

**CITY OF HAZELWOOD  
REGULAR COUNCIL MEETING  
JANUARY 20, 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, January 20, 2016, 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:

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

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 Mrs. Singleton, the adoption of the agenda as printed. The motion passed unanimously.

**CONSENT AGENDA**

Mayor Robinson stated Mr. Zimmerman has requested the addition of a closed session to consult with the City Attorney and discuss a matter of proprietary interest.

Mrs. Hendon moved, seconded by Mr. Ryan, to amend the consent agenda by the addition of a closed session to consult with the City Attorney and discuss a matter of proprietary interest and to adopt the consent agenda as amended. The following vote was recorded on the motion:

AYE - 9  
Mr. Taylor  
Mrs. Hendon

NAY - 0

Mrs. Singleton  
Mayor Robinson  
Mrs. Stroker  
Mr. Aubuchon  
Mr. Ryan  
Mr. Parkin  
Mr. Todd

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) and to discuss a matter of proprietary interest in accordance with the provisions of RSMo 610.021(15), was adopted.

**APPROVAL OF MINUTES**

Mrs. Hendon moved, seconded by Mr. Ryan, to approve the minutes of the January 6 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.

Three of the four walls are up for the first spec building under construction in Hazelwood Logistics Center. The 200,000 square foot building is scheduled to be completed in March 2016.

Hazelwood based Mallinckrodt Pharmaceuticals awarded a \$100,000 grant to North County Incorporated to help fund the Community Health Access Program for two North County hospitals. Through this program, the hospitals coordinate efforts of their EMS resources and emergency departments to help assure low-income, non-emergent patients receive the right care, from the right source, at the right time. The company is committed to increasing access to healthcare and wellness and strengthening the communities where its employees live and work.

Epic Music Café hosted C.I.A Records' 20 year celebration, a \$100,000 laser and sound show, at St. Louis Outlet Mall on January 16. It featured Total Science from the U.K. which was the first international act to perform at Epic. On Saturday, Epic hosted a fashion show for kids with over 500 tickets sold.

The Tribute to Dr. Martin Luther King, Jr., held on January 17 was well attended. It featured KMOV-TV Anchor Andre Hepkins among the guest speakers, music performances, and a candle lighting ceremony.

Become a healthier you in 2016 by signing up for Hazelwood's Biggest Loser program. The 12 week weight loss challenge includes unlimited use of the fitness areas at both

recreation centers and a 20% discount off any fitness program. A male and female winner will each be awarded an individual premier pass and a White Birch Bay individual season pass.

Upcoming events include the 27<sup>th</sup> anniversary Ice Bowl Disc Golf Tournament on January 30 at White Birch Park. Additional information on City programs and upcoming events is available on the City's website at [www.hazelwoodmo.org](http://www.hazelwoodmo.org).

**STARS PROGRAM PRESENTATION** Firefighter/Paramedic Amanda Boyer gave a presentation on a new emergency medical program being implemented by the Fire Department, the Special Needs Tracking and Awareness Response System (STARS) program.

The program is sponsored by SSM Cardinal Glennon for special needs pediatric patients in the community, ages birth to 21 years. By appointment, a paramedic will visit the home of the child to become familiar with their circumstances so that the best care can be provided in the event of an emergency. It provides a way of working with the patient's family and doctors to assure plans and protocol are in place in order to better serve them in an emergency. Each family will receive a bracelet for the child and two key chains with a STAR number. When they call 911 and provide the number, the patient's information will be accessed from binders kept on the trucks. Local schools, Parents as Teachers, and First Steps will be contacted to make them aware of the program. Information on the program will also be posted on the City's website.

In response to Mrs. Singleton's inquiry, Ms. Boyer stated the program will serve residents within the Hazelwood Fire Department's boundaries. The Florissant Valley Fire Protection District is in the planning stages and she's unaware whether or not Robertson Fire Protection District has taken steps towards implementation.

**POLICE DEPARTMENT PROMOTIONS** Police Chief Gregg Hall introduced newly promoted Sergeant James Taschner and Sergeant Nick Lawrence.

**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.

**EPIC MUSIC CAFÉ** Morgan Butler, general manager of Epic Music Café, discussed the success of recent bookings and thanked the Council and staff for their assistance.

