

**CITY OF HAZELWOOD  
REGULAR COUNCIL MEETING  
AUGUST 17, 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, August 17, 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:

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

Councilman Robert Parkin II 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, Mrs. Singleton moved, seconded by Mr. Taylor, the adoption of the agenda as printed. The motion passed unanimously.

**CONSENT AGENDA**

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

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

The motion passed unanimously and the consent agenda was adopted.

**APPROVAL OF MINUTES**

Mrs. Hendon moved, seconded by Mr. Taylor, to approve the minutes of the August 3 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 Musick Park Sprayground was re-opened for business last week. A power surge from a recent storm had caused the operational software to fail. The facility is open from 11 a.m. to 10 p.m.

The City is offering a Rio Olympic Games Coloring Contest for Hazelwood residents grades one through six. Coloring pages are available at both recreation centers. The deadline for entries is August 21. Winners will receive a free, one-day family admission to White Birch Bay.

The Walk for Awareness North County group has been doing weekly walks in Hazelwood this month to support its Stop Heroin Addiction campaign. Hazelwood police officers have joined the walks to show support for their efforts. There will be two more walks starting at 6 p.m. at North County Community Church, 7410 Howdershell Road, on August 18 and August 25.

Mallinckrodt is acquiring Stratatech Corporation, a company specializing in regenerative skin technology for treatment of severe burns. The transaction is expected to close during the second half of 2016.

Upcoming events include Harvestfest on September 10 and Celebrate Safe Communities on September 22. Additional information on City programs and upcoming events is available on the City's website at [www.hazelwoodmo.org](http://www.hazelwoodmo.org).

**EMPLOYEE SERVICE AWARD**

Maintenance Worker Howard Wolff was presented with a 40 year service award as his biography was read.

**READING IS ELEMENTARY AWARDS**

Facility Manager Pam Reynolds explained Reading Is Elementary is an annual reading incentive program, for third through fifth grade students, sponsored by the Community Enrichment Commission.

The Reading Is Elementary award recipients for 2016 are as follows:

Elizabeth Decker	960 minutes
Kaya Monticelli	1,226 minutes
Griffin Brixey	2,740 minutes
Kendon Whitehead	5,400 minutes
Kyler Whitehead	5,400 minutes

Mayor Robinson presented the awards with the assistance of Miss Hazelwood Alexia Rainey and Community Enrichment Commission members Helena Clark Smith and Karen Rahmberg.

**BLUE RIBBON HOME AWARDS** The Blue Ribbon Home Award program, sponsored by the Community Enrichment Commission, recognizes residents who maintain their homes in an exceptional manner.

The 2016 Blue Ribbon Home Award winners are as follows:

- Ward 1: Rachelle Shook, 640 Undercliff Drive  
Michelle & Steven Snyder, 908 Holiday Avenue
- Ward 2: Thomas Keppler, 631 Utz Lane  
Jeffrey Carter, 7400 Foxmont Drive
- Ward 3: Linda Sinnard, 831 Lamplight Lane  
David & Peggy Shelton, 823 Lamplight Lane  
Charles & Lana Maggart, 827 Lamplight Lane
- Ward 4: Jacqueline Strini, 12834 Spring Forest Lane  
Charles Duncan, 1622 Cork Court
- Ward 5: Virginia & Otto Schnarr, 9 Flamingo Drive  
Barbara & Gary Setzer, 8833 Heather Lane
- Ward 6: Barbara & Ray Alexander, 8417 Lariat Drive  
Teresita & William Zafe, 8350 Latty Avenue
- Ward 7: Evelyn Hotze, 2403 Riverwood Trails Drive  
Gail & Gilliuett Owens, 1000 Pratt Place
- Ward 8: Donna & Mark Carr, 76 Moselle Court  
Vicki & Mark Hopkins, 68 Charbonier Bluffs Drive
- Multi-Family Dwelling: The Townhomes at Riverwood Place Drive  
2267 Riverwood Trails Drive

Mayor Robinson presented the awards with the assistance of Miss Rainey, Ms. Clark Smith, and Mrs. Rahmberg.

**RECEPTION** The Council recessed the meeting to hold a reception in honor of the Blue Ribbon Home Award winners and the Reading is Elementary award recipients. After the reception, the meeting was reconvened with all Council members except Mr. Parkin in attendance.

## PROCLAMATIONS AND RESOLUTIONS

F.Y. 2016 BUDGET                      Mayor Robinson called for the reading of a resolution to  
APPROPRIATIONS                      amend the fiscal year 2016 budget and transfer  
TRANSFER                                unencumbered appropriations as requested by the City  
RESOLUTION                              Manager.

