARINGS** - None

## **COMMUNICATIONS**

**LOCAL GOVERNMENT BRIEFINGS** The July 30 issue of Local Government Briefings was received from East-West Gateway Council of Governments.

**370/MO BTM/TAUSSIG CID ANNUAL REPORT** The 370/Missouri Bottom Road/Taussig Road Community Improvement District annual report was received from Armstrong Teasdale, LLP.

**LOCAL GOVERNMENT BRIEFINGS** The August 6 issue of Local Government Briefings was received from East-West Gateway Council of Governments.

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

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

## **UNFINISHED BUSINESS**

**ANIMAL CONTROL REGULATIONS** During the August 5 Council meeting, Mrs. Hendon asked that a discussion on animal control regulations be placed on this agenda and that staff provide research on the issue.

Mr. Zimmerman stated staff surveyed St. Louis County area municipalities on regulations relative to chickens and the Council has been provided with the survey results. Thirty-six municipalities permit chickens and 18 prohibit them. For the remaining 32 municipalities, staff could not find information. Regulations vary in the cities that permit chickens. Some limit them to the back yard, some require a coop, some have setback requirements for the coop, etc. Mr. Zimmerman stated this issue has become popular and contentious in many communities across the United States. He emphasized there will be strong feelings on both sides. Regardless of the Council's decision on the issue, staff suggests Council consider amending the animal control Code which is very permissive rather than prohibitive. Currently, anything not specifically prohibited is considered permitted. For example, elephants are not prohibited in the Code. Therefore, they would be permitted. If the Council chooses to permit chickens, staff recommends a prohibition on roosters, a limit on the number of chickens, and a coop requirement with setback regulations.

Mrs. Hendon stated, just prior to this meeting, her neighbor with the chickens was allowing them to run loose in the neighborhood. She suggested the Code be amended to prohibit chickens, pigs, or horses except in agricultural districts.

Mrs. Singleton asked if there is a map available illustrating the agricultural areas.

City Planner Earl Bradfield stated NU-Non Urban Districts require lots of three acres or more and are generally considered agricultural. He pointed to areas zoned NU on the zoning map. They are predominately in the Missouri River bottoms. He suggested the Council set a one acre requirement for chickens or limit them to NU districts.

Mr. Aubuchon commented discussion of the issue among the entire Council will be lengthy. He suggested forming a committee to discuss the issue and make a recommendation to the entire Council.

Mayor Robinson stated there are also code enforcement issues to be addressed as well. For example, the time it takes to abate grass cutting and housing Code violations. He suggested forming an ad hoc committee, including Code Enforcement staff and the City Manager, to address these issues. He stated Mrs. Stroker and Mr. Taylor have volunteered to be on the committee.

Mrs. Hendon volunteered to be on the committee.

Mr. Zimmerman stated staff is currently working on ideas to strengthen code enforcement which can be discussed during the September 9 Council/Staff retreat.

Mrs. Hendon emphasized the need for a quick resolution to the issue involving the keeping of chickens.

Mayor Robinson stated he believes the chickens are causing a nuisance if they are running free and the owner can be cited.

Chief Hall replied the owner can be given a warning if a police officer sees the chickens in the street.

After discussion, the Council agreed to have the ad hoc committee address the issue of regulating the keeping of chickens.

## **MAYOR AND COUNCIL REPORTS**

**BOARD/COMMISSION APPOINTMENTS** Mr. Taylor nominated Sessie Spencer for reappointment to the Civil Service Board and Dorothy Squires for reappointment to the Community Enrichment Commission.

Mrs. Stroker nominated Doug Bogaski for reappointment to the Civil Service Board, Irene Salkowski for reappointment to the Community Enrichment Commission, and Jaelithe Judy for reappointment to the Historic Preservation Commission.

Mayor Robinson nominated Leslie Henderson of 433 Coachway Lane for appointment to the Community Enrichment Commission.

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

Mrs. Wolf will invite the newly appointed and reappointed board and commission members to the September 2 Council meeting to receive their oaths of office and commission certificates.

**COUNCIL MEETINGS** Due to a conflict with the National League of Cities' Congress of Cities conference, Mayor Robinson suggested cancelling the November 4 regular Council meeting.

In addition, Mayor Robinson suggested cancelling the November 11 Council work session which falls on Veterans Day, a City holiday.

Mrs. Stroker moved, seconded by Mr. Todd, to cancel the November 4 regular Council meeting and November 11 Council work session and to reschedule as needed. The motion passed unanimously.

## **CITY MANAGER'S REPORT**

**UPDATE ON SALE OF GENERAL OBLIGATION BONDS** Finance Director Lori Helle reported the sale of General Obligation Refunding Bonds, as authorized during the August 5 Council meeting, took place today at 11:00 a.m.

