

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
JUNE 15, 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, June 15, 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:

Don W. Ryan
Robert Parkin II
Matthew G. Robinson
Russell Todd
Rosalie Hendon
Mary G. Singleton
Robert M. Aubuchon

Councilwoman Carol A. Stroker and Councilman Warren H. Taylor 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

Mayor Robinson requested the closed session for discussion of litigation and consultation with the City Attorney be removed from the agenda.

Mr. Todd moved, seconded by Mr. Parkin, to amend the agenda by removal of the closed session for discussion of litigation and consultation with the City Attorney. The motion passed unanimously.

Ms. Singleton moved, seconded by Mrs. Hendon, to adopt the agenda as amended. The motion passed unanimously.

CONSENT AGENDA

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

AYE - 7

NAY - 0

Mr. Ryan
Mr. Parkin
Mayor Robinson

Mr. Todd
Mrs. Hendon
Mrs. Singleton
Mr. Aubuchon

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to discuss a personnel matter in accordance with the provisions of RSMo 610.021(3), was adopted.

**APPROVAL OF
MINUTES**

Mr. Parkin moved, seconded by Mrs. Hendon, to approve the minutes of the June 1 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.

Missouri American Water is upgrading its water metering system to improve services and ensure the accuracy of water bills. Letters have been sent to residents notifying them about this project. Crews will wear Missouri American Water badges and their trucks will have logos. The installation process takes about an hour with no service interruption. Residents with outside meters will be notified before installation begins. Residents with inside meters will need to call for an appointment.

Twenty-four artists participated in this year's Art Fair and over 200 pieces were displayed. Amelia Galbreath, a 15-year art instructor from Hazelwood West High School, was the judge.

Hundreds of residents participated in the Food Truck Night last week. Food was offered for sale from seven different trucks and entertainment was provided by comedian David Graham.

Upcoming events include Bash at the Bay Teen Night on June 17, the annual Summer Skate/BMX Competition on June 24, and the Pyro-Musical Fireworks Display on July 4. Additional information on City programs and upcoming events is available on the City's website at www.hazelwoodmo.org.

**BOARD/COMMISSION
OATHS OF OFFICE**

Mrs. Wolf administered the oath of office to Dan Wibracht who was reappointed to the Neighborhood Watch Commission.

**EMPLOYEE
INTRODUCTIONS**

Police Chief Gregg Hall introduced newly hired Police Recruit Monica L. Ramires-De la Cruz and Assistant City Manager Bob Frank introduced newly hired Intern Benroy Shimotani.

SERVICE AWARD As her biography was read, Recreation Leader II Barbara Anthony was presented with a 15 year service award.

RECYCLE DAY PRIZE DRAWING A drawing was held for the winners of the Recycle Day prizes.

The following adults won two tickets to the St. Louis Cardinals game, versus the San Diego Padres, on July 19:

Brian Bivin 8776A Sieloff Drive
Gwen Neighbors 1560 Oliveto Lane

The following children won a free day admission to White Birch Bay aquatic center during the 2016 season:

Tyson White 1140 Martin Manor Drive
John Frank 1016 Lanawood Court

Another drawing will be held during Harvestfest.

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.

CANDIDATE FOR STATE REP. Dan Wibracht, 29 Airshire Place, announced he is a candidate for State Representative, District 73, which includes Ward 2 and Ward 6.

PUBLIC HEARINGS - None

COMMUNICATIONS

APPRECIATION FOR DINNER A letter of appreciation for their annual dinner was received from the Civil Service Board.

CHARTER CHANNEL LINEUP CHANGES Notice of changes to the channel lineup was received from Charter Communications.

EWGCG LOCAL BRIEFINGS The June 2 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

RESIGNATION A letter of resignation from the City Plan Commission was received from Ken Bier.

A letter thanking Mr. Bier for his service to the City was sent.

