

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
DECEMBER 16, 2015**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Pro Tempore Robert Aubuchon at 7:30 p.m. on Wednesday, December 16, 2015, in the Council Chambers of Hazelwood City Hall, 415 Elm Grove Lane.

Mayor Pro Tempore Aubuchon 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:

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

Mrs. Wolf declared a quorum was present. Also present were City Manager Matt Zimmerman, City Attorney Kevin O'Keefe, and City Clerk Colleen Wolf.

*Mayor Robinson arrived at 7:45 p.m.

AGENDA

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

CONSENT AGENDA

Mr. Aubuchon moved, seconded by Mrs. Hendon, to amend the consent agenda by the addition of a closed session to discuss litigation and to adopt the consent agenda as amended. The following vote was recorded on the motion:

AYE - 8

NAY - 0

Mr. Todd
Mr. Taylor
Mrs. Hendon
Mrs. Singleton
Mrs. Stroker

Mr. Aubuchon
Mr. Ryan
Mr. Parkin

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to discuss litigation in accordance with the provisions of RSMo 610.021(1), was adopted.

APPROVAL OF MINUTES

Mr. Aubuchon moved, seconded by Mrs. Hendon, to approve the minutes of the November 30 special Council meeting and the December 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.

Last week, a new six foot ornamental fence was installed across both sides of the McDonnell Boulevard Bridge over I-270. This represents the final phase of the enhancement project which is expected to be completed by the end of January.

An electronic version of the Winter/Spring Activity Guide is now available on the City's website. Hard copies of both the guide and the City Newsletter will soon be mailed to residents along with an important flyer.

The deadline to renew resident cards is December 31. Current cards are required for citizens over age six to access the recreation centers, obtain picnic permits, receive resident rates for classes and room rentals, fish at Truman Park pond, and gain admittance to the aquatic center. Renewal is free with proof of residency.

Republic Services is offering a Holiday Tree Pick-Up Program during the first two weeks of January. Real trees placed at the curb by 7:00 a.m. on yard waste day will be picked up. Trees over six feet tall must be cut. The trunk of the tree should face the street and all tinsel and decorations should be removed.

Upcoming events include Hazelwood Night, when the St. Louis Blues play the Carolina Hurricanes, on January 14 and the annual tribute to Doctor Martin Luther King, Jr., on January 17. Additional information on City programs and upcoming events is available on the City's website at www.hazelwoodmo.org.

PROCLAMATIONS AND RESOLUTIONS

LETTER AGREEMENT RESOLUTION

Mr. Zimmerman reported staff recommends adoption of a resolution relative to a letter agreement concerning the TIF notes for the Lambert Redevelopment Area.

Mr. Zimmerman stated, on October 28, the Council adopted Ordinance 4442-15 approving the letter agreement. The purpose of the agreement is to document the consents of various entities to the removal of property from the redevelopment area to decrease the area from the entire Hazelwood Logistics Center site to Lot 4 only. During closing, it was determined that the actual owner of the TIF notes is HN – NP Joint Venture of which NP Hazelwood 140, LLC is a member. Adoption of the resolution has been recommended to clearly identify the owner of the notes.

Mayor Pro Tempore Aubuchon called for the reading the resolution.

There were no objections and Resolution 1516 was read by title only:

A RESOLUTION ACKNOWLEDGING THE APPROPRIATE PARTIES TO THE LETTER AGREEMENT APPROVED BY ORDINANCE NO. 4442-15.

Mrs. Hendon moved, seconded by Mr. Ryan, the adoption of Resolution 1516. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Parkin	
Mayor Robinson	
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	

Resolution 1516 was unanimously adopted.

CITIZEN HEARINGS AND PRESENTATION OF PETITIONS

Mayor Pro Tempore Aubuchon explained the procedures to be followed during a hearing. He invited anyone desiring to make a comment to come forward at this time.

CHARTER REVISIONS Donald Young of 1122 Riverwood Place Drive, member of the City Plan Commission and chairman of the Charter Review Committee, stated he would like to see the proposed Charter revisions placed on our website and in the newspaper in their entirety.

CATERER'S LICENSE A request for a temporary Caterer's License to sell liquor at 5555 ST. LOUIS MILLS Epic Music Café at 5555 St. Louis Mills Boulevard,

on December 31, from 7:00 p.m. to midnight, had been received from Denyse Hill of Vera B's Southern Kitchen, 5555 St. Louis Mills Boulevard.

Ms. Hill, owner of Vera B's, stated she would also like a temporary Caterer's License for events Epic has booked on December 17, 18, 25, and 31 and February 7. She stated she was unaware of these additional events at the time the initial request was made. She noted she's not certain whether or not she'll be able to obtain state approval in time for the December 17 and 18 events.