Mrs. Butler stated the bowling alley and restaurant would be opening soon. They will soon be hiring and resumes are being accepted. Mrs. Butler invited the Mayor and Council to attend an adult-only event on February 26 from 6:30 p.m. to 8:30 p.m.

Proceeds from the event will provide scholarships for Hazelwood School District students. No alcoholic beverages will be served.

CANDIDATE FOR HOUSE REP., DIST. 70 Byron DeLear introduced himself as a candidate for State Representative, District 70, which is the seat Bill Otto is vacating.

TRASH SERVICES Al Heinermann of Progressive Waste Solutions stated he hopes the City will be going out for bids for trash services because he believes his company can offer competitive pricing.

PROPOSED CHARTER AMENDMENT & TRASH SERVICES Daniel Ramirez, 7358 Caione Court, stated during the last Council meeting he suggested the proposal to amend the City Charter be publicized.

Mr. Ramirez stated he contacted local news networks, but they weren't interested in making an announcement. In addition, with respect to consideration of a new trash services contract, he stated the two City leaf and limb pickups and Allied Services' eight bag limit aren't sufficient to meet his yard waste needs.

CITY MANAGER'S STATUS REPORT ON CITIZEN'S CONCERNS Mr. Zimmerman reported on concerns expressed by Mr. Ramirez during the January 6 Council meeting relative to a collapsed sidewalk along Lindbergh Boulevard, north of Starbucks.

The next day, staff barricaded the sidewalk which is collapsing over a storm inlet that drains the private parking lot. Staff has been working to determine ownership of the inlet and sidewalk and was able to verify today that the inlet is on private property. A courtesy notice was sent to the owner of Elm Grove Plaza. In addition, staff attempted to reach them by phone. Staff will continue to monitor the sidewalk and keep it barricaded and will notify the Council of the plan for repair when it becomes available.

With respect to concerns expressed by Mr. Davis in November relative to maintenance of the landscaping along Lindbergh Boulevard, staff was able to determine the landscaping is on private property. However, there are no maintenance agreements. Therefore, the City will maintain it until this issue can be resolved.

REQUEST FOR CATERER'S LICENSE A request for a Caterer's License for events at Epic Music Café, at 5555 St. Louis Mills Boulevard, on January 23, February 5, and February 7 was received from Denyse Hill of Vera B's Southern Kitchen.

Ms. Hill was not present.

Mr. O’Keefe stated the presence of the applicant is traditionally required so that they may answer any questions the Council may have. This is especially important in a situation some might view as an artificial construct to circumvent an establishment’s licensing requirements with repeated requests for catering licenses to operate a venue serving alcohol in lieu of getting a license. He stated the Council has no obligation to consider the request without the applicant’s ability to answer questions.

After discussion, Mrs. Hendon suggested a license for January 23 could be approved and licenses for February 5 and February 7 could be considered at the February 3 Council meeting if these licenses are still desired.

Mrs. Hendon moved, seconded by Mr. Todd, to grant a Caterer’s License to Denyse Hill of Vera B’s Southern Kitchen for use at Epic Music Café at 5555 St. Louis Mills Boulevard on January 23. The motion passed unanimously.

**PUBLIC HEARINGS - None**

**COMMUNICATIONS**

NCI MEMBERSHIP BENEFITS                      A letter delineating the benefits of membership was received from North County Incorporated.

METRO MAYORS OF ST. LOUIS                      A correspondence describing the organization’s 2015 accomplishments and inviting the City to renew its membership was received from Metro Mayors of St. Louis.

EWGCG LOCAL BRIEFINGS                      The January 7 issue of Local Government Briefings was received from East-West Gateway Council of Governments.

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

**UNFINISHED BUSINESS**

ACQUISITION OF RESIDENTIAL LOTS IN BURKE CITY AREA                      During the January 6 Council meeting, a proposal to acquire vacant, non-compliant, residential properties and convey them to Habitat for Humanity for construction of new homes was discussed and referred by the Council to the City Plan Commission for a recommendation.

Mr. Zimmerman stated the program currently focuses on the Burke City area, but could ultimately become citywide. The Council has been provided with a draft ordinance to authorize the acquisition of 10 Burke City area properties. In addition, the City currently owns two vacant lots that could be included in the program. We are awaiting a determination from the City Attorney as to whether or not the Birchwood Park property

can be used for construction of private homes. The City Plan Commission recommended approval of the proposal during their January 11 meeting.