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

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

BOARD/COMMISSION Mayor Robinson appointed Clara Faatz, 8 Bon Vue Drive, APPOINTMENTS to the Neighborhood Watch Commission.

Mr. Aubuchon moved, seconded by Mrs. Hendon, to approve the appointment of Clara Faatz to the Neighborhood Watch Commission. The motion passed unanimously.

Ms. Faatz will be invited to the July 6 Council meeting to receive her oath of office and commission certificate.

Mr. Zimmerman noted a citizen member of the Pension Plan Board of Trustees has resigned. A new appointee is needed because the board is scheduled to meet during the second half of July.

WORK SESSION Mayor Robinson reported Mrs. Wolf polled the Council for their availability for a June work session and a date could not be agreed upon.

Mayor Robinson suggested placing the discussion of occupancy permit requirements on the August 10 Council work session agenda.

Mr. Todd moved, seconded by Mr. Parkin, to place the discussion of occupancy permit requirements on the August 10 Council work session agenda. The motion passed unanimously.

CITY MANAGER'S REPORT

CRASH DATA Police Chief Gregg Hall reported staff recommends approval RETRIEVAL SYSTEM to purchase a Crash Data Retrieval system from Bosch Crash Data Retrieval, a sole source provider, at a cost of \$14,153.

Chief Hall explained the Police Department participates in a multitude of programs involving traffic safety management that are financed and sponsored by the Missouri Department of Transportation (MoDOT). One of these programs is Hazardous Moving

Violations. This year, in addition to receiving reimbursement funds for police officer overtime hours accrued for program operation, MoDOT will reimburse the City for the purchase of a Crash Data Retrieval system. The base kit includes the hardware and software necessary for traffic accident investigators to retrieve data, such as speed and failure to apply breaks, from those vehicles with Diagnostic Link Connectors. Chief Hall stated the Hazelwood Police Department would be able to use the equipment to assist other police departments when they're investigating a serious accident. He stated St. Louis County is currently the only department in the area with the equipment and there's a waiting list to use it.

Mr. Ryan moved, seconded by Mrs. Singleton, to concur with the staff recommendation to authorize the purchase of a Crash Data Retrieval system from Bosch Crash Data Retrieval at a cost of \$14,153. The motion passed unanimously.

STREET ACCEPTANCE Public Works Director David Stewart reported staff recommends acceptance for maintenance of Charbonier Bluffs Drive and Kendl Court, in the Charbonier on the Park subdivision, along with the sidewalks and street lights.

Mr. Stewart stated the subdivision is nearly complete with 30 of the 34 lots sold. The remaining lots have houses available for sale that are constructed or under construction. The City has completed its review as part of the process to accept the public infrastructure. This includes inspecting and requiring any repairs to streets and sidewalks, ensuring utility companies have accepted their respective infrastructure, and providing as-built plans for City records. Concerns were recently raised relative to a fence in need of repair and some siltation in a detention basin. Those issues were addressed by the developer, McKelvey, this week. Staff has requested a Certificate of Completion from McKelvey's engineer and McKelvey has indicated it will be provided prior to second reading of the bill.

Mrs. Singleton asked if all sidewalks have been completed.

Mr. Stewart replied the sidewalks for the lots with houses under construction will be handled through the building permit process to ensure they are installed.

Mrs. Singleton moved, seconded by Mrs. Hendon, to concur with the staff recommendation to accept Charbonier Bluffs Drive and Kendl Court for maintenance along with the sidewalks and street lights 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.

HABITAT FOR HUMANITY

Mr. Zimmerman reported Habitat for Humanity was awarded a grant to construct five houses.

Staff is working on building demolition and removal of the asbestos. The lots will be turned over to Habitat for Humanity in the fall and construction should begin during early spring of next year at the latest.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mr. Parkin moved, seconded by Mrs. Hendon, to receive and file the minutes of the May 23 Historic Preservation Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

STREET ACCEPTANCE Mayor Robinson called for the first reading of a bill to accept Charbonier Bluffs Drive and Kendl Court for maintenance, along with the sidewalks and street lights.

