

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
MAY 18, 2016**

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, May 18, 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:

Robert M. Aubuchon
Don W. Ryan
Robert Parkin II
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, Mr. Taylor moved, seconded by Mrs. Hendon, the adoption of the agenda as printed. The motion passed unanimously.

CONSENT AGENDA

Mrs. Singleton moved, seconded by Mr. Todd, to amend the consent agenda by the addition of a closed session to discuss negotiations with employee groups and to adopt the consent agenda as amended. The following vote was recorded on the motion:

<u>AYE - 9</u>	<u>NAY - 0</u>
Mr. Aubuchon	
Mr. Ryan	
Mr. Parkin	
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 consult with the City Attorney in accordance with the provisions of RSMo 610.021(1), to discuss employee negotiations in accordance with the provisions of RSMo 610.021(9), and to discuss a matter of proprietary interest in accordance with the provisions of RSMo 610.021(15), was adopted.

APPROVAL OF MINUTES

Mrs. Singleton moved, seconded by Mr. Todd, to approve the minutes of the May 4 regular and closed Council meetings and the May 11 Council work session 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 May 6, Hazelwood police officers partnered with Robertson firefighter/paramedics to provide a welcoming ceremony for a Special Olympics Missouri (SOMO) track and field event at Hazelwood West High School. On May 12, several officers participated in the North County leg of this year's SOMO Law Enforcement Torch Run. All funds raised support sports training and athletic competitions for the organization's 16,500 athletes.

The police department will be joining other law enforcement agencies statewide in implementing an aggressive "Click It or Ticket" campaign, from May 23 to June 5, to crack down on seatbelt violators. Seatbelt use is the single most effective way to reduce fatalities in vehicle crashes.

Upcoming events include the Movie Matinee at Fire House #2 on May 22, the season opening of White Birch Bay aquatic center on May 28, Recycle Day at St. Louis Outlet Mall on June 4, the Community Art Fair at Hazelwood Community Center on June 4, and Food Truck Night at Howdershell Park on June 7. Additional information on City programs and upcoming events is available on the City's website at www.hazelwoodmo.org.

OATH OF OFFICE

Mrs. Wolf administered the oath of office to Mrs. Stroker who was reelected to serve a three year term.

POLICE DEPARTMENT PROMOTION

Police Chief Gregg Hall introduced newly promoted Lieutenant Douglas McGarry.

EMPLOYEE SERVICE AWARDS As their biographies were read, Fire Captain Dan Leichenauer was presented with a 15 year service award and Police Officer William Russ was presented with a 10 year service award.

PROCLAMATIONS AND RESOLUTIONS

PUBLIC WORKS WEEK PROCLAMATION Mayor Robinson called for the reading of a proclamation designating May 15 through May 21 as Public Works Week.

There were no objections and Proclamation 1610 was read.

Mr. Taylor moved, seconded by Mrs. Hendon, the adoption of Proclamation 1610 designating the week of May 15 through May 21, 2016 as Public Works Week in the City of Hazelwood. The motion passed unanimously.

The proclamation was presented to Public Works Director David Stewart.

RFPD CONTRACT RESOLUTION Mayor Robinson stated reading of a resolution relative to the Robertson Fire Protection District contract is postponed to a later date.

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.

COLDWATER CREEK Mark Long of 8733 Sieloff Drive, #H, stated he's a 19-year resident of the City and the owner/landlord of 12 properties in Hazelcrest Condominiums and expressed concerns with radioactive waste in the nearby Coldwater Creek area.

Mr. Long stated he recently became aware of the issue and believes the City should make it public to the residents. He stated he believes the City should take their own samples for independent testing in order to protect the residents rather than rely on the Army Corp of Engineers.

Mayor Robinson responded radioactive waste has been a concern for the City for many years. The waste has been removed on the south side of the creek and testing continues on the north side of the creek. The City is attempting to work with affected residents to provide information. Mayor Robinson stated Mr. Long's comments would be considered and staff would be asked to provide a report on current cleanup sites.

OCCUPANCY PERMIT PROGRAM Mr. Long expressed concerns with the occupancy permit program.

Mr. Long stated he has a right to occupy multiple properties and he believes the program is being used to track people. He also believes the inspection focuses on cosmetic, inconsequential details. He stated he has invested to improve his rental properties and assure they're safe. He expressed concern with units in the complex that have been occupied by the same owner for years, have never been inspected, and would not meet Code. He asked the Council to consider changing or eliminating the occupancy permit program.

Mr. O'Keefe stated the City's occupancy permit program has been in place for many years and has proven to be an effective tool in serving public safety. He stated Mr. Long's position that he shouldn't be required to get a new inspection when there's a change of occupancy in one of his condominium units because a neighboring, long-time condominium owner has not been required to get periodic inspections to continue to live in their home is illogical. The fact that a resident who lives in their home for an extended period of time is not required to change the condition of their home to meet evolving standards of public safety and construction is not a reason to discard the program. Mr. O'Keefe stated Mr. Long's request won't receive support from either staff or the Council, who are striving to be more rigorous in property standards because of safety concerns and the importance of maintaining property values, or from the people who benefit from the inspection before they occupy the premises.

