

**CITY OF HAZELWOOD  
REGULAR COUNCIL MEETING  
SEPTEMBER 2, 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, September 2, 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:

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

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. Singleton moved, seconded by Mr. Taylor, the adoption of the agenda as printed. The motion passed unanimously.

**CONSENT AGENDA**

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

AYE - 8

NAY - 0

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

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to discuss a matter of proprietary interest in accordance with the provisions of RSMo 610.021(15), was adopted.

**APPROVAL OF MINUTES**

Mr. Taylor moved, seconded by Mrs. Hendon, to approve the minutes of the August 19 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.

Aroma Indian Grill, 7451 North Lindbergh Boulevard, just opened. The restaurant offers an all-you-can-eat lunch buffet, fine dining, bar, and catering service.

Local chamber members gathered to welcome Greg Dickerson, owner of World Martial Arts Academy at 8002 North Lindbergh Boulevard, to the business community. The business provides a safe, tolerant, positive, and structured environment for students learning Taekwondo.

Last week, Stewart-Haas Racing announced that Nature's Bakery is the new primary sponsor for Danica Patrick and her #10 Chevrolet. The bakery has a manufacturing plant at 8860 Pershall Road, the former Pillsbury facility.

The reconstruction of Fee Fee Road, from McDonnell Boulevard to Anglum Road, begins this week and should be complete in four months. New features will include center turn lanes, a sidewalk on the east side, and pedestrian signals at the McDonnell Boulevard and Fee Fee Road intersection.

Upcoming events include Harvestfest on September 12, the Police Explorer Post 9217 Trivia Night on September 19, the Drug Take-Back event on September 26, and Celebrate Safe Communities on September 29. Information on City events and programs is available on the City's website at [www.hazelwoodmo.org](http://www.hazelwoodmo.org).

**BOARD/COMMISSION OATHS OF OFFICE**

Mrs. Wolf administered the oath of office to Sessie Spencer and Doug Bogaski who were reappointed to the Civil Service Board.

Mr. Spencer and Mr. Bogaski were presented with commission certificates.

**EMPLOYEE INTRODUCTION**

Mrs. Wolf introduced newly hired City Clerk's Secretary Jamily Maloney.

CITIZENS' SERVICE CITATION      Darryl and Nikia Bennett were not present to receive the Citizens' Service Citation.

**PROCLAMATIONS AND RESOLUTIONS - None**

**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.

CITY MANAGER'S STATUS REPORT      Mr. Zimmerman reported on concerns expressed by Marvin Davis of 677 Coachway Lane, during the August 19 Council meeting, regarding municipal court operations.

Mr. Zimmerman stated he had a lengthy conversation with Mr. Davis and discussed the changes the City is making to comply with Senate Bill 5.

**PUBLIC HEARINGS**

SLUP PETITION      Mayor Robinson called to order the public hearing to  
5735 FEE FEE ROAD      consider the petition by Complete Lawn Care, Inc., for a  
Special Land Use Permit for outdoor storage at 5735 Fee  
Fee Road.

City Planner Earl Bradfield gave a staff report on the proposal. Zoning to the north and east is I-2 Heavy Industrial District and to the south and west is I-1 Light Industrial District. The site is currently vacant and was previously occupied by a vehicle service station. The proposed use is a landscape business with the zoning classification of contractor services/office with outdoor storage. Outdoor storage will be limited to material bins. The petitioner proposes to construct a six foot chain link fence with six strands of barbed wire surrounding the site. The fence would require two variances from the Board of Adjustment: a six foot variance of the 30 foot front yard setback requirement adjacent to Fee Fee Road and a 20 foot variance of the 30 foot front yard setback requirement adjacent to Anglum Road. The City Plan Commission considered not allowing barbed wire and requiring slats or fabric on the fence to block the view of equipment and outdoor storage. However, they concurred this was not necessary. Parking required for the use is 8 spaces and 12 are proposed. The proposed use is consistent with the Comprehensive Plan.

Mark Becker, the business owner, explained the proposal to utilize the former gas station building for his landscaping business which also does snow removal. He stated the business is currently operating in Bridgeton. The move to Hazelwood would increase warehouse and parking area and place the business closer to its clientele. Outdoor storage requirements include material bins for mulch, salt, and rocks. The bins

would be constructed from large concrete blocks. The site would provide space for parking company vehicles, trailers, equipment, one roll-off truck body with roll-off storage containers and dumpsters, and a fuel station. The fuel would be in above-ground tanks. Fencing would be chain link with barbed wire similar to nearby properties including the water tower and post office properties. The plan includes two drive-through gates, one from Fee Fee Road and one from Anglum Road, as well as one walk-through gate. Variances for the fence would be necessary in order to allow utilization of the entire parking lot.