Ms. Helle noted last week the City's bond rating was upgraded from AA- to AA which contributed to the successful sale. She stated the upgrade was due to the improved financial condition of the City, passage of the two sales tax referendums, and the City's strong management policies and procedures.

Michelle Bock of Piper Jaffray and Company stated 13 bids were received on the sale of the bonds. The successful bidder submitted a rate of 1.9 percent. Savings from the refinancing are \$350,000 which is significantly higher than anticipated and represents an eight percent present value savings. In addition, the bonds will be paid off a year early.

POLICE  
IN-CAR VIDEO  
RECORDERS

Chief Hall reported staff recommends authorization to purchase five wireless police in-car digital video recorder systems from CDS Technologies, Inc., through a State of Illinois contract, at a total cost of \$31,600.

Chief Hall stated the purchase is part of a six year plan to replace 29 obsolete hard drive units. The plan was implemented in fiscal year 2013. This is the third phase of the process. Funds in the amount of \$32,275 have been allocated in the current Capital Improvement Fund budget for the purchase.

Mr. Todd moved, seconded by Mrs. Hendon, to concur with the staff recommendation to purchase five wireless police in-car digital video recorder systems from CDS Technologies, Inc., at a total cost of \$31,600. The motion passed unanimously.

FIRE HYDRANT

Fire Chief Dave Radel reported staff recommends emergency passage of an ordinance to authorize the installation of nine fire hydrants at Aviator Business Park.

Chief Radel stated Missouri American Water requires an ordinance to authorize installation of the hydrants. Six of the hydrants would be located on the north/south section of Aviator Park Drive, 30 feet from the center line of the street, and 150 feet apart. The remaining three hydrants would be located on the east/west intersecting main and would complete the loop at the Ford Lane water main. All water mains are 12 inches which meets International Fire Code requirements.

In response to Mrs. Singleton's inquiry, Chief Radel stated the City doesn't pay for the installation. The hydrants are owned by Missouri American Water.

Mr. Zimmerman explained emergency passage of the ordinance is requested because the hydrants would supply water in the event there is a fire in the building currently under construction.

Mr. Aubuchon moved, seconded by Mr. Taylor, to concur with the staff recommendation to authorize the installation of nine fire hydrants and to place the draft bill on this agenda

for introduction. The motion passed unanimously and the bill was added to the agenda as item 17.a.

**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 July 27 Historic Preservation Commission meeting. The motion passed unanimously.

**NEW BUSINESS - None**

**INTRODUCTION AND FIRST READING OF BILLS**

**HYDRANTS** Mayor Robinson called for the first reading of a bill to authorize the installation of nine fire hydrants at Aviator Business Park.

There were no objections and Bill 4537 was read by title only:

**AN ORDINANCE ORDERING THE INSTALLATION OF NINE (9) FIRE HYDRANTS IN THE CITY OF HAZELWOOD, MISSOURI AND DECLARING AN EMERGENCY EXISTS FOR ITS IMMEDIATE PASSAGE.**

Mr. Aubuchon moved, seconded by Mr. Taylor, to find and declare an emergency exists with respect to the adoption of Bill 4537, in accordance with Section 8 of Article II of the City Charter, and to give it second reading and consideration for adoption this evening. The motion passed unanimously.

Bill 4537 was read a second time by title only:

**AN ORDINANCE ORDERING THE INSTALLATION OF NINE (9) FIRE HYDRANTS IN THE CITY OF HAZELWOOD, MISSOURI AND DECLARING AN EMERGENCY EXISTS FOR ITS IMMEDIATE PASSAGE.**

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4537 as an ordinance. The following vote was recorded on the motion:

AYE - 8

NAY - 0

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

Mrs. Hendon  
Mrs. Singleton

Bill 4537 was unanimously adopted as Ordinance 4421-15.

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

BILL 4529  
SLUP EXTENSION

Mayor Robinson called for the second reading of Bill 4529 to grant a six month extension of the deadline to commence operation of a vehicle wash facility and vehicle/auto sales expansion at 675 Dunn Road.

There were no objections and Bill 4529 was read by title only:

**AN ORDINANCE AMENDING ORDINANCE 4358-14 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE OPERATION OF A VEHICLE WASH FACILITY AND VEHICLE/AUTO SALES EXPANSION AT 675 DUNN ROAD.**

Mrs. Stroker moved, seconded by Mr. Ryan, the adoption of Bill 4529 as an ordinance. The following vote was recorded on the motion:

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

Bill 4529 was unanimously adopted as Ordinance 4422-15.

BILL 4532  
AMEND CHAP. 405

Mayor Robinson called for the second reading of Bill 4532 to amend *Chapter 405: Zoning Regulations* relative to floodplain management.