Mr. Long asked if the occupancy permit program was approved by the Council or the people.

Mr. O'Keefe replied the people of Hazelwood conduct their government through their elected representatives. The process for introduction and consideration of ordinances is laid out in the City Code which is available online.

PUBLIC HEARINGS - None

COMMUNICATIONS

APPRECIATION FOR DINNER	A letter of appreciation for their annual dinner was received from the City Plan Commission.
EWGCG LOCAL BRIEFINGS	The May 5 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.
CHARTER FRANCHISE FEE	A summary of the 1 st quarter 2016 franchise fee payment was received from Charter Communications.
MLMSL NEWSLETTER	The Municipal League of Metro St. Louis' May newsletter was received.

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

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

WORK SESSION No items were added to the July 13 Council work session
AGENDA ITEMS agenda.

BOARD/COMMISSION Mayor Robinson nominated the following for reappointment
APPOINTMENTS to their respective board or commission: Robert Lupicki,
Board of Appeals; Barb Stogsdill, City Plan Commission;
Steve Tucker, Parks & Recreation Board; Earl Compton,
Civil Service Board; Roy Kuhn, Pension Plan Board of
Trustees; Scott Womble, Civil Service Board; Steve
Rahmberg, Community Enrichment Commission; Karen
Rahmberg, Community Enrichment Commission; Judy
Teson, Historic Preservation Commission; Bobbie Bailey,
Neighborhood Watch Commission; and Ruth Pondrom,
Parks and Recreation Board.

In addition, Mayor Robinson nominated Helena Clark Smith, of 2145 Riverwood Trails Drive, for appointment to the Community Enrichment Commission.

Mrs. Hendon moved, seconded by Mr. Parkin, to approve the preceding appointments. The motion passed unanimously.

Mrs. Wolf will invite the newly appointed and reappointed board and commission members to the June 1 Council meeting to receive their oaths of office and commission certificates.

CITY MANAGER'S REPORT

SOLID WASTE Mr. Stewart stated in July 2008 the City entered into a
COLLECTION contract with Veolia Environmental Services for residential
solid waste collection services.

In September 2010, the contract was assigned to Allied Services and was later extended to August 31, 2016. Bids have been sought for a five year contract with the same level of service received under the existing contract which includes once a week solid waste and recycling collection (basic service), senior and disabled discount of 50%, and optional yard waste collection. Three bids were received: Meridian Waste Solutions, Inc.; Waste Management; and Republic Services, the City's current contractor. Current rates are \$16.34 per month for basic service, \$8.17 per month for senior/disabled basic service, and \$8.46 per month for yard waste collection.

Mr. Stewart focused on the primary cost to residents, the cost for basic service. For year 1, Meridian's bid is \$14.95 per month, Republic's is \$15.65 per month, and Waste Management's is \$15.95 per month. Per the bid specifications, bidders were allowed to submit one alternate bid. Waste Management submitted an alternate bid with year 1 at \$15.58 per month. The basic service rate in the alternate bid was lowered because a 95 gallon toter would be provided for recycling rather than a 65 gallon toter. Meridian and Republic have agreed to provide a 95 gallon toter for recycling as well. Therefore, Waste Management's alternate bid should be used for comparison purposes. Focusing on year 1 of the contract term, the bids are close with only a \$.90 difference. Meridian had the low bid and a three percent increase for years 2 through 5. Waste Management's is second with a 2.6% to 2.8% increase for years 2 through 5. Republic's is third with rate increases for years 2 through 5 based on the consumer price index (CPI). For the past five years, the CPI has ranged from 1.4% to 2.9%, with an average of 2.4% for the five year period. Calculated with a 2.5% increase, Republic's year 5 rate would be \$17.22 which is only \$.42 more than Meridian's year 5 rate. Yard waste bids were also close and were within a \$.15 range. From low to high for year 1, Waste Management's was \$8.35 with increases of approximately 1.25% for years 2 through 5. Republic is second at \$8.46. With increases based on the historical average CPI of 2.4%, year 5 would be \$9.31. Meridian is third at \$8.50 with a 3% increase in year 3 only. Of 6,800 total households, twenty-six percent utilize the yard waste option. There are several approaches to award the contract. Some cities make the award based on lowest cost regardless of how small the difference may be. Some award the contract based on prior positive experiences with their current contractor and disinterest in the efforts and challenges associated with changing contractors even if the monthly rate is somewhat higher. The method used to award the contract is the Council's prerogative.

Mr. Ryan noted Republic's bid includes bulky waste collection at no charge and Meridian would charge \$20.