Darryl Jones, owner of Epic Music Café, stated it is a new business located next to Ice Zone at St. Louis Outlet Mall. Mr. Jones stated it's similar to Hard Rock Café with six bowling lanes, a restaurant, and a live music section. Events would be from various demographics, similar to Blueberry Hill or The Pageant. He stated they would begin the liquor license application process within the next week or so.

Mr. O'Keefe expressed concern that this is a backdoor means of having a licensed establishment without actually obtaining a liquor license.

Mr. Jones responded the decision to pursue a liquor license was made when they started receiving numerous rental requests.

Mr. O'Keefe questioned whether or not the Council will allow the arrangement to continue in the event this request is granted.

Mr. Jones replied Epic would file an application.

Mr. Zimmerman noted there are concerns about security and crowd control. He suggested a license could be issued for the December events with licensing for the December 25 and 31 events subject to the success of the December 17 and 18 events and an affirmative recommendation by the Police Chief. He stated it may be awhile before Mr. Jones completes the application process and a license for subsequent events could be considered at a later date.

Mrs. Hendon commented the request is for a license for tomorrow and the following day. She asked if it's possible to complete the licensing process so quickly.

Ms. Hill responded she will drive to Jefferson City tomorrow to attempt to complete the licensing process if the City license is approved this evening.

Mr. O'Keefe stated the proposal is to authorize the issuance of a Caterer's License for December 17 and 18 and, subject to the good order and lawful conduct of activities on these dates, tentatively authorize a Caterer's License for December 25 and 31 provided that in each instance the prior event has been conducted in full compliance with state and county laws and City ordinances.

Mr. Todd expressed concern with withholding approval for the December 25 and December 31 events.

Ms. Hill noted separate state applications are required for each date. She intends to drive to Jefferson City tomorrow to make application for all four December events and doesn't want to have to go back to apply for the December 25 and 31 events at a later date.

Mr. O'Keefe clarified all four dates would be authorized, but the latter two could be withdrawn if there were problems on the prior dates.

Mr. Aubuchon asked if the events would be for people over age 21 who would be carded.

Mr. Jones replied affirmatively. He stated the event on December 17 is a live art show with a \$10 admission fee. December 18 is Cosplay, an event where adults dress like video game or movie characters.

Mr. Ryan asked if there have been any problems with Vera B's liquor license.

Police Chief Gregg Hall responded there have been no issues. He added he has visited the venue and he and Mr. Jones have had several conversations over the past few months. Mr. Jones has a great business plan, good vision, and good intentions. However, it's early in the process and there are concerns. There have been conversations with mall management and security and there is a willingness to address issues if and when they arise.

Mrs. Singleton emphasized the importance of assisting and supporting City businesses.

Chief Hall stated Epic had an event three weeks ago that caused considerable concern. Subsequently, there were multiple dialogues with all associated parties. Chief Hall stated he believes success can be achieved with Mr. Jones' commitment to the safety and security of everyone at the mall.

Mr. Jones explained the event three weeks ago was a partnership with the stars from the Nellyville show which includes Nelly, a local celebrity, and his children. To draw a crowd quickly, tickets were 50% off the first hour. The overly aggressive strategy immediately drew a capacity crowd and resulted in the problems that occurred. Mr. Jones stated, after discussions with Chief Hall, he now has a crowd control plan.

Mrs. Hendon moved, seconded by Mrs. Singleton, to grant Caterer's Licenses to Denyse Hill of Vera B's Southern Kitchen for use at Epic Music Café at 5555 St. Louis Mills Boulevard on December 17, 18, 25, and 31, with each license subject to prior events being conducted in full compliance with City ordinances and state and county law and in a safe manner. The motion passed unanimously.

Mr. O’Keefe advised Ms. Hill, in addition to a state license, she will also need to obtain a St. Louis County license.

PUBLIC HEARINGS - None

COMMUNICATIONS

PIPELINE SAFETY Notification of pipeline safety procedures was received from Laclede Gas Company.

EWGCG LOCAL BRIEFINGS The December 3 issue of Local Government Briefings was received from East-West Gateway Council of Governments.

EWGCG LOCAL BRIEFINGS The December 10 issue of Local Government Briefings was received from East-West Gateway Council of Governments.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to receive and file all communications. The motion passed unanimously.

UNFINISHED BUSINESS

CHARTER REVISIONS The Council discussed options for placing the proposed Charter revisions on the April 5 ballot.

