

**CITY OF HAZELWOOD
REGULAR COUNCIL MEETING
JULY 20, 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, July 20, 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 Parkin II
Russell Todd
Warren H. Taylor
Rosalie Hendon
Mary G. Singleton
Carol A. Stroker
Robert M. Aubuchon
Don W. Ryan

Mayor Matthew G. Robinson was 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. Taylor moved, seconded by Mr. Aubuchon, the adoption of the consent agenda as printed. The following vote was recorded on the motion:

AYE - 8

NAY - 0

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

The motion passed unanimously and the consent agenda, including a closed meeting immediately following the regular meeting to discuss negotiations with employee groups in accordance with the provisions of RSMo 610.021(9) and a personnel matter in accordance with the provisions of RSMo 610.021(3), was adopted.

APPROVAL OF MINUTES

Mr. Taylor moved, seconded by Mr. Aubuchon, to approve the minutes of the July 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.

The reconstruction of Fee Fee Road, south, is substantially complete. The roadway has been reconstructed from McDonnell Boulevard to Anglum Road and a turn lane has been added. A drainage system and pedestrian sidewalk have been added along the east side of the roadway. In addition, the median has been landscaped and lighting has been added along the sidewalk path.

Chaplains Dave Kuntz and Jim Walker invited Hazelwood police officers, their families, City employees, and interested citizens to a prayer vigil at City Hall last Monday. The goal was to allow everyone to come together to embrace their faith and pray for peace in our nation. Prayers were offered for the five Dallas officers who lost their lives and the safety, protection, and wisdom of our officers.

The Hazelnuts celebrated their 40th anniversary last week during their monthly meeting. Councilwoman Stroker presented a proclamation to the organization's president.

The Southside Johnny Band performed a free concert for the Hazelwood community last Saturday night. The band played a variety of music from the 1970 classics to today's mega hits.

St. Louis County wants to assure veterans are aware of their Veterans Program. Established in 1987, its purpose is to strengthen services for veterans living in the County through collaboration with various agencies. The program offers case management, information, advocacy, and referral services to help veterans obtain social services and Veterans Administration benefits. For information call 615-7433.

Upcoming events include Food Truck Night at Howdershell Park on August 2. Additional information on City programs and upcoming events is available on the City's website at www.hazelwoodmo.org.

PROCLAMATIONS AND RESOLUTIONS

GRANT APPLICATION RESOLUTION Parks and Recreation Superintendent Doug Littlefield reported a resolution is required to submit an application to the Municipal Park Grant Commission for grant funds to be used for improving Howdershell Park.

Last year, the City was awarded grant funds to update the Howdershell Park Master Plan. This grant would provide funds to make some of the changes contained in the plan such as eliminating the racquetball court and replacing it with fitness equipment, installing safety surfacing under the playgrounds, and upgrading the horseshoe pits.

Mayor Pro Tempore Hendon called for the reading of the resolution.

There were no objections and Resolution 1605 was read by title only:

A RESOLUTION OF THE COUNCIL OF THE CITY OF HAZELWOOD, MISSOURI, SUPPORTING THE APPLICATION FOR GRANT FUNDS TO BE USED FOR IMPROVING HOWDERSHELL PARK.

Mr. Aubuchon moved, seconded by Mr. Ryan, the adoption of Resolution 1605. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mr. Parkin	
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	

Resolution 1605 was unanimously adopted.

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.

QUEEN ANN PARK Marvin Davis, 677 Coachway Lane, asked if a grant for improvements to Queen Ann Park has been sought.

Mr. Littlefield responded the new Howdershell Park Master Plan was just recently completed and reimbursement has not yet been received. He stated a grant for Queen Ann Park improvements will be pursued next.

Mr. Davis noted the basketball area has never been improved. In addition, although the bathrooms and pavilion are cleaned every morning, there's trash in the park.

PARKING LOT REPAIR Mr. Davis also stated the monument area at the corner of Lindbergh Boulevard and Elm Grove Lane needs to be weeded and the area of the Elm Grove Center parking lot with the orange cones, by the pawn shop, has not yet been repaired.

Public Works Director David Stewart responded he reported the issue to MoDOT and has not heard back from them.

LINDBERGH BLVD. LANDSCAPING Mr. Davis stated the bushes along Lindbergh Boulevard block sight distance and need to be trimmed.

Margie Oliver, 7911 Scotty Drive, stated the bushes block the view of pedestrians on the sidewalk from motorists turning onto Lindbergh Boulevard from Queen Ann Drive which creates a safety hazard.