There were no objections and Bill 4532 was read by title only:

**AN ORDINANCE AMENDING *CHAPTER 405: ZONING REGULATIONS* OF THE HAZELWOOD CITY CODE RELATIVE TO FLOODPLAIN MANAGEMENT.**

Mrs. Singleton moved, seconded by Mr. Aubuchon, the adoption of Bill 4532 as an ordinance. The following vote was recorded on the motion:

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

Bill 4532 was unanimously adopted as Ordinance 4423-15.

BILL 4533                      Mayor Robinson called for the second reading of Bill 4533 to  
CONTRACT                      authorize a contract with Kevin M. O'Keefe for City Attorney  
and Prosecuting Attorney services.

There were no objections and Bill 4533 was read by title only:

**AN ORDINANCE AUTHORIZING A CONTRACT WITH KEVIN M. O'KEEFE SETTING FORTH HIS RESPONSIBILITIES AS CITY ATTORNEY AND PROSECUTING ATTORNEY AND COMPENSATION THEREFORE.**

Mr. Ryan moved, seconded by Mrs. Singleton, the adoption of Bill 4533 as an ordinance. The following vote was recorded on the motion:

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

Bill 4533 was unanimously adopted as Ordinance 4424-15.

BILL 4534                      Mayor Robinson called for the second reading of Bill 4534 to  
CONTRACT                      authorize a contract for the reconstruction of Fee Fee Road  
south of McDonnell Boulevard.

There were no objections and Bill 4534 was read by title only:

**AN ORDINANCE AUTHORIZING A CONTRACT WITH R. V. WAGNER, INC., FOR THE RECONSTRUCTION OF FEE FEE ROAD SOUTH OF MCDONNELL BOULEVARD AT A COST NOT TO EXCEED \$1,015,062.**

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4534 as an ordinance. The following vote was recorded on the motion:

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

Bill 4534 was unanimously adopted as Ordinance 4425-15.

BILL 4535 G.O. BONDS	Mayor Robinson called for the second reading of Bill 4535 to authorize and direct the issuance, sale, and delivery of General Obligation Refunding Bonds, Series 2015.
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Mr. O’Keefe stated the Council has been provided with Bill 4535.1, in redline format, which contains revisions to reflect the bids received, the staff recommendation on the bid to be accepted, and the data from that bid.

Mr. Aubuchon moved, seconded by Mr. Taylor, to amend Bill 4535 by the text of Bill 4535.1. The motion passed unanimously.

There were no objections and Bill 4535, as amended, was read by title only:

**AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015, OF THE CITY OF HAZELWOOD, MISSOURI; PRESCRIBING THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON THE BONDS AS THEY BECOME DUE; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.**

Mrs. Singleton moved, seconded by Mrs. Hendon, the adoption of Bill 4535, as amended, as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mrs. Stroker	
Mr. Aubuchon	

Mr. Ryan  
Mayor Robinson  
Mr. Todd  
Mr. Taylor  
Mrs. Hendon  
Mrs. Singleton

Bill 4535, as amended, was unanimously adopted as Ordinance 4426-15.

BILL 4536  
CERTIFICATES OF PARTICIPATION

Mayor Robinson called for the second reading of Bill 4536 to authorize a lease purchase transaction to pay the costs of refunding the outstanding Certificates of Participation.

Mr. O’Keefe stated the Council has been provided with Bill 4536.1 which contains revisions to reflect the staff recommendation relative to completion of the transaction.

Mrs. Hendon moved, seconded by Mr. Taylor, to amend Bill 4536 by the text of Bill 4536.1. The motion passed unanimously.

There were no objections and Bill 4536, as amended, was read by title only:

**AN ORDINANCE AUTHORIZING THE CITY OF HAZELWOOD, MISSOURI, TO ENTER INTO A LEASE PURCHASE TRANSACTION, THE PROCEEDS OF WHICH WILL BE USED TO PAY THE COSTS OF REFUNDING THE OUTSTANDING CERTIFICATES OF PARTICIPATION (CITY OF HAZELWOOD, MISSOURI, LESSEE), SERIES 2008; AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.**

Mrs. Hendon moved, seconded by Mr. Taylor, the adoption of Bill 4536, as amended, as an ordinance. The following vote was recorded on the motion:

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

Bill 4536, as amended, was unanimously adopted as Ordinance 4427-15.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

**COUNCIL MEETING** Mayor Robinson announced the next regular Council meeting will be held Wednesday, September 2, at 7:30 p.m. in the Council Chambers.

**ADJOURNMENT** There being no further business to come before the Council, the meeting was adjourned at 8:50 p.m.

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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