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 outdoor storage in an I-1 Light Industrial zoning district located at 5735 Fee Fee Road.” She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for outdoor storage at 5735 Fee Fee Road and to place the draft bill on this agenda for introduction.

In response to Mr. Todd’s inquiry, Mr. Bradfield stated a Board of Adjustment hearing on the variance requests will be held September 14. Therefore, second reading of the bill would be on the October 7 agenda.

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

SLUP PETITION 5950 HOWDERSHELL	Mayor Robinson called to order the public hearing to consider the petition by Bell Missouri, LLC, d/b/a Taco Bell, for a Special Land Use Permit for a fast food restaurant at 5950 Howdershell Road
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Mr. Bradfield gave a staff report on the proposal. Zoning surrounding the subject site is C-2 General Commercial District to the north, east, and south. The vacant site was formerly a QuikTrip location. Existing uses surrounding the site are the new QuikTrip and Knollwood Apartments. The size of the proposed building is 2,527 square feet. The proposed use requires 29 parking spaces and 30 are proposed. The restaurant would have a drive-through with stacking for seven cars. The engineer has coordinated with MoDOT who has jurisdiction over Brown Road and St. Louis County who has jurisdiction over Howdershell Road. The proposed use is consistent with the Comprehensive Plan.

Mike Thompson of Hamilton Designs, the project engineer, explained the proposal to use the existing Howdershell Road entrance and eastern entrance on Brown Road. The western entrance on Brown Road would be removed for safety purposes. The concrete pavement would be cut back 10 feet and removed, a new curb would be installed, and a 10 foot green space surrounding the site would be provided in compliance with the zoning Code. In addition, the concrete would be cut to add landscape islands inside the parking area. The existing building and surrounding concrete would be removed to provide for handicapped parking against the building. Proposed signage would be similar to QuikTrip's with one sign at Howdershell Road and one at Brown Road. The plan includes a drive-through bypass lane. The retaining wall is in poor condition and would be repaired. The concrete would be cut back 20 feet from the wall in order to provide more green space and decrease pressure on the wall. The newest Taco Bell restaurant prototype would be constructed and would have 50 seats. Hours of operation would be 7:00 a.m. to 2:00 a.m. or 3:00 a.m.

Mrs. Stroker asked if there are pedestrian walkways at the corner.

Mayor Robinson replied there's a walkway at Knollwood Apartments.

Mr. Thompson stated the existing asphalt sidewalk is in poor condition. All asphalt sidewalks would be removed and concrete sidewalks would be installed surrounding the site.

Mrs. Hendon asked when the restaurant would open.

Mr. Thompson stated the restaurant would open in a little over two months if all goes well.

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

Marvin Davis of 677 Coachway Lane asked if only the drive-through would be open until 2:00 a.m.

Mr. Thompson replied he's not certain, but it's been his experience that the lobby is not open past midnight.

Don Young of 1122 Riverwood Place Drive stated if the restaurant wishes to have 24 hour drive-through in the future, it should be included in the Special Land Use Permit.

Mr. Thompson stated that's not their intention at this time. However, he sees the benefit of including it in the permit and asked that it be included.

Mr. Zimmerman stated staff would investigate the matter and it would be addressed prior to second reading of the bill to grant the permit.

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 to allow for a restaurant, fast food, in a C-2 General Commercial zoning district located at 5950 Howdershell.” She stated the motion passed unanimously.

Mr. Aubuchon moved, seconded by Mr. Taylor, to concur with the City Plan Commission recommendation to grant the Special Land Use Permit for a fast food restaurant at 5950 Howdershell 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.b.

2015 PROPERTY TAX RATES & SEWER LATERAL REPAIR FEE Mayor Robinson called to order the hearing to consider establishment of the 2015 property tax rates and Sewer Lateral Service Line Repair Fee.

Finance Director Lori Helle stated 2015 total assessed valuation is \$534 million, which includes TIF, and is subject to change due to Board of Equalization adjustments. This is a reassessment year and, based on assessments, Hazelwood is ranked 12<sup>th</sup> among St. Louis County municipalities and 3<sup>rd</sup> in North County. The City’s 2015 total assessed valuation reflects a 2.4 percent decrease from 2014. She noted reassessments are done during unevenly numbered years. Since 2008, the City’s total assessed valuation has declined in reassessment years and increased in non-reassessment years.

Mr. Zimmerman interjected staff contacted the St. Louis County Assessor’s office to determine a reason for this pattern. They didn’t provide assistance.