Mr. Zimmerman responded funds have been allocated in this year's budget to contract for maintenance of the landscaping along Lindbergh Boulevard from the Florissant border to Elm Grove Lane.

Mr. Stewart stated consideration of a contract will be on the August 17 regular Council meeting agenda.

PAINTING OF FIRE HYDRANTS Ms. Oliver stated she called the water company twice a couple of months ago to request they paint the fire hydrants at Scotty and Shamrock Drives and was referred to the City.

Mr. Zimmerman replied hydrants are the responsibility of Missouri American Water. Staff will pass the information on to the City's contact.

CONCERNS WITH 567 COACHLIGHT LN. & 582 COACHLIGHT LN. Laura Metzger of 563 Coachlight Lane stated, since the July 6 Council meeting when she expressed concerns with maintenance of the vacant rental property at 567 Coachlight Lane, a summons has been issued and Code Enforcement has performed numerous inspections.

Mrs. Metzger stated there has been a repetitive cycle where the house falls into disrepair until the City intervenes. She believes the solution is for it to be rented and occupied. She stated the property owner also owns the rental property at 582 Coachlight Lane and has spray-painted over mold on the basement ceiling. She reported the issue to Code Enforcement and was told entry can't be gained without the owner's permission, until the property is rented and inspected for occupancy, or in the event the Police Department requires access.

Arthur Lutz, husband of Laura Metzger, stated the property at 567 Coachlight Lane has been vacant for 10 years. He requested a meeting to discuss a solution to these ongoing maintenance concerns.

Mr. Zimmerman stated, after the owner's court date on August 11, a meeting can be scheduled to discuss a more proactive approach.

CITY MANAGER'S STATUS REPORT Assistant City Manager Bob Frank reported a copy of the letter to Ms. Metzger, sent in response to the concerns she expressed during the July 6 Council meeting, has been provided to the Council.

Mr. Frank stated Mr. Stewart, Mr. McSheehy, and he viewed the property at 567 Coachlight Lane. The property owner had been issued a summons for the August 11 Municipal Court session for an exterior Violation Notice issued on March 1 and two five-day Courtesy Infractions issued on July 8. These will be subject to the court process and findings of the Municipal Judge. Mr. Frank reiterated staff is unable to access the interior of any home unless it's subject to an occupancy inspection, an event requiring access by the Police Department occurs, or the owner voluntarily allows access. The owner allowed access to 582 Coachlight Lane in 2015 and no leak, mold, or evidence of rodents was observed by our inspector. The issues at 567 Coachlight Lane are before our Municipal Court for judgement and possible resolution. Staff will continue to monitor the property to assure compliance with exterior Property Maintenance Code. Mr. Frank added the City has no authority to force a property owner to rent or sell their property.

SLUP EXTENSION 153 MCDONNELL BLVD. City Planner Earl Bradfield reported The Boeing Company has requested a 12 month extension of the Special Land Use Permit Deadline to commence operation of a chemical processing facility at 153 James S. McDonnell Boulevard.

The Special Land Use Permit for manufacturing, wholesaling, storage of chemicals, and vehicle painting was granted on February 16 and will lapse on August 17 if an extension is not granted. The additional time is needed for Boeing to complete design and construction of the facility.

John Frederick, with the Boeing Company's State and Local Government Operations, provided a brief update on Boeing. The new 777X commercial program will add approximately 700 jobs and the F22 fighter jet sustainment work will provide approximately 500 additional jobs. The 777X program requires realignment of work space which necessitated the Special Land Use Permit. Due to the scope of the project, an extension is requested.

Tedd Harrell, plant engineer in Boeing's Facilities Department, stated he is responsible for design of the new chemical processing facility in Building 220. The design phase is

at 90% and is expected to be completed by late August. Construction will begin in the fall and should be completed by July 1, 2017. Design of the paint facility is complete, a contractor was hired, and the drawings have been submitted to the City for review and approval. Construction of the paint facility is expected to be completed about November. Mr. Harrell gave a brief summary of the presentation made during the February 3, 2016 Council meeting. He stated chemical processes will be transferred from several buildings to the new facility. The old buildings will be demolished and new facilities will be constructed in Building 220.

Mr. Aubuchon moved, seconded by Mr. Parkin, to grant the 12 month extension of the Special Land Use Permit for manufacturing, wholesaling, storage of chemicals, and vehicle painting at 153 James S. McDonnell Boulevard 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.

