

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
MAY 4, 2016**

CALL TO ORDER

A regular meeting of the Hazelwood City Council was called to order by Mayor Pro Tempore Rosalie Hendon at 7:30 p.m. on Wednesday, May 4, 2016, in the Council Chambers of Hazelwood City Hall, 415 Elm Grove Lane.

Mayor Pro Tempore Hendon 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
Robert Parkin II
Russell Todd
Warren H. Taylor
Rosalie Hendon
Mary G. Singleton

Mayor Matthew G. Robinson and Councilwoman Carol A. Stroker were not present. 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

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

AYE - 7

NAY - 0

Mr. Aubuchon
Mr. Ryan
Mr. Parkin
Mr. Todd
Mr. Taylor
Mrs. Hendon
Mrs. Singleton

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

APPROVAL OF MINUTES

Mr. Todd moved, seconded by Mr. Taylor, to approve the minutes of the April 13 Council work session and closed Council meeting and the April 20 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.

The St. Louis Business Journal reported Boeing's defense, space and security unit in Hazelwood posted first quarter revenue of \$8 billion which is up 19% from 2015. The increase is attributed to higher F-15 and C-17 deliveries.

Over 1,000 people attended the 25th annual Police Officers Memorial Prayer Breakfast last Friday. The City was well represented by Council members and staff. After the program, Master of Ceremonies Joe Buck met with Hazelwood police officers.

Motivational speaker Brryan Jackson stopped at Valley Industries last week to give a speech on the value of giving people encouragement. At 11 months of age, he was injected with HIV tainted blood by his father and was later diagnosed with AIDS. The speech was one of 23 planned for the day to qualify him to be added to The Guinness Book of World Records for the most public speeches given in a 24 hour period.

To incentivize residents to recycle, the Green Committee has launched the 2016 Recycling Pledge Card Campaign. By signing and returning a pledge card, residents are eligible to win prizes. Drawings will be held on Recycle Day on June 4 and during Harvestfest on September 11.

Upcoming events include a Middle School Mixer for children in grades 6 through 8 on May 20, opening day for the aquatic center on May 28, and Recycle Day on June 4. Additional information on City programs and upcoming events is available on the City's website at www.hazelwoodmo.org.

OATH OF OFFICE

Mrs. Stroker was not present to receive the oath of office and will receive it at the next Council meeting.

EMPLOYEE INTRODUCTIONS

Finance Director Lori Helle introduced newly hired Deputy Court Clerk Naomi Brown.

Fire Chief Dave Radel introduced newly hired Firefighter/Paramedics Jacob Hecht and David Ruhland.

PROCLAMATIONS AND RESOLUTIONS

**DAY OF PRAYER
PROCLAMATION** Mayor Pro Tempore Hendon called for the reading of a proclamation designating May 5 as A Day of Prayer.

There were no objections and Proclamation 1606 was read.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Proclamation 1606 designating May 5, 2016 as A Day of Prayer in the City of Hazelwood when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our city, state, and nation. The motion passed unanimously.

The proclamation was presented to Pastor Sergei Marchenko of Chatham Bible Church.

**POLICE WEEK
PROCLAMATION** Mayor Pro Tempore Hendon called for the reading of a proclamation designating the week of May 15 through May 21 as Police Week 2016.

There were no objections and Proclamation 1608 was read.

Mr. Taylor moved, seconded by Mrs. Singleton, the adoption of Proclamation 1608 designating the week of May 15 through May 21, 2016 as Police Week 2016 and publicly saluting our law enforcement officers for their countless hours of dedicated service. The motion passed unanimously.

The proclamation was presented to Police Chief Gregg Hall and several officers who were present.

**BUILDING SAFETY
MONTH
PROCLAMATION** Mayor Pro Tempore Hendon called for the reading of a proclamation designating May 2016 as Building Safety Month.

There were no objections and Proclamation 1607 was read.

Mr. Todd moved, seconded by Mr. Ryan, the adoption of Proclamation 1607 designating May 2016 as Building Safety Month. The motion passed unanimously.

The proclamation was presented to Code Administrator Pat McSheehy and Building Inspector Travis Hamm.

**EMS WEEK
PROCLAMATION** Mayor Pro Tempore Hendon called for the reading of a proclamation designating the week of May 15 through

May 21 as Emergency Medical Services Week.

There were no objections and Proclamation 1609 was read.

Mr. Aubuchon moved, seconded by Mr. Todd, the adoption of Proclamation 1609 designating the week of May 15 through May 21, 2016 as Emergency Medical Services Week in the City of Hazelwood, Missouri, and encouraging the community to observe this week with appropriate programs, ceremonies, and activities. The motion passed unanimously.