Mrs. Singleton asked why one commission member voted against the proposal.

Mr. Zimmerman replied the member felt the program should be applied citywide and lots should be acquired in all wards, not just in Ward 6.

In response to Mrs. Hendon's inquiry, Mr. Zimmerman stated eight of the 10 properties have houses which would be demolished.

Mrs. Wolf read the City Plan Commission motion "to recommend approval to the City Council of the proposal to acquire 10 properties in Ward 6 and to donate these properties and the two City-owned properties in Ward 6 to Habitat for Humanity St. Louis for construction of new homes." She stated the motion passed by a vote of five to one.

Mr. Taylor moved, seconded by Mr. Ryan, to concur with the City Plan Commission recommendation to acquire the 10 properties in Ward 6 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.

## **MAYOR AND COUNCIL REPORTS**

WORK SESSION AGENDA ITEMS	No items were added to the March 9 Council work session agenda.
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## **CITY MANAGER'S REPORT**

REFUSE, RECYCLING, & YARD WASTE CONTRACT	Public Works Director David Stewart reported the current five year solid waste and recycling contract will expire August 31, 2016.
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Mayor Robinson commented Progressive Waste Solutions, Zykan Waste Services, and Allied Services have expressed an interest in the contract.

Mr. Stewart stated staff is seeking Council input on how to proceed. A new contract could be negotiated with our current contractor, Allied Services, or the City could go out for bids. Staff believes Allied has provided a high level of service. The advantage to going out for bids includes the potential for receiving a lower price. The disadvantage is the potential for receiving lower service levels with a new contractor. In addition, staff is seeking Council input on the length of the contract. The City has had both three and five year contracts in the past. Staff recommends a five year contract. If the service is put out for bids, staff would need to know if the Council wishes to continue with the current senior/disabled discount, which is 50% for those age 62 and older or 100% disabled, and whether or not application for the discount would be required annually. Currently,

the monthly rate for solid waste collection is \$16.34, the senior discount is \$8.17, and application is made only once. Staff believes there are property owners currently receiving the discount when the senior is no longer in the household. Staff also seeks direction on whether or not to include yard waste collection in the contract in lieu of the City provided service.

Mrs. Singleton asked the advantages and disadvantages of the three and five year contracts.

Mr. Zimmerman replied there would typically be a better price with the five year because it gives the contractor a longer period of time to depreciate the value of their trucks. Five years is the average lifespan of a truck.

The Council agreed to a five year contract.

The Council also agreed to continue the 50% senior/disabled discount. Requiring reapplication for the discount was discussed at length.

Mr. Zimmerman suggested asking the bidders for customer notification proposals and making the contractor responsible for notifying the customer when reapplication is required. He noted, when this issue was last discussed, it was apparent there was a disproportionate number of households receiving the discount which was attributed to the list not being kept up-to-date. The contractor may be interested in performing the notification and renewal process because they have a motivating factor in increased revenues.

With respect to yard waste collection, Mr. Zimmerman stated in 2014 Allied offered to eliminate the senior discount and offer yard waste collection instead so that the City could eliminate their leaf and limb pickup program.

Mr. Aubuchon noted the residents have strongly objected to elimination of the program in the past. He added it's unfair to charge all residents for a service that some don't use.

Mayor Robinson commented not many municipalities offer yard waste collection. The City's leaf and limb collection program sets us apart from other municipalities.

The Council agreed to continue with the existing yard waste collection services.

Mr. Aubuchon asked if the contractor could bill the property owner rather than the occupant. Sometimes renters stop paying and there's no way for the contractor to collect.

Mr. Todd asked if the City receives a list of properties that aren't registered for service.

Code Administrator Pat McSheehy replied, about a month ago, the City received a list from Allied of approximately 350 properties without trash collection service. Staff is

working to determine how best to address the issue and is in favor of billing the property owner which would require an ordinance.

Mr. O'Keefe stated the contractor would be highly motivated to get dual and severable liability for the service. However, there are state statutes which limit landlord liability for some services to tenants. The statutes apply to some utilities and may apply to this service. The matter could be researched.

With respect to those who don't pay for service, Mr. O'Keefe stated this isn't just a service provided to residents from whose property the trash is removed. He emphasized it's a public health program. Everyone in the City benefits from having a comprehensive and efficient waste removal system and it's not unfair to require everyone to pay for the system through taxes or direct billing.