Finance Director Lori Helle explained the resolution is a housekeeping measure. None of the reserve balances for any of the funds would change. The first set of adjustments would transfer funds for a pay plan study, allocated in the General Fund under the City Manager's Department, to the appropriate departments. The second set of adjustments would affect the Economic Development Fund. Refinancing of the aquatic center bonds created unanticipated expenditures related to the cost of bond issuance. Expenses for the I-270/McDonnell Boulevard Overpass and Fee Fee Road Reconstruction projects were over budget and full-time and part-time salaries were over due to the pay plan update. Funds would be transferred from the Local Incentive Program to these over budget accounts. In addition, NorthPoint fees were over budget. However, NorthPoint has reimbursed the City which would be reflected by an amendment to the Miscellaneous Income account. The third set of adjustments would affect the Capital Improvement Fund. Thirty-five percent of the unanticipated debt for refinancing of the aquatic center bonds was charged to the Economic Development Fund and the remaining 65 percent was charged to the Capital Improvement Fund. In addition, the expense for police vehicle purchases was over budget because a vehicle was purchased a year in advance in order to take advantage of savings. Unencumbered funds allocated in the Buildings & Grounds account would be transferred to these over budget accounts.

There were no objections and Resolution 1607 was read by title only:

### **A RESOLUTION PROVIDING FOR THE TRANSFER OF UNENCUMBERED APPROPRIATIONS FOR FISCAL YEAR 2016 AS REQUESTED BY THE CITY MANAGER.**

Mrs. Singleton moved, seconded by Mr. Taylor, the adoption of Resolution 1607. The following vote was recorded on the motion:

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

Resolution 1607 was unanimously adopted.

## **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.

No one came forward to address the Council.

**CITY MANAGER'S STATUS REPORT** Assistant City Manager Bob Frank reported on concerns expressed during the August 3 Council meeting by Betty Kintz of 230 B Chapel Ridge Drive relative to a failure by management of the Hazelwood Forest Apartments to make repairs in a timely manner.

Mr. Frank stated Code Enforcement Officer Jake Scerbo contacted Mrs. Kintz. Although she's unhappy with the amount of time it takes for repairs to be made, recent issues have been resolved and assistance was not needed at this time. A follow up letter was sent to Mrs. Kintz.

**APPOINTMENT OF SUBDIVISION TRUSTEES** A request for the Council to appoint three interim trustees for the Timberwood Crossing subdivision, per the subdivision indentures, was received from Adam Bagwell of 1912 Timberwood Crossing Drive.

Mr. Bagwell stated all trustee positions are currently vacant. The indentures provide that, when trustees have not been appointed or elected, the City Council has the authority to make appointments until such time an election can be held and normal Homeowners Association operations can resume. A subdivision resident who had been a trustee many years ago has been performing trustee duties. However, there's inconsistent common ground maintenance. The detention pond is overgrown with cattails and has not been treated, making it a breeding ground for mosquitos.

Mrs. Singleton moved, seconded by Mrs. Stroker, to appoint Adam Bagwell and Lisa and Doug Clever of 1917 Timberwood Crossing Drive as interim trustees for the Timberwood Crossing subdivision.

Mr. O'Keefe interjected there may be a resident who has a contrary view or claims to be a valid trustee. He suggested it would be prudent to send a notice of the filing of this petition to the property owners in the subdivision stating the request will be addressed at the September 7 Council meeting and anyone with comments or objections to the proposed appointments would be heard. Once appointed, the interim trustees would organize and conduct an election in accordance with the indentures.

Micheleen Koeller, 1960 Timberwood Crossing Drive, stated her ex-husband was president of the board of trustees for several years and worked to get the problem with

the standing water in the detention area resolved. She asked if the City will provide assistance to the subdivision with this issue since they approved the subdivision plans. She added the City hasn't been obtaining subdivision approval prior to issuing permits and asked if the City would assure a fence would not be in right-of-way prior to issuing a permit.

Mr. Zimmerman responded affirmatively stating the plan review process also includes the height of the fence and its proposed location with respect to the property and building lines and utilities.

Mr. O'Keefe stated the City doesn't condition issuance of permits on the approval of private parties. Parties subject to indentures are urged to obtain approval from the subdivision trustees. The City doesn't deny permits that comply with Code on the basis of a private party objection and cannot enforce private party indentures. He stated the subdivision plans were approved by MSD and the City. However, common ground areas and detention areas are not accepted for maintenance by the City and are the responsibility of the trustees.