The proclamation was presented to Chief Radel.

CITIZEN HEARINGS AND PRESENTATION OF PETITIONS

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

REC. POLICIES & FEES AND EXTENDED CITY HALL HOURS Daniel Rameriz of 7358 Caione Court stated he supports the recommendations made by Parks and Recreation Superintendent Doug Littlefield during the April 20 Council meeting to change recreation policies and pool rental fees.

Mr. Ramirez asked if consideration has been given to restoring the extended City Hall hours.

Mr. Zimmerman stated the extended hours were eliminated in part due to the budget, but primarily because few residents utilized the service.

PACKAGE LIQUOR LICENSE 7398 N. LINDBERGH Due to a change in managing officer, an application for a Package Liquor License, with Sunday, had been received from Gregory Ulrich for Walgreens at 7398 North Lindbergh Boulevard.

The requisite record check was completed and Chief Hall has recommended approval of the application. In addition, Mrs. Wolf has recommended considering granting the license through June 30, 2017 because it's so close to the renewal period. Mr. Ulrich has requested that the unused portion of the current license fee be applied to the new license.

Mr. Ulrich stated he has been transferred to this store as the new managing officer.

Mr. Aubuchon moved, seconded by Mr. Taylor, to concur with the staff recommendation and grant the Package Liquor License, with Sunday, for the period through June 30, 2017, for Walgreens at 7398 North Lindbergh Boulevard and to apply the remainder of the current license fee toward the fee for the new license. The motion passed unanimously.

Mr. Zimmerman stated the committee has provided a recommendation for consideration by the full Council to amend Chapter 210: Animals and Fowl. The recommendation includes limiting the number of chickens to three; prohibiting roosters; and regulating the size, design, location, and maintenance of coops. In addition, staff recommends amendment of the Code to prohibit all animals except those that are specifically permitted.

Mrs. Hendon stated she broached the subject last August because of a problem with a resident who now has 25 chickens in a large coop under their deck. She stated she believes the need to amend the Code is great.

Mr. Aubuchon asked if those who currently have chickens would be grandfathered.

Mrs. Hendon replied they would not be grandfathered.

Mr. Aubuchon noted the resident with 25 chickens is in violation of existing regulations.

Mr. O'Keefe stated public health and safety regulations are not required to yield to the concept of grandfathering and can be enforced regardless of prior circumstance, particularly if the prior circumstance is not in conformity with existing regulations.

Mrs. Singleton expressed support of the recommendation stating the regulations are important for densely populated areas. She noted part of her ward is zoned agricultural where chickens are currently permitted. She asked if those areas would be affected.

Mr. Zimmerman responded there would be no limit on the number of chickens in Non-Urban Districts.

The Council suggested no revisions to the proposed regulations and a bill will be drafted for consideration at a future meeting.

MAYOR AND COUNCIL REPORTS

WORK SESSION AGENDA ITEMS	No items were added to the May 11 Council work session agenda.
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CITY FACILITY AT ELM GROVE TIF AREA	Mr. Zimmerman stated Council and staff have been aware since at least 2008, when Chiodini Associates performed a City Hall/Police Complex space study, that additional space is needed for City operations.
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However, no action has been taken due to lack of funding. Jack Davis, developer for the Elm Grove TIF site, was present at the February 17 Council meeting during the discussion of relocating the Public Works offices due to a space issue. Mr. Davis will make a presentation this evening on a proposal to construct a City Hall annex at the

Elm Grove TIF site using unencumbered TIF funding. With the funds to be collected in the next five years, the amount of funding available would be approximately \$1.8 million. The funding should provide for construction of about a 10,000 square foot building which is approximately the amount of additional space Chiodini Associates determined was needed. Staff is seeking direction on whether or not to pursue the proposal by preparing design and cost estimates and bringing the plans and contract back to the Council for consideration.

Mr. Davis stated the proposal to utilize TIF funds was researched and appears to be appropriate. He gave a PowerPoint presentation showing a site plan and building renderings. He stated the site would accommodate a 10,000 square foot building and 48 parking spaces. To move forward, a more specific plan outlining the project budget would be required to amend the redevelopment agreement. The building would be deeded to the City. Current TIF funds would be used for construction costs and the remainder of the costs would be funded by cash flow from the remaining five years of the TIF. The City's costs should be limited to special finishes and furnishings.

Mr. Todd asked if the parcel would be subdivided.

Mr. Davis replied it's already subdivided. However, there's a small section of MoDOT right-of-way that would need to be acquired. A request for the right-of-way has been submitted and MoDOT is interested in selling it. He noted, in the past, MoDOT has donated property when it's for public use.