Mr. Zimmerman stated staff has proposed a landlord registration program which is before the Code Enforcement Committee. The committee will be making a recommendation to the Council.

Mr. McSheehy added the program would require each property owner to pay an annual license fee for non-owner occupied property and would require passage of an ordinance to amend the Code. Making the property owner responsible for paying for trash collection service would also require passage of an ordinance to amend the Code, but could be done whether or not the landlord registration program is adopted.

Mr. Aubuchon, Mrs. Hendon, and Mr. Ryan expressed support for extending the contract with Allied. In the past, many complaints were received when contractors were changed. Allied provides good service and there are currently minimal complaints.

Mayor Robinson expressed support for going out for bids. Trash collection contracts are a hot topic. The contract affects every Hazelwood household and it's the City's responsibility to seek the lowest or best bid for the service.

After additional discussion, Mr. Aubuchon moved, seconded by Mr. Ryan, to authorize negotiations with Allied Services to extend the refuse, recycling, and yard waste collection contract.

Al Heinermann stated going out for bids doesn't imply an obligation to contract. There is nothing to risk by accepting bids. The Council retains the authority and ability to award the contract to the company they deem is the best and most qualified. There's no downside to accepting bids and seeing what companies can offer. Mr. Heinermann encouraged the Council to seek bids, review them, and award the contract to the company they believe is the best provider for the City.

Mayor Robinson then called for a roll call vote and the following vote was recorded on the motion:

AYE - 4

Mr. Taylor  
Mr. Aubuchon  
Mr. Ryan  
Mr. Parkin

NAY - 5

Mrs. Hendon  
Mrs. Singleton  
Mayor Robinson  
Mrs. Stroker  
Mr. Todd

The motion failed by a vote of four in favor and five opposed.

Mrs. Singleton moved, seconded by Mr. Todd, to direct staff to solicit bids for refuse, recycling, and yard waste collection services.

Mayor Robinson called for a roll call vote and the following vote was recorded on the motion:

AYE - 6

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

NAY - 3

Mr. Aubuchon  
Mr. Ryan  
Mr. Parkin

The motion passed by a vote of six in favor and three opposed.

**PURCHASE OF  
AMBULANCE COT**

Fire Chief Dave Radel reported staff recommends the purchase of a Power-Pro XT Ambulance Cot with a power load compatible option from Stryker Medical, the sole source provider, at a cost not to exceed \$19,608.48.

The ambulance cot or stretcher would allow EMS patients to be raised hydraulically for transfers from the scene to the ambulance for transport. The equipment has become almost a universal standard in the industry. This model is currently utilized, but is eight years old. In addition, with only one, it's necessary to move it from one ambulance to the other or to utilize a manual lift style stretcher on the reserve ambulance. The stretcher reduces the instances of lift related injuries. It will lift patients up to 700 pounds. The optional equipment will allow both stretchers to be compatible with a power load system which staff anticipates purchasing next fiscal year. Funds in the amount of \$20,000 have been allocated in the Capital Improvement Budget for the purchase.

Mr. Aubuchon moved, seconded by Mr. Parkin, to authorize the purchase of a Power-Pro XT Ambulance Cot, with a power load compatible option, from Stryker Medical at a cost not to exceed \$19,608.48. The motion passed unanimously.

**CITY ATTORNEY'S REPORT - None**

**CITY CLERK'S REPORT** - None

**COMMISSION AND BOARD REPORTS**

Mrs. Hendon moved, seconded by Mr. Ryan, to receive and file the minutes of the October 8 and December 10 Industrial Development Authority meetings and the December 14 Neighborhood Watch Commission meeting. The motion passed unanimously.

**NEW BUSINESS** - None

**INTRODUCTION AND FIRST READING OF BILLS**

PROPERTY ACQUISITION

Mayor Robinson called for the first reading of a bill to authorize the acquisition of 10 vacant, non-compliant, tax-delinquent, residential Burke City area properties from the St. Louis County Collector.

There were no objections and Bill 4570 was read by title only:

**AN ORDINANCE OF THE CITY OF HAZELWOOD, MISSOURI, AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTIES FROM THE ST. LOUIS COUNTY COLLECTOR AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS TO EFFECTUATE THE CONVEYANCE.**

Bill 4570 will be on the agenda for second reading on February 3.