There were no objections and Bill 4606 was read by title only:

AN ORDINANCE ACCEPTING CHARBONIER BLUFFS DRIVE AND KENDL COURT FOR MAINTENANCE, SAME HAVING BEEN DEDICATED AS PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF HAZELWOOD, MISSOURI, TOGETHER WITH THE SIDEWALKS AND STREET LIGHTS LOCATED THEREON.

Bill 4606 will be on the agenda for second reading on July 6.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4558 Mr. Zimmerman stated staff requests the Council pass out 11950 MO. BOTTOM RD. Bill 4558, which would grant a Special Land Use Permit for outdoor storage at 11950 Missouri Bottom Road to Ben Hur Construction.

Mr. Zimmerman stated Ben Hur Construction had been seeking a lease extension. Staff was recently informed by the attorney for the property owners that the lease will not be extended. The permit cannot be granted to the petitioner who will have no legal interest in the property.

Mr. O'Keefe asked if the petitioner has agreed to withdraw the application.

Mr. Zimmerman responded the petitioner has not submitted a letter of withdrawal. He explained there is a problem between the petitioner, who is the tenant, and the property owner.

Mr. O'Keefe stated the application no longer meets the criteria for issuance of the permit because it isn't approved by the property owner.

Mr. Aubuchon moved, seconded by Mr. Todd, to pass out Bill 4558. The motion passed unanimously.

BILL 4597	Mayor Robinson called for the second reading of Bill 4597 to
LEASE/PURCHASE	authorize a lease/purchase agreement for financing of the
AGREEMENT	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.

Mrs. Hendon moved, seconded by Mr. Aubuchon, the adoption of Bill 4597 as an ordinance. The following vote was recorded on the motion:

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

Bill 4597 was unanimously adopted as Ordinance 4486-16.

BILL 4598	Mayor Robinson called for the second reading of Bill 4598 to
SLUP	grant a Special Land Use Permit for a convenience store
6901 HOWDERSHELL	with fuel dispensing facilities and a drive-in restaurant at
	6901 Howdershell Road.

There were no objections and Bill 4598 was read by title only:

AN ORDINANCE REPEALING ORDINANCE 3328-02 AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO ZUM ZUM LLC FOR A CONVENIENCE STORE WITH FUEL DISPENSING FACILITIES AND A DRIVE-IN

RESTAURANT AT 6901 HOWERSHELL ROAD AND PROVIDING FOR THE REGULATION OF SUCH USAGE.

Mrs. Singleton asked if the business recently violated their liquor license by selling alcohol to minors.

Chief Hall responded affirmatively.

Mrs. Singleton stated there was a problem with the same owner, but different managers, in the past.

Mrs. Hendon moved, seconded by Mr. Parkin, the adoption of Bill 4598 as an ordinance. The following vote was recorded on the motion:

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

Bill 4598 was unanimously adopted as Ordinance 4487-16.

BILL 4599	Mayor Robinson called for the second reading of Bill 4599 to
SLUP	grant a Special Land Use Permit for outdoor storage at
11700 MO. BOTTOM	11700 Missouri Bottom Road.

There were no objections and Bill 4599 was read by title only:

AN ORDINANCE AUTHORIZING AND GRANTING A PERMANENT SPECIAL LAND USE PERMIT TO MIDWEST LANDSCAPE, LLC FOR OUTDOOR STORAGE AT 11700 MISSOURI BOTTOM ROAD AND PROVIDING THE CONDITIONS OF SUCH USAGE.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4599 as an ordinance. The following vote was recorded on the motion:

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

Mrs. Singleton
Mr. Aubuchon

Bill 4601 was unanimously adopted as Ordinance 4490-16.