Ms. Koeller asked if there are guidelines for detention areas that the City would have enforced with the builder prior to approval of the subdivision plans.

Mr. O'Keefe replied the fact that the City issued a permit for an improvement which met City Code and standards doesn't make the City a guarantor of the work, the owner of the improvement, or responsible for its maintenance in perpetuity.

Mr. Zimmerman suggested Ms. Koeller call him to discuss her concerns.

Mrs. Singleton withdrew the motion.

A notice will be sent to homeowners in the Timberwood Crossing subdivision and Consideration of the Appointment of Timberwood Crossing Subdivision Trustees will be placed on the September 7 agenda.

## **PUBLIC HEARINGS**

AMEND CHAP. 405 RE: LANDSCAPING TO NEW DEVELOPMENT Mayor Robinson called to order the public hearing to consider the proposal to amend *Chapter 405: Zoning Regulations, Section 405.620: Landscaping Requirements*, relative to landscaping to new development.

Mr. Bradfield reported the change would require denser tree planting for industrial and commercial sites where rear and side yards are adjacent to residential districts to provide improved screening of the land uses from residential properties. The current spacing requirement is 30 feet. The proposed requirement is 10 feet. Staff would encourage planting of trees on parallel lines, with 20 foot spacing along each line, staggered so that the trees are 10 feet apart. Eighty percent of the trees would be

required to be coniferous with a height of six to eight feet and 20 percent deciduous with 1½ to two inch calipers.

Mr. Aubuchon asked if Code requires dead trees to be replaced within a specific timeframe.

Mr. Bradfield replied a landscape plan is required and must be maintained.

Mayor Robinson asked if anyone present wished to speak in favor of or in opposition to the proposal.

Mark Rodell of 716 Mary Jo Lane, a member of the City Plan Commission, stated he suggested this proposal to amend the Code. A commercial property adjacent to his neighbor's property had trees for screening that were five feet apart in accordance with previous Code requirements. Some of the trees died and were not replaced and the remaining trees are now 25 feet apart. Trees planted 25 feet apart do not provide a barrier. Therefore, the commission proposed the planting of trees staggered every 10 feet.

In response to an inquiry from Mrs. Stroker, Mr. Rodell stated the commercial property to which he referred is St. John's Diagnostic Center on Dunn Road. Trees were planted every five feet, but approximately 90 percent of the trees died and were replaced with six foot trees every 25 feet. Due to the elevation of his neighbor's property, even when full grown, the trees won't provide sufficient screening.

No one else spoke in favor of or in opposition to the proposal and Mayor Robinson declared the hearing closed.

Mrs. Wolf stated the City Plan Commission made a motion to recommend the Council approve the petition to amend *Chapter 405: Zoning Regulations, Article XIII. Landscaping and Screening, Section 405.620: Landscaping Requirements*, paragraph *G. Landscaping to New Development*. She stated the motion passed by a vote of six to two.

Mr. Aubuchon moved, seconded by Mr. Ryan, to concur with the City Plan Commission recommendation to amend *Chapter 405: Zoning Regulations, Section 405.620 Landscaping Requirements*, 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.

## **COMMUNICATIONS**

EWGCG  
LOCAL BRIEFINGS

The July 28 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

MLMSTL ANNUAL REPORT The annual report of Municipal League of Metro St. Louis activities was received.

EWGCG LOCAL BRIEFINGS The August 4 issue of Local Government Briefings was received from the East-West Gateway Council of Governments.

PICNIC LICENSE ST. MARTIN DE PORRES An application for a Picnic License for September 17 was received from St. Martin de Porres Catholic Church, 615 Dunn Road.

MLMSTL NEWSLETTER The August 2016 edition of The Link, the Municipal League of Metro St. Louis' newsletter, was received.

Mrs. Hendon moved, seconded by Mr. Taylor, to approve the picnic license and to receive and file all communications. The motion passed unanimously.

**UNFINISHED BUSINESS - None**

**MAYOR AND COUNCIL REPORTS**

WORK SESSION AGENDA ITEMS Mayor Robinson stated the discussion of occupancy permit requirements will be continued during the September 14 work session.

Mayor Robinson suggested, if possible, Council members arrange to accompany a Code Enforcement officer on an inspection prior to the work session in order to see firsthand the types of issues that arise.

COUNCIL ATTIRE Mr. Todd suggested the Council not be required to wear suits for Council meetings during the summer months.

Mayor Robinson stated the Council doesn't have a dress code and attire is up to each Council member.

BOARD/COMMISSION APPOINTMENTS Mayor Robinson nominated Lisa Matlock, 325 Sturbridge Village Drive, for appointment to the Historic Preservation Commission.