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

BILL 4558  
SLUP BEN HUR

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

BILL 4560  
CONTRACT  
FIREFIGHTERS

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

BILL 4565  
SLUP EXTENSION

Mayor Robinson called for the second reading of Bill 4565 to extend the Special Land Use Permit deadline to commence operation of Eastern Autocare, Inc., at 6879 Howdershell Road.

There were no objections and Bill 4565 was read by title only:

**AN ORDINANCE AMENDING ORDINANCE 4387-15 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE OPERATION OF EASTERN AUTOCARE, INC., AT 6879 HOWDERSHELL ROAD, TO APRIL 30, 2016.**

Mrs. Hendon moved, seconded by Mr. Taylor, the adoption of Bill 4565 as an ordinance. The following vote was recorded on the motion:

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

Bill 4565 was unanimously adopted as Ordinance 4453-16.

BILL 4566  
PROPOSITION TO  
AMEND CHARTER  
RE: COMMITTEES &  
COUNCIL  
COMPENSATION

Mayor Robinson called for the second reading of a bill proposing amendments to the City Charter pertaining to appointments to committees and establishment of a citizen compensation committee to regulate compensation for elected officials and providing for submission of those amendments to the voters at the April 5, 2016 election.

There were no objections and Bill 4566 was read by title only:

**AN ORDINANCE PROPOSING AMENDMENTS TO ARTICLES II AND V OF THE HAZELWOOD CITY CHARTER PERTAINING TO APPOINTMENTS TO COMMITTEES AND ESTABLISHMENT OF A CITIZEN COMPENSATION COMMITTEE TO REGULATE COMPENSATION FOR ELECTED OFFICIALS AND PROVIDING FOR THE SUBMISSION OF THOSE AMENDMENTS TO THE VOTERS OF THE CITY OF HAZELWOOD AT THE APRIL 5, 2016, ELECTION.**

Mrs. Hendon moved, seconded by Mr. Aubuchon, the adoption of Bill 4566 as an ordinance. The following vote was recorded on the motion:

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

Bill 4566 was unanimously adopted as Ordinance 4454-16.

BILL 4567  
PROPOSITION TO  
AMEND CHARTER  
RE: COUNCIL POWERS

Mayor Robinson called for the second reading of a bill proposing amendments to the City Charter pertaining to the powers of the City Council and providing for submission of those amendments to the voters at the April 5, 2016 election.

There were no objections and Bill 4567 was read by title only:

**AN ORDINANCE PROPOSING AMENDMENTS TO ARTICLE II OF THE HAZELWOOD CITY CHARTER PERTAINING TO THE POWERS OF THE CITY COUNCIL AND PROVIDING FOR THE SUBMISSION OF THOSE AMENDMENTS TO THE VOTERS OF THE CITY OF HAZELWOOD AT THE APRIL 5, 2016, ELECTION.**

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4567 as an ordinance. The following vote was recorded on the motion:

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

Bill 4567 was unanimously adopted as Ordinance 4455-16.

BILL 4568  
PROPOSITION TO  
AMEND CHARTER  
RE: ADMIN. SERVICES  
& PERSONNEL

Mayor Robinson called for the second reading of a bill proposing amendments to the City Charter pertaining to administrative services and personnel and providing for submission of those amendments to the voters at the April 5, 2016 election.

Mr. O'Keefe noted the Council has been provided with draft Bill 4568.1 which was prepared in response to a request for an alternative to Bill 4568 and the existing Charter which mandate both a prohibition against political involvement on the part of City employees and protection for employees against political influence through a civil service system. Per Missouri law, third and fourth class cities and villages are not allowed to provide job protection of this character to their employees. Charter cities are able to adopt a civil service system which respects the two sides. Employees stay out of politics and in exchange they're insulated from political influence in the hiring, promoting, and retention decisions. The civil service system assures those decisions