Mayor Robinson stated there are two options. Option one is to present all revisions in one proposition and option two is to divide them to provide clarity. The Charter Review Committee discussed placing only priority revisions on the ballot, but felt all revisions were equally important.

Mr. Aubuchon suggested the propositions be kept to a minimum, such as two or three. He stated housekeeping could be one proposition, the method of Council compensation could be a proposition, and all other revisions could be a proposition.

Mrs. Singleton agreed and stated the ballot wording should be clear.

Mr. O’Keefe cautioned no one change is more critical or important than the others. When some are chosen over others, there’s a risk it will appear as though there’s a lack of transparency. Highlighting two or three can suggest the others are of less controversy, merit or significance, or at risk of public disagreement. Mr. O’Keefe asked which revisions are more important and deserving of a separate question than the others and which revisions could be bundled to achieve the desired number of questions.

Mrs. Hendon commented, with option one, a voter will vote no if they don’t agree with just one of the revisions. She suggested separating the revisions as in option two.

Mayor Robinson stated he believes Council compensation should be a separate issue and there should be at least two propositions. He stated there are 12 administrative revisions on pages 1 and 2 of the Charter memo. There are also several housekeeping changes throughout the Charter.

Mrs. Singleton suggested picking the three most important revisions, placing them on the ballot individually, and grouping the administrative and housekeeping changes by theme in a descriptive manner. She stated her intent is to make it simple, yet clear for the voters.

Mr. O'Keefe stated some revisions lend themselves to be grouped. He suggested separate ordinances so that it's clear, not just conceptually from the ballot language, but technically from the ordinance which changes pass or fail. He stated one grouping could be to modernize the language, adopt gender neutral phrasing, and conform to state law changes that have occurred since the Charter was last revised. The ordinance would discuss each item specifically. The process of Council compensation, to be established by a citizens' committee, could be a separate proposition. Simplifying the administrative structure and civil service protection for employees could be another grouping. He noted the revision extending the regulatory tax authority to apply to data service providers would need to be separate for Hancock purposes. The need for the propositions to be minimal and the language to be comprehensive, accurate, and simple was emphasized.

Simplifying the propositions by placing some Charter revisions on a subsequent ballot was discussed.

Mrs. Singleton asked if the complete written version of the proposed Charter amendments could be made available at the polls.

Mr. O'Keefe replied we can work with the Board of Election.

After additional discussion, Mr. O'Keefe stated all the revisions proposed by the committee will be addressed in the legislation to be drafted for consideration during the January 6 Council meeting. There may be three or four separate questions for the April 5 election which will collectively reflect all the revisions.

MAYOR AND COUNCIL REPORTS

WORK SESSION AGENDA ITEMS	No items were added to the March 9 Council work session agenda.
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COMMISSION APPOINTMENT	Mayor Robinson nominated Heather Jones of 135 Beaujolais Drive for appointment to the Community Enrichment Commission.
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Mr. Todd moved, seconded by Mr. Ryan, to appoint Heather Jones to the Community Enrichment Commission. The motion passed unanimously.

Mrs. Wolf will invite Ms. Jones to the January 6 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. Aubuchon moved, seconded by Mrs. Hendon, to receive and file the minutes of the November 9 Board of Adjustment meeting, the November 10 Community Enrichment Commission meeting, and the November 16 Historic Preservation Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS - None

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4558 The second reading of Bill 4558, to grant a Special Land Use
SLUP BEN HUR Permit for outdoor storage at 11950 Missouri Bottom Road, has been postponed.

BILL 4560 The second reading of Bill 4560, to authorize a contract with
CONTRACT Local #2665 of the International Association of Firefighters,
FIREFIGHTERS has been postponed.

BILL 4564 Mayor Robinson called for the second reading of Bill 4564 to
CONTRACT to authorize a contract for the 2016 fireworks display.

There were no objections and Bill 4564 was read by title only:

AN ORDINANCE AUTHORIZING A CONTRACT WITH J & M DISPLAYS, INC., FOR THE 2016 PYRO-MUSICAL FIREWORKS DISPLAY AT A COST NOT TO EXCEED \$24,000.

Mrs. Hendon moved, seconded by Mr. Aubuchon, the adoption of Bill 4564 as an ordinance. The following vote was recorded on the motion:

AYE - 9

Mrs. Stroker

Mr. Aubuchon

NAY - 0

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

Bill 4564 was unanimously adopted as Ordinance 4452-15.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

HOLIDAYS Mayor Robinson announced City Hall will close at noon on Christmas Eve, December 24.

City Hall will also be closed on Christmas day, December 25, and New Year's Day, January 1.

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, January 6, 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 9:00 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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