Mr. Todd moved, seconded by Mrs. Hendon, to approve the appointment of Lisa Matlock to the Historic Preservation Commission. The motion passed unanimously.

Mrs. Wolf will invite Ms. Matlock to the September 7 Council meeting to receive her oath of office and commission certificate.

**CITY MANAGER'S REPORT - None**

**CITY ATTORNEY'S REPORT** - None

**CITY CLERK'S REPORT** - None

**COMMISSION AND BOARD REPORTS** Mrs. Hendon moved, seconded by Mr. Taylor, to receive and file the minutes of the July 25 Historic Preservation Commission meeting. The motion passed unanimously.

**NEW BUSINESS** - None

**INTRODUCTION AND FIRST READING OF BILLS**

AMEND CHAP. 405 Mayor Robinson called for the first reading of a bill to to amend *Chapter 405: Zoning Regulations, Section 405.620: Landscaping Requirements.*

There were no objections and Bill 4615 was read by title only:

**AN ORDINANCE AMENDING CHAPTER 405: ZONING REGULATIONS, SECTION 405.620: LANDSCAPING REQUIREMENTS, OF THE HAZELWOOD CITY CODE PERTAINING TO LANDSCAPING TO NEW DEVELOPMENT.**

Bill 4615 will be on the agenda for second reading on September 7.

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

BILL 4610 Mayor Robinson called for the second reading of Bill 4610 to extend the Special Land Use Permit deadline to commence operation of Bommarito Collision Center – Hazelwood at 6311 North Lindbergh Boulevard.  
SLUP EXTENSION

There were no objections and Bill 4610 was read by title only:

**AN ORDINANCE AMENDING ORDINANCE 4460-16 BY EXTENDING THE SPECIAL LAND USE PERMIT DEADLINE TO COMMENCE OPERATION OF BOMMARITO COLLISION CENTER - HAZELWOOD AT 6311 NORTH LINDBERGH BOULEVARD TO FEBRUARY 17, 2017.**

Mr. Aubuchon moved, seconded by Mr. Todd, the adoption of Bill 4610 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mayor Robinson	
Mr. Todd	

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

Bill 4610 was unanimously adopted as Ordinance 4499-16.

BILL 4611                      Mayor Robinson called for the second reading of Bill 4611 to  
SUBDIVISION                      authorize the subdivision of 5781 Campus Court/5789  
Campus Parkway Drive.

There were no objections and Bill 4611 was read by title only:

**AN ORDINANCE APPROVING THE SUBDIVISION OF 5781 CAMPUS COURT/5789  
CAMPUS PARKWAY DRIVE FROM ONE LOT INTO TWO LOTS.**

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4611 as an ordinance. The following vote was recorded on the motion:

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

Bill 4611 was unanimously adopted as Ordinance 4500-16.

BILL 4612                      Mayor Robinson called for the second reading of Bill 4612 to  
SUBDIVISION                      authorize the subdivision of 259 Gladys Avenue.

There were no objections and Bill 4612 was read by title only:

**AN ORDINANCE APPROVING THE SUBDIVISION OF 259 GLADYS AVENUE FROM  
ONE LOT INTO TWO LOTS.**

Mr. Taylor moved, seconded by Mrs. Singleton, the adoption of Bill 4612 as an ordinance. The following vote was recorded on the motion:

<u>AYE - 8</u>	<u>NAY - 0</u>
Mayor Robinson	



BILL 4614  
SUPPLEMENTAL  
TRUST INDENTURE

Mayor Robinson called for the second reading of Bill 4614 to approve the First Supplemental Trust Indenture relating to the tax increment financing revenue notes for the Lambert Redevelopment project.

There were no objections and Bill 4614 was read by title only:

**AN ORDINANCE OF THE CITY OF HAZELWOOD, MISSOURI, APPROVING A FIRST SUPPLEMENTAL TRUST INDENTURE RELATING TO THE CITY'S TAX INCREMENT REVENUE NOTES (LAMBERT REDEVELOPMENT PROJECT), SERIES A AND B.**

Mr. Aubuchon moved, seconded by Mrs. Hendon, the adoption of Bill 4614 as an ordinance. The following vote was recorded on the motion:

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

Bill 4614 was unanimously adopted as Ordinance 4503-16.

**MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS**

**HOLIDAY** Mayor Robinson announced City Hall will be closed on September 5 in observance of the Labor Day holiday.

**COUNCIL MEETING** Mayor Robinson announced the next regular Council meeting will be held Wednesday, September 7, 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 9:13 p.m.

ATTEST:

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

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