The Council expressed support of the proposal.

CITY MANAGER'S REPORT

SOLID WASTE COLLECTION AT RENTAL PROPERTIES	Mr. Zimmerman stated staff made a recommendation to the Code Enforcement Committee to require property owners to be responsible for payment of the solid waste collection bill.
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Currently, a tenant may choose not to pay the bill and garbage builds up in and around the rental property. Often, tenants leave behind trash which is not picked up because they failed to pay the final bill. The requirement would help to ensure properties are maintained and provide the trash collection company with an agent name for billing. The committee has recommended approval of the proposed requirement. With concurrence of the full Council, it would be incorporated in the new solid waste collection contract which would take effect September 1 and an ordinance to amend the Code would be drafted.

There were no objections.

F.Y. 2017 BUDGET Mr. Zimmerman stated the Council has been provided with a revised draft budget which includes the changes from the April 13 budget work session.

The budget will be reviewed during the May 11 work session.

CITY ATTORNEY'S REPORT

LAWSUIT Mr. O'Keefe stated last fall the Council authorized the City to participate in a lawsuit filed in St. Louis County Circuit Court in response to St. Louis County's adoption of an ordinance which would authorize them to take over municipal police departments within the County at the discretion of the County Executive.

This afternoon, the St. Louis County Circuit Court judge ruled on a motion for summary judgement filed on behalf of all plaintiffs. The judge sustained the motion and declared the County's ordinance invalid, unwarranted, illegal, and unenforceable. Portions of the case are still active including a Hancock Amendment claim.

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mr. Todd moved, seconded by Mr. Taylor, to receive and file the minutes of the April 11 Neighborhood Watch 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 Permit to Ben Hur Construction, for outdoor storage at
11950 MO. BOTTOM RD. 11950 Missouri Bottom Road, has been postponed.

BILL 4592 Mayor Pro Tempore Hendon called for the second reading of
SLUP Bill 4592 to grant a Special Land Use Permit for a vehicle
7314 HAZELWOOD AVE. service and repair facility at 7314 Hazelwood Avenue.

There were no objections and Bill 4592 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO AUTOMOTIVE SAINT LOUIS LLC FOR A VEHICLE SERVICE AND

REPAIR FACILITY AT 7314 HAZELWOOD AVENUE AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Todd moved, seconded by Mr. Taylor, the adoption of Bill 4592 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Aubuchon	
Mr. Ryan	
Mr. Parkin	
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	

Bill 4592 was unanimously adopted as Ordinance 4481-16.

BILL 4593 AMEREN MISSOURI REPORTS	Mayor Pro Tempore Hendon called for the second reading of Bill 4593 to authorize Ameren Missouri to provide monthly successor connection reports.
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There were no objections and Bill 4593 was read by title only:

AN ORDINANCE OF THE CITY OF HAZELWOOD, MISSOURI, AUTHORIZING AMEREN MISSOURI TO PROVIDE MONTHLY SUCCESSOR CONNECTION REPORTS.

Mrs. Singleton moved, seconded by Mr. Parkin, the adoption of Bill 4593 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Aubuchon	
Mr. Ryan	
Mr. Parkin	
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	

Bill 4593 was unanimously adopted as Ordinance 4482-16.

BILL 4594 SETTLEMENT AGREEMENT	Mayor Pro Tempore Hendon called for the second reading of Bill 4594 to authorize a conveyance of property and approve a settlement agreement with SHP, LLC.
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Mr. O’Keefe stated the Council has been provided with Bill 4594.1 which includes technical amendments to the original bill.

Mr. Aubuchon moved, seconded by Mr. Ryan, to amend Bill 4594 by the text of Bill 4594.1. The motion passed unanimously.

There were no objections and Bill 4594, as amended, was read by title only:

AN ORDINANCE AUTHORIZING A CONVEYANCE OF PROPERTY AND APPROVING A SETTLEMENT AGREEMENT WITH SHP, LLC.

Mr. Taylor moved, seconded by Mr. Aubuchon, the adoption of Bill 4594, as amended, as an ordinance. The following vote was recorded on the motion:

<u>AYE - 7</u>	<u>NAY - 0</u>
Mr. Aubuchon	
Mr. Ryan	
Mr. Parkin	
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	

Bill 4594, as amended, was unanimously adopted as Ordinance 4483-16.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Pro Tempore Hendon announced a Council work session will be held Wednesday, May 11, at 6:00 p.m. in the Council Chambers and the next regular Council meeting will be held Wednesday, May 18, 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 8:25 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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