BILL 4602 Mayor Robinson called for the second reading of Bill 4602 to
AMEND CHAPTER 210 amend Chapter 210 of the City Code relative to non-
domestic animals and the keeping of domestic fowl.

Mr. O’Keefe stated the Council has been provided with Bill 4602.1 in redline version which amends the assignment of staff responsible for permit inspection, issuance, and enforcement. It also amends the definition of non-domestic animals, which are prohibited, by specifically excluding typical household pets.

Mrs. Hendon moved, seconded by Mr. Aubuchon, to amend Bill 4602 by the text of Bill 4602.1. The motion passed unanimously.

There were no objections and Bill 4602, as amended, was read by title only:

AN ORDINANCE AMENDING SECTION 210.120 REGARDING NON-DOMESTIC ANIMALS AND ENACTING SECTION 210.160 OF THE CODE OF THE CITY OF HAZELWOOD, MISSOURI, RELATING TO KEEPING DOMESTIC FOWL.

Mrs. Hendon moved, seconded by Mrs. Singleton, the adoption of Bill 4602, as amended, as an ordinance. The following vote was recorded on the motion:

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

Bill 4602, as amended, was unanimously adopted as Ordinance 4491-16.

BILL 4603 Mayor Robinson called for the second reading of Bill 4603 to
AMEND CHAPTER 245 amend Chapter 245 of the City Code relating to
responsibility for subscribing to and paying for waste
collection and disposal services.

There were no objections and Bill 4603 was read by title only:

AN ORDINANCE OF THE CITY OF HAZELWOOD, MISSOURI, AMENDING SECTIONS 245.020 AND 245.080 OF THE HAZELWOOD CITY CODE RELATING TO

RESPONSIBILITY FOR SUBSCRIBING TO AND PAYING CHARGES FOR SOLID WASTE COLLECTION AND DISPOSAL.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Bill 4603 as an ordinance. The following vote was recorded on the motion:

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

Bill 4603 was unanimously adopted as Ordinance 4492-16.

BILL 4604	Mayor Robinson called for the second reading of Bill 4604 to
E.D. LOAN AGREEMENT	authorize an economic development and new employment
TRANS-LUX	training and opportunities forgivable loan agreement with
	Trans-Lux Corporation.

There were no objections and Bill 4604 was read by title only:

AN ORDINANCE APPROVING AN ECONOMIC DEVELOPMENT AND NEW EMPLOYMENT TRAINING AND OPPORTUNITIES FORGIVABLE LOAN AGREEMENT WITH TRANS-LUX CORPORATION AND AUTHORIZING EXECUTION OF DOCUMENTS RELATING THERETO.

Mr. Parkin moved, seconded by Mr. Aubuchon, the adoption of Bill 4604 as an ordinance. The following vote was recorded on the motion:

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

Bill 4604 was unanimously adopted as Ordinance 4493-16.

BILL 4605	Mayor Robinson called for the second reading of Bill 4605 to
E.D. LOAN AGREEMENT	authorize an economic development and new employment
BOMMARITO TMC	training and opportunities forgivable loan agreement with

Bommarito TMC of St. Louis,

There were no objections and Bill 4605 was read by title only:

AN ORDINANCE APPROVING AN ECONOMIC DEVELOPMENT AND NEW EMPLOYMENT TRAINING AND OPPORTUNITIES LOAN AGREEMENT WITH BOMMARITO TMC OF ST. LOUIS, INC., AND AUTHORIZING EXECUTION OF DOCUMENTS RELATING THERETO.

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4605 as an ordinance. The following vote was recorded on the motion:

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

Bill 4605 was unanimously adopted as Ordinance 4494-16.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

CITY HALL CLOSED Mayor Robinson announced City Hall will be closed on Monday, July 4, in observance of Independence Day.

COUNCIL MEETING Mayor Robinson announced the next regular Council meeting will be held Wednesday, July 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 8:25 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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