Ms. Helle stated assessments are based on market sales in the area. This year there were decreases in residential and commercial and an increase in agricultural. Personal property increased as well. The total property tax revenue expected to be generated is \$4.6 million which includes revenue for payment of the debt service on the street bond issue. Approximately \$3.6 million is General Fund revenue. All tax rates are at the ceiling and will remain the same as 2014. In addition, the Sewer Lateral Line Repair Fee will remain \$5. Seventy-four St. Louis County area municipalities assess the fee. Five, including Hazelwood, charge less than \$28 and 17 charge \$50. Assuming a four percent decrease in assessed valuation for residential property, a Hazelwood homeowner with a \$120,000 house and two vehicles with a total market value of \$30,000 would pay \$7 less in real estate tax, \$1 more in personal property tax, and \$2 less for the street bond debt levy or a total of \$8 less than 2014 for the City’s portion of their tax bill. Of the total tax bill, the school districts receive 75% and the City receives 9.9%. Hazelwood’s total taxes are the lowest in our comparable city group when comparing taxes including sales, utility, personal property, and real estate.

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. Hendon moved, seconded by Mr. Taylor, to establish the 2015 property tax rates and Sewer Lateral Service Line Repair Fee 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 August 20 issue of Local Government Briefings was received from East-West Gateway Council of Governments.

**AMEREN MO TREE TRIMMING** Notice that Ameren Missouri will be performing tree trimming in the area was received.

**SLUP PETITION 11842 MO. BOTTOM** A petition for a Special Land Use Permit for outdoor storage at 11842 Missouri Bottom Road was received from Mo. Bottom Realty, LLC, d/b/a Hammer & Steel, Inc.

**REZONING PETITION PORTION OF HLC** A petition to change the zoning of a portion of Hazelwood Logistics Center from I-1 Light Industrial District to PDI Planned District, Industrial, was received from NP Hazelwood 140, LLC.

**SUBDIVISION PETITION** A petition for subdivision of a portion of Hazelwood Logistics Center was received from NP Hazelwood 140, LLC.

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

**UNFINISHED BUSINESS** - None

## **MAYOR AND COUNCIL REPORTS**

**COUNCIL/STAFF RETREAT AGENDA ITEMS** Mayor Robinson stated he is working with Mr. Zimmerman on goal setting ideas for discussion during the Council/staff retreat.

**BOARD APPOINTMENT** Mrs. Hendon nominated Tamara Willis, 6746 Christina Marie Court, for appointment to the Parks and Recreation Board.

Mr. Taylor moved, seconded by Mr. Todd, to appoint Tamara Willis to the Parks and Recreation Board. The motion passed unanimously.

Mrs. Wolf will invite Ms. Willis to the September 16 Council meeting to receive her oath of office and commission certificate.

**CITY MANAGER'S REPORT** - None

**CITY ATTORNEY'S REPORT** - None

**CITY CLERK'S REPORT** - None

**COMMISSION AND BOARD REPORTS** Mr. Taylor moved, seconded by Mrs. Hendon, to receive and file the minutes of the July 9 City Plan Commission meeting and the August 17 Tax Increment Financing Commission meeting. The motion passed unanimously.

**NEW BUSINESS** - None

**INTRODUCTION AND FIRST READING OF BILLS**

SLUP Mayor Robinson called for the first reading of a bill to grant a  
5735 FEE FEE RD. Special Land Use Permit for outdoor storage at 5735 Fee Fee Road.

There were no objections and Bill 4538 was read by title only:

**AN ORDINANCE GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO COMPLETE LAWN CARE, INC., FOR OUTDOOR STORAGE AT 5735 FEE FEE ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Bill 4538 will be on the agenda for second reading on October 7.

SLUP Mayor Robinson called for the first reading of a bill to grant a  
5950 HOWDERSHELL Special Land Use Permit for a fast food restaurant at 5950 Howdershell Road.

There were no objections and Bill 4539 was read by title only:

**AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO BELL MISSOURI, LLC, D/B/A TACO BELL, FOR A FAST FOOD RESTAURANT AT 5950 HOWDERSHELL ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.**

Bill 4539 will be on the agenda for second reading on September 16.

2015 PROPERTY TAX Mayor Robinson called for the first reading of a bill to

RATES & SEWER establish the 2015 property tax rates and Sewer Lateral  
LATERAL REPAIR FEE Service Lines Repair Fee.

There were no objections and Bill 4540 was read by title only:

**AN ORDINANCE ESTABLISHING THE ANNUAL RATE OF AD VALOREM TAXES LEVIED FOR THE YEAR 2015 FOR GENERAL AND OTHER MUNICIPAL PURPOSES ON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF HAZELWOOD, MISSOURI, AND THE ANNUAL FEE FOR THE CITY'S SEWER LATERAL SERVICE LINES REPAIR PROGRAM.**

Bill 4540 will be on the agenda for second reading on September 16.

**SECOND READING OF BILLS AND ACTION ON BILLS - None**

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

COUNCIL MEETINGS Mayor Robinson announced a Council/staff retreat will be held September 9, at 5:00 p.m., at Cannoli's restaurant in Florissant and the next regular Council meeting will be held Wednesday, September 16, 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 8:16 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