are based on merit. Recently, the Missouri General Assembly decided no city could prohibit first responders from participating in political endeavors in the communities they serve. There's an existing provision in the City Charter which states no employee, first responder or otherwise, can be involved in City politics. In exchange, they're protected from political influence in hiring, retention, and promotion. These prohibitions against political involvement have been sustained because they insulate the public from thinking they have to agree with an employee's politics in order to receive service from the government and to avoid harassment and things associated with the spoils system. The state has decided no city including charter cities can extend the prohibition to first responders. Per the recommendation by the Charter Review Committee, this was addressed in Bill 4568 by inserting the statute as a footnote in the revised Charter that says the prohibition can't apply to first responders. A concern as to whether or not it's equitable and lawful to treat one group of employees different than another has been expressed. The prohibition is strictly local. If it remains in the City Charter it can't be applied to first responders, but can be applied to other employees. Therefore, if it's maintained, an employee may claim discrimination. Bill 4568.1 would retain the City's authority to prohibit political involvement by employees and to establish a merit system to protect employees from political influence, but not mandate it. Instead, it passes to the Council the authority to effectuate those policies by ordinance as circumstances may dictate. It provides the flexibility to adapt to changes in the regulatory environment of the state or the courts.

Mr. Todd asked if passage of Bill 4568.1 as an ordinance would allow all employees to participate in political activities of the City.

Mr. O'Keefe replied, if Bill 4568.1 is adopted and approved by the voters, the prohibition in the Charter remains. However, the Council would have authority by ordinance to eliminate or modify it without going through the expensive and complicated process of amending the Charter. He emphasized first responders would remain exempt from the prohibition by the state statute.

In response to Mrs. Hendon's inquiry, Mr. O'Keefe stated a first responder would use the statute as a defense if the City took disciplinary action against them. He stated he believes including the mandate in the Charter is a greater protection to employees than allowing it to be changed from time to time at the whim of the Council. It's not intended to diminish their protections from the civil service system, but to address the problem the state has created. Charters are intended to create and restrain the powers of local government.

Mayor Robinson reiterated this option would provide flexibility for future adjustments.

Don Young, chairman of the Charter Review Committee, stated the committee discussed this topic at length and decided there should be no changes. He added, per state statute, first responders aren't allowed to wear a uniform, insignia, or anything that would identify them as a City employee when they participate in local political activities.

Mayor Robinson stated this would allow the Council to address the issue in the event an employee who is not a first responder wants the same rights as first responders.

Mr. Todd moved, seconded by Mr. Ryan, to amend Bill 4568 by the text of Bill 4568.1. Mayor Robinson called for a roll call vote and the following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 1</u>
Mr. Taylor	Mrs. Singleton
Mrs. Hendon	
Mayor Robinson	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	
Mr. Parkin	
Mr. Todd	

The motion passed by a vote of eight in favor and one opposed.

There were no objections and Bill 4568, as amended, was read by title only:

**AN ORDINANCE PROPOSING AMENDMENTS TO ARTICLES V AND VII OF THE HAZELWOOD CITY CHARTER PERTAINING TO ADMINISTRATIVE SERVICES AND PERSONNEL AND PROVIDING FOR THE SUBMISSION OF THOSE AMENDMENTS TO THE VOTERS OF THE CITY OF HAZELWOOD AT THE APRIL 5, 2016, ELECTION.**

Mr. Ryan moved, seconded by Mr. Parkin, the adoption of Bill 4568, as amended, as an ordinance. The following vote was recorded on the motion:

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

Bill 4568, as amended, was unanimously adopted as Ordinance 4456-16.

BILL 4569  
PROPOSITION TO  
AMEND CHARTER

Mayor Robinson called for the second reading of a bill proposing amendments to the City Charter to reflect changes in state law, modernize election procedures,

RE: SIMPLIFY PROCEDURES, ETC. generally simplify procedures, and adopt gender-neutral language and providing for submission of those amendments to the voters at the April 5, 2016 election.

There were no objections and Bill 4569 was read by title only:

**AN ORDINANCE PROPOSING AMENDMENTS TO THE HAZELWOOD CITY CHARTER TO REFLECT CHANGES IN STATE LAW, MODERNIZE ELECTION PROCEDURES, GENERALLY SIMPLIFY PROCEDURES AND ADOPT GENDER-NEUTRAL LANGUAGE AND PROVIDING FOR THE SUBMISSION OF THOSE AMENDMENTS TO THE VOTERS OF THE CITY OF HAZELWOOD AT THE APRIL 5, 2016, ELECTION.**

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4569 as an ordinance. The following vote was recorded on the motion:

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

Bill 4569 was unanimously adopted as Ordinance 4457-16.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, February 3, 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 9:10 p.m.

ATTEST:

\_\_\_\_\_  
Matthew G. Robinson - Mayor  
City of Hazelwood, Missouri

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