**LIQUOR LICENSE
EXPANSION**

A request for an expansion of the liquor license for Ballard's Restaurant, 6186 Howdershell Road, to include the grass area and rear parking lot for a cancer benefit on July 30, from 9:00 a.m. to 1:30 a.m., and July 31, from noon to 11:30 p.m., was received from Barbie Ballard.

Ms. Ballard stated the benefit is for a staff member's cousin who has stage four brain cancer. The benefit will include outdoor entertainment, horseshoes, and washers. Games would be in the grass area on the side of the building and in the back parking lot. The band would be on the back lot from 1:00 p.m. to 6:00 p.m. There would be 10 foot by 10 foot tents for customers to get out of the sun. Outdoor seating would not be provided.

Mr. Aubuchon asked how attendees would be prevented from bringing their own liquor.

Ms. Ballard responded security would be stationed outside. In addition, there would be beer tubs with plastic bottles so that there will be no glass breakage. The outdoor area would be surrounded by an orange plastic fence. Parking would primarily be in front of the building. The back lot would only be utilized for parking if necessary. Liquor service would end at 1:00 a.m. on Sunday to allow anyone who has a drink to finish it. Since Saturday's hours extend beyond midnight, the state required a two day license. Therefore, the event was extended to Sunday. Outdoor entertainment and games will not be provided on Sunday.

Mr. Aubuchon moved, seconded by Mr. Ryan, to grant the liquor license expansion for Ballard's Restaurant, 6186 Howdershell Road, to include the grass area and rear parking lot for an event on July 30, from 9:00 a.m. to 1:30 a.m., and July 31, from noon to 11:30 p.m. The motion passed unanimously.

PUBLIC HEARINGS - None

COMMUNICATIONS

MSD CAPITAL IMPROVEMENT & REPLACEMENT PROG. Notice of the availability of Metropolitan St. Louis Sewer District's fiscal year 2017 Capital Improvement and Replacement Program budget was received.

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

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

UNFINISHED BUSINESS - None

MAYOR AND COUNCIL REPORTS

WORK SESSION AGENDA ITEMS No items were added to the August 10 Council work session agenda.

BOARD/COMMISSION APPOINTMENTS Mayor Pro Tempore Hendon nominated Nick Talarico of 19 Riverwood Estates Boulevard to the Community Enrichment Commission.

Mrs. Stroker moved, seconded by Mr. Parkin, to approve the appointment of Nick Talarico to the Community Enrichment Commission. The motion passed unanimously.

Mr. Talarico will be invited to the August 3 Council meeting to receive his oath of office and commission certificate.

CITY MANAGER'S REPORT

TRASH COLLECTION Mr. Zimmerman stated service under the new five-year trash collection contract will begin September 1.

Those who wish to continue receiving the senior/disabled discount must reapply with Republic. Republic will be sending a notice to residents.

Mr. Stewart stated Republic prepared a flyer for mailing which has been approved by the City. It notifies seniors of the need to reapply and to submit verification that the applicant is the head of household, a City resident, and age 62 or 100% disabled per the Social Security Administration. The flyer includes a tear-off section which can be completed and mailed to Republic with the documentation. It also includes Republic's customer service phone number. City staff will assist the seniors/disabled who need help with the reapplication process and will send the application and documentation to

Republic on their behalf. The flyer will be mailed within the next week which will allow the seniors/disabled a month to reapply for the discount.

Mr. Aubuchon asked what type of verification the seniors must provide.

Mr. Stewart replied a copy of their driver's license or state issued identification.

Mr. Aubuchon stated he believes the seniors will have a difficult time making copies at their homes.

Mrs. Hendon suggested they could use the library to make copies.

Mr. Zimmerman stated City staff will assist the seniors and will scan their identification for e-mail directly to Republic.

Lee Miller, 559 Coachlight Lane, asked who will get the notice.

Mr. Zimmerman replied all one-family and two-family dwelling units.

Mr. Stewart stated the City will send notices to all landlords of one-family and two-family dwelling units with information on the new contract, rates, and new Code requiring them to pay the trash collection invoice for their rental property. Republic will obtain names of known landlords and addresses from St. Louis County and provide them to the City. The letters will be sent within a week to provide the landlords with a month's notice.

Mrs. Singleton asked if landlords would be required to pay for service for vacant properties.

Mr. Stewart stated if a landlord wishes to suspend service for a vacant property they would need to work it out with Republic.