Mr. Stewart replied the current contract with Allied includes two bulky waste collections per year at no charge, one in June and one at the resident's option. He stated the \$20 fee on Meridian's bid conflicts with the narrative submitted with their bid which stated they would provide one free bulky waste collection per month, January through October. When contacted for clarification, they indicated they would provide two free bulky waste collections per month, January through October, as they try to avoid the holiday months which are heavy usage months.

Mrs. Singleton commented the difference in rates is slight. She stated she recalls receiving numerous complaints with former trash haulers and she hasn't received any with Republic. In addition, they try to increase recycling and actively participate by attending the Green Committee meetings. She expressed support for contracting with Allied.

Mr. Aubuchon and Mrs. Hendon agreed and pointed out the challenges associated with changing contractors and the possibility of problems.

Mr. Aubuchon moved, seconded by Mr. Ryan, to authorize a five year contract with Republic Services for residential solid waste collection 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.

AUDITING SERVICES Finance Director Lori Helle reported staff recommends authorization of a contract with Botz, Deal & Company, P.C. for auditing services for fiscal years 2016 through 2020.

Three bids were received in response to the request for proposals. While the City has received excellent service from Hochschild, Bloom & Company for the past 17 years, their bid was the highest. Botz, Deal & Company submitted the lowest bid at approximately \$4,000 per year less. Ms. Helle stated their references were checked and she has had prior experience working with them in the past at another city.

Mrs. Hendon moved, seconded by Mr. Todd, to concur with the staff recommendation to authorize the contract with Botz, Deal & Company for auditing services 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.

LEASE/PURCHASE FOR FIBER OPTIC PROJECT Ms. Helle reported staff recommends authorization of a lease/purchase agreement with U.S. Bancorp Government Leasing & Finance, Inc., for financing of the fiber optic project for a ten year term, at an interest rate of 2.12%, with a principal amount not to exceed \$648,995.

The total project cost is \$809,395. A down-payment of \$160,400 was made from the Economic Development Fund and the balance will be financed through the Capital Improvement Fund. Four bids were received, with U.S. Bancorp's being the lowest.

Mr. Todd moved, seconded by Mr. Parkin, to concur with the staff recommendation to authorize the lease/purchase agreement with U.S. Bancorp Government Leasing & Finance, Inc., for financing of the fiber optic project 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.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mrs. Singleton moved, seconded by Mr. Todd, to receive and file the minutes of the April 12 Community Enrichment Commission meeting and the April 25 Historic Preservation Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

CONTRACT Mayor Robinson called for the first reading of a bill to
WASTE COLLECTION authorize a contract for solid waste collection.

There were no objections and Bill 4595 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF HAZELWOOD, MISSOURI, TO ENTER INTO AND EXECUTE A CONTRACT WITH REPUBLIC SERVICES FOR THE COLLECTION OF REFUSE, COMPOSTABLES AND RECYCLABLES FROM SINGLE-FAMILY DWELLINGS AND RECYCLABLES FROM MULTI-FAMILY DWELLINGS FOR THE PERIOD FROM SEPTEMBER 1, 2016 THROUGH AUGUST 31, 2021, WITH A TWO YEAR EXTENSION OPTION.

Bill 4595 will be on the agenda for second reading on June 1.

CONTRACT Mayor Robinson called for the first reading of a bill to
AUDITING SERVICES authorize a contract for auditing services.

There were no objections and Bill 4596 was read by title only:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF HAZELWOOD, MISSOURI, TO ENTER INTO AND EXECUTE A CONTRACT WITH BOTZ, DEAL & COMPANY, P.C. FOR AUDITING SERVICES FOR FISCAL YEARS 2016 THROUGH 2020.

Bill 4596 will be on the agenda for second reading on June 1.

LEASE/PURCHASE Mayor Robinson called for the first reading of a bill to
FIBER OPTIC PROJECT authorize a lease/purchase agreement for financing of the
fiber optic project.

There were no objections and Bill 4597 was read by title only:

AN ORDINANCE AUTHORIZING A LEASE/PURCHASE AGREEMENT WITH U.S. BANCORP GOVERNMENT LEASING & FINANCE, INC., FOR THE FIBER OPTIC PROJECT FOR A TEN YEAR TERM, AT AN INTEREST RATE OF 2.12%, WITH A PRINCIPAL AMOUNT NOT TO EXCEED \$648,995.

Bill 4597 will be on the agenda for second reading on June 1.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4558 Mayor Robinson called for the second reading of Bill 4558, SLUP to grant a Special Land Use Permit to Ben Hur Construction, 11950 MO. BOTTOM RD. for outdoor storage at 11950 Missouri Bottom Road.

Mr. Zimmerman stated second reading of the bill has been postponed for some time as the petitioner is working on some issues. An additional deposit was submitted today. He asked the Council to postpone the second reading for an additional two weeks.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to postpone the second reading of Bill 4558 to June 1. The motion passed unanimously.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

CITY HALL CLOSED Mayor Robinson announced City Hall will be closed on Monday, May 30, in observance of Memorial Day.

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, June 1, 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 8:40 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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