In response to Mr. Aubuchon's inquiry, Mr. Stewart stated the occupancy permit application states all one-family and two-family dwellings must maintain trash collection service. It will be updated to reflect the new landlord requirement.

KEEPING OF DOMESTIC FOWL

Mr. Zimmerman stated the ordinance passed on June 15 relative to domestic fowl required residents who are keeping domestic fowl, such as chickens, to come into compliance with the new regulations within 90 days.

An enforcement program has been developed and put in place. Eight letters were mailed last week notifying those residents who are known to be keeping chickens that they have until September 15 to come into compliance. After August 16, any other residents who are found to be keeping domestic fowl will be given 30 days to come into compliance.

Mr. Aubuchon expressed concern that a letter wasn't sent to all residents to inform them of the new regulations in order that they could notify the City if they know of a neighbor keeping domestic fowl.

Mr. Zimmerman replied staff felt sending 11,000 letters was unwarranted since a very small percentage of the residents keep domestic fowl. He noted information on the new regulations is on the City's website and Facebook page.

Mrs. Hendon asked what happens if they don't come into compliance.

Mr. Zimmerman replied they will be ticketed and the Municipal Judge will determine the appropriate penalty.

CITY ATTORNEY'S REPORT - None

CITY CLERK'S REPORT - None

COMMISSION AND BOARD REPORTS Mr. Taylor moved, seconded by Mr. Aubuchon, to receive and file the minutes of the June 27 Historic Preservation Commission meeting. The motion passed unanimously.

NEW BUSINESS - None

INTRODUCTION AND FIRST READING OF BILLS

**SLUP EXTENSION
153 MCDONNELL** Mayor Pro Tempore Hendon called for the first reading of a bill to extend the Special Land Use Permit deadline to commence manufacturing, wholesaling, storage of chemicals, and vehicle painting operations at 153 James S. McDonnell Boulevard to August 17, 2017.

There were no objections and Bill 4609 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 4461-16 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE MANUFACTURING, WHOLESALING, STORAGE OF CHEMICALS, AND VEHICLE PAINTING OPERATIONS AT 153 JAMES S. MCDONNELL BOULEVARD TO AUGUST 17, 2017.

Bill 4609 will be on the agenda for second reading on August 3.

SECOND READING OF BILLS AND ACTION ON BILLS

BILL 4607 Mayor Pro Tempore Hendon called for the second reading of
SLUP EXPANSION Bill 4607 to grant an expansion of the Special Land Use
6270 HOWDERSHELL Permit at 6270 Howdershell Road.

There were no objections and Bill 4607 was read by title only:

AN ORDINANCE AMENDING ORDINANCE 2887-97 BY GRANTING AN EXPANSION OF THE SPECIAL LAND USE PERMIT FOR A FAST FOOD, DRIVE-IN RESTAURANT AT 6270 HOWDERSHELL ROAD TO INCLUDE A SECOND DRIVE-IN AND PROVIDING FOR THE REGULATION OF SUCH USAGE.

Mrs. Stroker moved, seconded by Mr. Ryan, the adoption of Bill 4607 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mr. Parkin	
Mr. Todd	
Mr. Taylor	
Mrs. Hendon	
Mrs. Singleton	
Mrs. Stroker	
Mr. Aubuchon	
Mr. Ryan	

Bill 4607 was unanimously adopted as Ordinance 4496-16.

GROUND LEASE Mayor Pro Tempore Hendon called for the second reading of
9091 DUNN ROAD Bill 4608 to approve the Acknowledgement and Consent to
Assignment of a ground lease for Dunn Road right-of-way
adjacent to 9091 Dunn Road as well as the ensuing Consent
to Sublease.

There were no objections and Bill 4608 was read by title only:

AN ORDINANCE APPROVING CONSENT TO ASSIGNMENT OF GROUND LEASE AND CONSENT TO ENSUING SUBLEASE OF GROUND LEASE.

Mr. Aubuchon moved, seconded by Mr. Taylor, the adoption of Bill 4608 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mr. Parkin	
Mr. Todd	
Mr. Taylor	

Mrs. Hendon
Mrs. Singleton
Mrs. Stroker
Mr. Aubuchon
Mr. Ryan

Bill 4608 was unanimously adopted as Ordinance 4497-16.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS

COUNCIL MEETING Mayor Pro Tempore Hendon announced the next regular Council meeting will be held Wednesday, August 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 8:31 p.m.

Matthew G. Robinson - Mayor
City of Hazelwood, Missouri

ATTEST:

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